

**CITY OF GRAFTON  
CITY COUNCIL MINUTES  
MEETING OF FEBRUARY 8, 2016**

The regular meeting of the City Council of the City of Grafton, North Dakota was held in the Council Chambers, City Hall, Grafton, North Dakota at 6:00 p.m. on Monday, February 8, 2016.

Mayor Chris West presided. Members present: Dave Fellman, Don Hutson, Chris Lipsh, Shane Mohn, Brian Sieben, Mary Stark, Len Wysocki, and Greg Young. Others present: Nick Ziegelmann, Nick Hall, Ken Miskavige, Rock Desautel, Tony Dumas, Scott Boura, and Todd Kjelland.

**PUBLIC HEARING**

In accordance with duly published "Notice of Public Hearing" a public hearing was held to consider a petition from Michael and Jill DeSautel to vacate the alley east of main track of the BNSF railroad between 4<sup>th</sup> and 5<sup>th</sup> Street. No one appeared in opposition. Mr. Lipsh introduced Resolution No. 1716 entitled "A RESOLUTION VACATING THE ALLEY EAST OF THE MAIN TRACK OF THE BNSF RAILROAD, BETWEEN 4<sup>TH</sup> AND 5<sup>TH</sup> STREETS, GRAFTON, NORTH DAKOTA" and moved its adoption. Mr. Young seconded the motion. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Sieben, Ms. Stark, Mr. Wysocki and Mr. Young. Those opposed: None. Mayor West declared the motion carried and Resolution No. 1716 duly adopted.

**CONSENT AGENDA**

Mayor West asked if any Council member wanted to remove any item from the Consent Agenda. It was moved by Mr. Fellman and seconded by Mr. Young to approve the Consent Agenda as follows:

IV. CONSENT AGENDA

4.1 Approval of Minutes:

- a) City Council regular meeting of January 11, 2016.

4.2 Reports of Officers:

- a) City Auditor-Treasurer (December and January)
- b) Municipal Judge
- c) Chief of Police (Includes Annual Report)
- d) Building Official (Includes Annual Report)
- e) Parks and Recreation
- f) Others, if any

4.3 Game of Chance Applications:

- a) 906 – Nine Months
- b) 907 – Dakota Jammers Motorcycle Club

All members were present and voted in favor thereof; Mayor West declared the motion carried.

**BILLS, CLAIMS AND ACCOUNTS**

It was moved by Mr. Young and seconded by Mr. Wysocki that the General, Special, Capital Projects, Debt Service, and Enterprise Funds bills be approved for payment in accordance with the listing submitted; said listing to be a part of these minutes as if herein set out verbatim. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Ms. Stark, Mr. Sieben, Mr. Wysocki, and Mr. Young. Those opposed: (None). Mayor West declared the motion carried.

### **REPORTS OF STANDING COMMITTEES**

On recommendation of the Public Utilities Committee, it was moved by Mr. Sieben and seconded by Mr. Wysocki to approve the application for special permit to sell alcoholic beverages at a special event at designated premises received from Grafton Company for the Grafton Fire Department fundraiser to be held at the Centennial Center on April 9<sup>th</sup> from 4:00 p.m. to 12:00 a.m. Mr. Mohn abstained from voting as he is a member of the Fire Department. All other members present voted in favor thereof; Chairperson West declared the motion carried.

On recommendation of the Ways and Means Committee, it was moved by Mr. Young and seconded by Mr. Fellman to approve a proposal from Galen Cariveau to update the City of Grafton pay study by May 1, 2016 for \$3,500. Concerns were expressed about whether the deadline will be met and whether he would provide the information he gathers from other communities to determine the revised salaries. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Mohn, Mr. Wysocki, and Mr. Young. Those opposed: Mr. Lipsh, Mr. Sieben, and Ms. Stark. Mayor West declared the motion carried.

### **REPORTS OF SPECIAL COMMITTEES**

A Draft Strategy Session Report for the Life Skills and Transition Center was provided for reference. The Economic Development Committee recommended hiring a consultant to market the main opportunity areas identified in the Report, contingent upon the Walsh County Job Development Authority providing matching funds. Mr. Ziegelmann will attend a WCJDA Board meeting at the end of the month and an update will be forthcoming.

City Administrator Ziegelmann reported that Cimarron Energy purchased Diverse Energy. He will consult with the City Attorney about how to proceed regarding the bankruptcy and the spec building lease-to-purchase agreement.

### **NEW BUSINESS**

City Administrator Ziegelmann reminded the City Council that about a month ago they discussed a vacant lot located within the Urban Renewal District owned by First United Bank with a deed restriction that the lot may be used and developed only for banking purposes. First United Bank wanted to sell the lot to Community Health Services to construct a new building to house its services. The City Council agreed at that time to lift any deed restrictions on Lot 3, Block 4, Replat of Blocks 2, 3, and 4, of the Replat of Dakota Addition and the City Attorney notified the title opinion company; the title opinion company then requested a formal resolution. It was moved by Mr. Hutson and seconded by Mr. Young to adopt Resolution No. 1717 entitled, RESOLUTION REMOVING DEED RESTRICTION ON LOT 3, BLOCK 4, REPLAT OF BLOCKS 2, 3 AND 4 OF THE REPLAT OF DAKOTA ADDITION TO THE CITY OF GRAFTON, NORTH DAKOTA.” On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr.

Sieben, Ms. Stark, Mr. Wysocki, and Mr. Young. Those opposed: None. Mayor West declared the motion carried and Resolution No. 1717 duly adopted.

A petition to rezone the North 8' of Lot 18 and all Lots 19 to 22, Prices Addition from R-2 One and Two Family District to B-2 General Business District was submitted by Jerry Unruh and Brendan Unruh. Building Official Scott Boura explained the property includes a vacant lot and a lot with a house, both parcels are north of the current Valley Brake Service. Mr. Unruh has made considerable improvements to the house and plans to use it as a residential structure for the foreseeable future, he does want the option to use the property for his commercial business in the future. It was moved by Mr. Lipsh to approve first reading of an ordinance entitled, "AN ORDINANCE AMENDING THE ZONING MAP ACCOMPANYING APPENDIX A (ZONING ORDINANCE) OF THE CITY OF GRAFTON CODE OF ORDINANCES TO REZONE PROPERTY IN PRICES ADDITION", that North Dakota Century Code and Grafton Code of Ordinances requirements be followed with regard to notification of neighbors, that the petition be referred to the Planning and Zoning Commission for its recommendation, and that a public hearing be scheduled at the regular City Council meeting Monday, March 14, 2016 at 6:00 p.m. to consider any comments. Mr. Fellman seconded the motion. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Sieben, Mr. Wysocki, and Mr. Young. Those opposed: Ms. Stark. Mayor West declared the motion carried.

#### **CORRESPONDENCE AND ANNOUNCEMENTS**

Petition/Certificate of Nominations for the City Election may be filed with the City Auditor until 4:00 p.m. on Monday, April 11, 2016. All City Council Ward positions and the Municipal Judge position are up for reelection.

The City/Primary Election is June 14, 2016.

The Board of Equalization will be held Tuesday, April 12, 2016 at 5:30 p.m.

#### **ADJOURNMENT**

It was moved by Mr. Wysocki and carried to adjourn the meeting.

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Chris West, Mayor

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Connie A. Johnson, City Auditor