

CITY OF TIOGA
City Commission Meeting Minutes
November 19, 2018

A meeting of the City Commission of the City of Tioga was called to order at 7:00 pm on November 19, 2018, at the Tioga City Hall, by the president of the Tioga City Commission Drake McClelland.

PRESENT: Drake McClelland, Tim Christianson, Natalie Bugbee, Tim Sundhagen, Heather Weflen and Abby Salinas

ABSENT: Elizabeth Pendlay

GUEST: Dan Larson, Tyler Judkins, Austin Alexander, Stephanie Nygaard, Austin Rollag, Aaron Hooyer, Kyle Ralston, Jacob Orledge, Shawn Martin, Nikki Davidson, Tara Mosley,

Christianson made a motion to approve the minutes of 11-05-2018, second by Bugbee. Roll Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Commissioners Reports:

Christianson: Handed Commission Board paperwork for Robert Logue and stated that he started employment on 11-16-2018. Christianson also advised that Moberg is currently working on a collapsed line.

Bugbee: None

Sundhagen: Sundhagen advised Commission Board that the Police Department interviews were conducted and only one out of the 2 scheduled interviews showed and the other interviewee accepted a job offer elsewhere. Sundhagen also advised Commission Board that Kevin Mell's appointment to the Airport Board is expiring.

Sundhagen made a motion to approve an advertisement for the open position starting January 2019 on the Airport Board, second by Weflen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Weflen: Advised Commission Board that the new City Grader was ordered, and it will be up to 60 days for delivery. Weflen also advised that new tires were put on the old grader. Weflen states that she would like to wish everyone a Happy Thanksgiving, safe weekend and to remind them of the upcoming Parade of Lights

McClelland: Handed Commission Board exhibit of a list of Tioga Citizens names that have shown interest in becoming Tioga Library Board of Trustees that need to be appointed. McClelland also advised Commission Board that there will be a committee comprised of other members assisting the future Library Board with all start up to ensure the opening is successful.

Sundhagen made a motion to appoint Doneen Larson to the Tioga Library Board effective November 19, 2018, second by Bugbee. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Sundhagen made a motion to appoint Nathen Zochert to the Tioga Library Board effective November 19, 2018, second by Bugbee. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Sundhagen made a motion to appoint Jessica Molenda to the Tioga Library Board effective November 19, 2018, second by Bugbee. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Sundhagen made a motion to appoint Drake McClelland to the Tioga Library Board effective November 19, 2018, second by Bugbee. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen Abstained; McClelland

Sundhagen made a motion to appoint Renee Booth to the Tioga Library Board effective November 19, 2018, second by Bugbee. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Modifications/Approval of Agenda:

Weflen made a motion to approve agenda for Commission Board Meeting as is, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

Old Business:

1. Oaths of Office – McClelland advised Commission Board that Natalie Bugbee was voted into the Commission Board in the General Election and with 402 votes. McClelland administered Oath of Office to Natalie Bugbee. **I, Natalie Bugbee of Tioga, ND, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of North Dakota and that I will faithfully discharge the duties of City of Tioga Commission Board according to the best of my ability, so help me God (under pains and penalties of perjury).**

McClelland advised Commission Board that Tim Christianson was voted into the Commission Board in the General Election and with 436 votes. McClelland administered Oath of Office to Tim Christianson. **I, Tim Christianson of Tioga, ND, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of North Dakota and that I will faithfully discharge the duties of City of Tioga Commission Board according to the best of my ability, so help me God (under pains and penalties of perjury).**

McClelland advised Commission Board that Nikki Davidson was voted into the Tioga Park Board in the General Election and with 466 votes. McClelland administered Oath of Office to Nikki Davidson. **I, Nikki Davidson of Tioga, ND, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of North Dakota and that I will faithfully discharge the duties of City of Tioga Park Board according to the best of my ability, so help me God (under pains and penalties of perjury).**

McClelland advised Commission Board that Tara Mosley was voted into the Tioga Park Board in the General Election and with 363 votes. McClelland administered Oath of Office to Tara Mosley. **I, Tara Mosley of Tioga, ND, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of North Dakota and that I will faithfully discharge the duties of City of Tioga Park Board according to the best of my ability, so help me God (under pains and penalties of perjury).**

McClelland advised Commission Board that Shawn Martin received the highest amount of write-in votes to be voted into the Tioga Park Board in the General Election with 30 write-ins. Shawn was offered the position and he accepted. McClelland administered Oath of Office to Shawn Martin. **I, Shawn Martin of Tioga, ND, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of North Dakota and that I will faithfully discharge the duties of City of Tioga Park Board according to the best of my ability, so help me God (under pains and penalties of perjury).**

2. Re-Organization and Liaisons – McClelland advised that re-organization to the different departments needs to be completed.

Sundhagen made a motion to appoint Tim Christianson to the Tioga Water and Sewer Department effective November 19, 2018, second by Weflen. Call: Ayes; Bugbee, Sundhagen, Weflen, McClelland Abstained; Christianson

Sundhagen made a motion to appoint Natalie Bugbee to the Tioga Finance Department effective November 19, 2018, second by Weflen. Call: Ayes; Christianson, Sundhagen, Weflen, McClelland Abstained; Bugbee

McClelland advised that currently all Board or Committees that are in the City of Tioga have different

Commissioners assigned to them as Liaisons. In the past Boards or Committees needing to report to Commission Board would be placed on the agenda and present to the Commission Board, but this was changed, and liaisons were created because different Community Boards or Committees would not

provide information or ask to be placed on the agenda when needs arose. The question was brought to the attention of the Commission Board, if liaisons were still needed. Sundhagen advised Commission Board that he feels that other City Boards or Committees do not require a liaison. Sundhagen states if other City Boards or Committee's need something from City they should ask a Commissioner or be placed on the agenda. Bugbee suggested a Point of Contact instead of a liaison for any questions or issues that City Boards to Committee's may have, discussion continued.

Bugbee made a motion to approve change Commission Board Liaisons to point of contacts and have Salinas send out letters to inform City Boards or Committees, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

3. Legal – Stephanie Nygaard – Advised Commission Board that Grahams have contacted them to ask for a meeting with Police Commissioner, City Attorney and Graham's legal Counsel to discuss contract. Nygaard is currently setting up a meeting location and time.
4. Ackerman-Estvold: Austin Alexander – Informed Commission Board of the status for Annabelle warranty work, 2018 TAP, 2019 TAP and Planning and Zoning. Alexander handed exhibit to Commission Board of scope of work for Simmons Phase II and Simmons Phase III. Salinas stated that before a decision is made to proceed with Simmons Phase II and III construction Commission should wait until end of year is complete to see if Hanson street can be added to 2019 construction. Discussions held.

Weflen made a motion to have Ackerman-Estvold prepare a cost estimate for Hanson Street, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

5. Graham Construction- Austin Rollag – Advised the Commission Board of the status for the Community Center and handed exhibit of Pay Application #8 for review and consideration in the amount of \$525,845.26 for work completed at the Community Center in the month of October, EDC and EAPC have reviewed and recommend approval. Discussions held.

Sundhagen made a motion to approve Pay Application #8 in the amount of \$525,845.26 for work completed at the Community Center the month of October, second by Bugbee. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

6. Ordinance 2018-03 Annexation of City Lagoons 2nd Reading - **ORDINANCE NO. 2018-03 AN ORDINANCE RELATING TO THE ANNEXATION OF REAL PROPERTY PRESENTLY LOCATED OUTSIDE THE CORPORATE BOUNDARIES OF THE CITY OF TIOGA BE IT ORDAINED BY THE BOARD OF THE CITY COMMISSIONERS OF THE CITY OF TIOGA, NORTH DAKOTA:** The City Commission of the City of Tioga, North Dakota, pursuant to Chapter 40-51.2 of the North Dakota Century Code, states that: All of the owners of the following-described real property have signed a written petition for annexation into the corporate boundaries of the City of Tioga, North Dakota or, have withdrawn, in writing, any protest previously lodged with respect to the same; and All of the below-described real property is lands that are contiguous or adjacent real property which is within the corporate limits of the City of Tioga; The real property is fully described as follows, to-wit: **TOWNSHIP 157 NORTH, RANGE 95 WEST: Section 26:**A Parcel of Land being the North one-half of the Southeast Quarter and the Northeast Quarter of Section 28 lying South of the North Railroad Right of Way Line and the North, 300 feet of the South one-half of the Southeast Quarter and the North 300 feet of the East 320 feet of the Southeast Quarter of the Southwest Quarter of Section 26, Township 157 North, Range 95 West of the Fifth Principal, Williams County, North Dakota described as follows: Beginning at the Southwest Corner of Sublot No. 1 as shown on the Plat filed for record November 16, 1993, Williams County recorder office, Document No. 552363 and running thence along the North Railroad Right of Way Line the following three courses: 1) North 82°10' East, 2350 feet more or less 2) North 7°50' West, 75.00 feet more or less 3) 326.85 feet along the arc of a curve to the right, whose radius is 10931.24 feet and whose central angle is 1°42'47" and whose long chords bears North 83°01'24" East, 326.84 feet more or less to the East Line of said Section 26: Thence South along said East Line of Section 26, 1771 feet more or less to the Southeast Corner of the North, 300 feet of the South one-half of the Southeast Quarter; thence West along the South Line of the said North, 300 feet of the South one-half of the Southeast Quarter, 2960 feet more or less to the Southwest Corner of the North 300 feet of the East 320 feet of the Southeast Quarter of

the Southwest Quarter; thence North, 300 feet to the North Line of the Southeast Quarter of the Southwest Quarter and the South line of Nelson Subdivision as shown on the Plat filed September 26, 2017, Williams County recorder office, Document No. 840158; thence South 88°14'26" East, 320 feet more or less to the Southeast Corner of said Nelson Subdivision; thence North 1°47'05" East along the said East Line of the Nelson Subdivision extended, 1039 feet more or less to the point of beginning. Containing 94.9 acres more or less Pursuant to the Regulations for Annexations of North Dakota Century Code a public hearing was scheduled for June 4, 2018 at 6:30pm at which time any and all landowners shall have the right to protest and or agree to the annexation This ordinance shall take effect and be in force from and after final passage, and due publication according to law.

Sundhagen made a motion to approve the 2nd reading of Ordinance 2018-03 Annexation of City Lagoons, second by Weflen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

New Business:

7. Planning & Zoning – Larson handed exhibit to Commission board of a preliminary plat for Mark Sagaser. Larson stated that Planning and Zoning reviewed all paperwork and recommends approval. Nygaard states that their Attorney’s Opinion Letter is missing. Discussions held.
Bugbee made a motion to table preliminary plat for Mark Sagaser until Opinion Letter is provided, second by Weflen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland
8. Rath & Mahrer – Salinas handed exhibit of consent agreement to have outside Auditors Rath & Mahrer complete the City of Tioga audits for 2019 in the amount of \$7,500.00.
Bugbee made a motion to approve Rath & Mahrer to complete the City audit for 2019 in the amount of \$7,500.00, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, McClelland Abstained; Weflen
9. Employee Appraisals – Salinas handed exhibits to Commission Board of Employee Appraisals and a 3-year review for the Community and Service Director Dan Larson. Salinas recommends a Salary increase to \$30.74 per hour. Discussions held.
Bugbee made a motion to approve 3-year salary increase for Larson to the amount of \$30.74 per hour effective 01-01-2019, second by Christianson. Call: Ayes; Christianson, Bugbee, McClelland Nays; Sundhagen, Weflen
10. Payroll - Salinas handed exhibit to Commission Board of payroll for 11-20-2018 for review and consideration.
Sundhagen made a motion to approve payroll for 11-20-2018, second by Bugbee. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland
11. Bills – Salinas handed exhibit to Commission Board of bills for November 2018.
Bugbee made a motion to approve November 2018 bills, second by Sundhagen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland
12. Financials - Salinas handed exhibit to Commission Board of City of Tioga Financials for October 2018,
Weflen made a motion to approve Balance Sheet for October 2018, second by Bugbee. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland
Weflen made a motion to approve Fund Summary for October 2018, second by Sundhagen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

McClelland advised Commission Board that copies needed to be completed for the on-going litigation case for the Waste Water Treatment Plant.

Bugbee made a motion to approve up to \$2,000 to make copies of plans and paperwork for litigation, second by Sundhagen. Call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

McClelland also advised the Commission Board that during reorganization a Vice President was not appointed. Discussions held.

Sundhagen made a motion to appoint Weflen as Vice-President of the Commission Board, second by Christianson. Call: Ayes; Christianson, Bugbee, Sundhagen, McClelland Abstained; Weflen

With no further business, the meeting of the Tioga City Commission was adjourned by unanimous vote moved by Christianson, second by Weflen at 8:50 p.m. call: Ayes; Christianson, Bugbee, Sundhagen, Weflen, McClelland

The next meeting of the City of Tioga Commission Meeting is scheduled for Monday December 3, 2018 at 7:00 p.m., to be held at the Tioga City Hall.

Drake McClelland, City Commission President

ATTEST:

Abby Salinas, City Auditor