

**CITY OF GRAFTON  
CITY COUNCIL MINUTES  
MEETING OF JULY 11, 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, July 11, 2016.

Mayor Chris West presided. Members present: Dave Fellman, Don Hutson, Chris Lipsh, Shane Mohn, Phil Ray, Brian Sieben, Mary Stark, and Greg Young. Others present: Nick Hall, Nick Ziegelmann, Russ Geddes, Rock Desautel, Alex Droske, and Jordan Grasser.

**CONSENT AGENDA**

Mayor West asked if any Council member wanted to remove any item from the Consent Agenda. It was moved by Mr. Lipsh 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 June 13, 2016 and organization meeting of June 28, 2016.

4.2 Reports of Officers:

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

4.3 Game of Chance Application

4.4 Site Authorization Applications:

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

**BILLS, CLAIMS AND ACCOUNTS**

It was moved by Mr. Fellman and seconded by Mr. Sieben 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, Mr. Ray, Ms. Stark, Mr. Sieben, and Mr. Young. Those opposed: (None). Mayor West declared the motion carried.

**REPORTS OF SPECIAL COMMITTEES**

Mr. Fellman reported that the Carnegie Regional Library Board met recently; Walsh County has not yet paid the State Aid and the insurance premium on the Library contents increased so that coverage was just put out on bids.

## UNFINISHED BUSINESS

Mayor West reported that he and Administrator Ziegelmann met with the State Water Commission last week and updated them on the Flood Risk Reduction Project. They plan to also attend the next SWC meeting to ask for the funding already appropriated. Mayor West said the new director of the State Water Commission gave a status report; they will monitor other communities' flood project funding actions as there could be some cost share benefit for Grafton. The Fargo project and Drayton project will not help Grafton's project as they are Federal Aid projects.

## NEW BUSINESS

Mr. Fellman introduced Resolution 1721 entitled, "A RESOLUTION DECLARING A SURPLUS IN MUNICIPAL UTILITIES DEPARTMENT FUNDS, AND DIRECTING THE TRANSFER THEREOF TO THE GENERAL, RECREATION AND MAINTENANCE DEPARTMENT FUNDS" and moved its adoption. Mr. Hutson seconded the motion. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Mayor West declared the motion carried and Resolution No. 1721 duly adopted.

Engineer Jordan Grasser of AE2S gave a status report of the Water Plant Phase III Renovation Project, explaining the contractor has started demolition to the third and final filter, the first two filters have been renovated and are operational. The new addition is getting close to being ready to move into. The contractor is hoping to start renovation of the existing water plant area the last week of August but they are also looking at starting the backwash reclaim basin located directly east of the water plant at the end of July so August will be a very busy month. Substantial completion is still on schedule for November 15<sup>th</sup> with final completion December 31<sup>st</sup>. Mr. Mohn asked if the \$100,000 payment to the contractor is slightly less than what was requested. Mr. Grasser stated that what had been requested was \$110,000 and the reason for that deduction was because the contractor had requested \$30,000 worth of electrical subcontracting expense but based off of their progress he recommended reducing that to \$20,000.

Mr. Grasser reviewed Change Order #2 to the Swanberg Construction, Inc. contract in the amount of \$45,923.40. He reported that one of the line items in the change order is \$14,000 for a high service meter; the existing meter which was not in the scope of the project has started to fail. There is a \$6,000 line item to reinforce a crack that was starting to enlarge in the electrical room due to the weight of all of the new electrical gear. There was also a high service pump motor that failed during construction and that was \$9,000. Mr. Grasser said they do anticipate some additional costs with some of the other motors at the water plant as they are finding the existing pumps with the new VFD's that those old motors are undersized for the pumps as they should have been 125hp motors and they are only 100hp. Mr. Grasser explained the project was initially budgeted \$250,000 for contingencies and if this second Change Order is approved then the remaining contingencies would be approximately \$164,000. It was moved by Mr. Mohn and seconded by Mr. Young to approve Change Order #2 with Swanberg Construction, Inc. for \$45,923.40, increasing the contract to \$4,999,074.40. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Mayor West declared the motion carried.

Mark Holm of Brady Martz & Associates presented the 2015 Audited Financial Statements. Mr. Holm reported the auditors expressed an unmodified opinion which is the highest level of assurance that you can get for a financial statement. He spent time reviewing the new pension standard and how it affected financial statements of 2014 and 2015. Mr. Holm reported there were no material

weaknesses identified and no significant deficiencies identified. It was moved by Mr. Young and seconded by Mr. Sieben to accept the 2015 Audited Financial Statements as prepared by Brady Martz & Associates. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Mayor West declared the motion carried.

Mr. Lipsh introduced Resolution No. 1722 entitled, "RESOLUTION REFERENCING RESOLUTION NO. 1683 AND AWARDED CONTRACT AND APPROVING BOND PAVING IMPROVEMENT DISTRICT NO. 38 (Lessard Avenue Extension Project)" and moved its adoption. Mr. Fellman seconded the motion. Bids were received from Strata Corp for \$72,890.50, Opp Construction for \$82,722, and Knife River materials for \$98,978. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Mayor West declared the motion carried and Resolution No. 1722 duly adopted.

City Administrator Ziegelmann explained there was a construction engineering contract with Kadrmas, Lee & Jackson, Inc. in the amount of \$8,720 for the Lessard Avenue Extension Paving, Curb and Gutter Project that was originally bid 2 years ago. He recommended terminating that contract and entering into a new construction engineering contract with Kadrmas, Lee & Jackson, Inc. in the amount of \$9,900 contingent upon approval by the City Attorney. It was moved by Mr. Lipsh and seconded by Mr. Mohn to accept the City Administrator's recommendation and terminate the existing contract and approve the new construction engineering contract with KLJ for \$9,900 for the Lessard Avenue Extension Paving, Curb and Gutter Project. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Ms. Stark, and Mr. Young. Those opposed: Mr. Sieben. Mayor West declared the motion carried. Mr. Sieben explained he voted no because he feels the City should be more forceful with the engineers rather than giving them an open checkbook.

Power Department Superintendent Russ Geddes explained there is \$15,026.39 in reserves to reroof the last portion of the Roney Power Service Center roof; the proposal from The Insulation Place is \$18,740. He requested authorization to reallocate \$1,243.04 from the transclosure replacement budget and \$2,470.57 from the vacuum interrupter switch budget so the roof can be finished this year. It was moved by Ms. Stark and seconded by Mr. Young to approve reallocating the budget as requested and accepting the bid from The Insulation Place for the last section of the Roney roof; The Insulation Place is the only foam roofer and the balance of the roof is already foam. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Mayor West declared the motion carried.

Street Superintendent Rock Desautel referenced the growing pile of trees by the Roney Power Service Center following the major wind damage recently. He said any trees they are cutting now are being hauled to the landfill and burned, but once the dry season is here then he has to stop burning because it takes about a month for the debris to stop burning. Mr. Desautel contacted Garret Campbell of Wastewood Recyclers about the possibility of grinding the trees at the Roney. He will have to come to Grafton to look at the pile in order to provide an accurate quote but Mr. Desautel expects it will run approximately \$35,000. Mr. Desautel obtained quotes from Shred X Onsite for 8,000 CY about \$22,000 and for 10,000 CY about \$27,500 and from Tub Grinder Rental for 8,000 CY about \$24,000. Mr. Desautel said he has 53 trees with Dutch elm disease so far that still have to come down too; he estimates the Department will have at least 2 more months of cutting. He said it will be a long time before the Street Department would be able to remove the huge pile of trees located by the Roney; he is concerned it will be a rodent problem and once it dries it will also be a fire hazard. Mr. Desautel explained that if the pile can be chipped then the Street

Department could haul the wood chips to the closed landfill site and just level them. It was also mentioned that the airport road to the closed landfill is in very bad condition. Mr. Hutson thinks there must be other options available and wondered if it could be hauled to some land northwest of town so it could be burned. He suggested hiring Kilmer Construction to haul the wood out of town as he would rather pay the money to a local contractor. Mr. Fellman suggested Mr. Desautel meet with Wastewood Recyclers so they can see the quantity to be disposed and provide a firm price for chipping it. Mr. Desautel will talk with Agassiz Excavating and Kilmer Construction to see if they would be interested in disposing of the pile.

Mr. Sieben said he has been asked if the compost couldn't be permanently moved to the site north of town. Mr. Desautel stated he would love to have it out there as long as we could have cameras installed to prevent people from dumping items that are not acceptable.

It was moved by Mr. Mohn, seconded by Mr. Lipsh and carried to approve the Mayor's appointments:

BOARD OF ADJUSTMENT: Scott Robideaux, Dave Fellman will serve as Chairperson, and Todd Morgan will serve as Vice-Chair

ECONOMIC DEVELOPMENT COMMITTEE: Chris Lipsh (Chairperson), Phil Ray (Vice Chair) Don Hutson, Jason Carlson, Keith Bjerneby, Kristy Jelinek, and Jayce Schumacher.

### **CORRESPONDENCE AND ANNOUNCEMENTS**

Mr. Ziegelmann reported the first budget meeting will be held following the Committee meetings in August.

Mayor West announced the North Dakota League of Cities will host a seminar for newly elected officials for anyone wishing to attend.

### **ADJOURNMENT**

It was moved by Mr. Young, seconded by Mr. Sieben and carried to adjourn the meeting.

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Chris West, Mayor

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Connie A. Johnson, City Auditor