

**CITY OF GRAFTON  
CITY COUNCIL MINUTES  
MEETING OF APRIL 13, 2020**

The regular meeting of the City Council of the City of Grafton, North Dakota was held at 6:00 p.m. on Monday, April 13, 2020. To accommodate social distancing required by COVID-19, the meeting was held over the meeting application Zoom.

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, Jon Markusen, and Todd Morgan.

**CONSENT AGENDA**

Mayor West asked if any Council member wanted to remove any item from the Consent Agenda. As no one did, it was moved by Mr. Young and seconded by Mr. Lipsh to approve the Consent Agenda as follows:

IV. CONSENT AGENDA

4.1 Approval of Minutes:

- a) City Council regular meeting of March 9, 2020.
- b) Ways and Means Committee regular meeting of April 6, 2020. (cancelled)
- c) Public Utilities Committee regular meeting of April 6, 2020. (cancelled)

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

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.

**BILLS, CLAIMS AND ACCOUNTS**

It was moved by Mr. Fellman and seconded by Mr. Young that the General, Special, Capital Projects, Debt Service, and Enterprise Funds bills be approved for payment in accordance with the listing submitted including the added bill from Burian & Associates, LLC for water purchase agreement consulting - \$4,957.50; 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, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Mayor West declared the motion carried.

## **REPORTS OF STANDING COMMITTEES**

Mayor West discussed the proposed Amendment of Bylaws for Northern Municipal Power Agency. The proposed language will update the Bylaws so the language is gender neutral and will give NMPA the ability to expand by selling excess power to outside communities. It was moved by Mr. Young and seconded by Mr. Hutson to concur with the actions taken by Northern Municipal Power Agency to amend the Bylaws. All members were present and voted in favor thereof: Mayor West declared the motion carried.

It was moved by Mr. Young and seconded by Mr. Fellman to approve the application from the Grafton Area Chamber of Commerce to close 5<sup>th</sup> Street from School Road to Hwy 81 and Hwy 81 from 5<sup>th</sup> Street to 11<sup>th</sup> Street, Saturday, June 27<sup>th</sup> from 6:00 a.m. to 11:30 a.m. for the Summerfest Parade. Summerfest plans are being made in hopes the COVID-19 restrictions are lifted. It was moved by Mr. Young and seconded by Mr. Fellman to approve the application contingent on approval by the ND Department of Transportation. All members were present and voted in favor thereof: Mayor West declared the motion carried.

It was moved by Mr. Fellman and seconded by Mr. Young to approve the application from Polly's Lounge, Inc. to close Hill Avenue from 5<sup>th</sup> to 6<sup>th</sup> Street June 26 and 27 from 6:00 p.m. to 2:00 a.m. for Summerfest street dances contingent on the COVID-19 restrictions being lifted and all paperwork and fees being submitted. It was discussed that no comfort stations were listed on the application and it was assumed the Chamber of Commerce makes sure enough comfort stations are available but that will need to be verified. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: Mr. Lipsh and Mr. Mohn. Mayor West declared the motion carried.

It was moved by Mr. Young and seconded by Mr. Sieben to approve the application from Polly's Lounge, Inc. to sell alcohol June 26 and 27 from 6:00 p.m. to 2:00 a.m. at Summerfest street dances on Hill Avenue 5<sup>th</sup> to 6<sup>th</sup> Street. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: Mr. Lipsh and Mr. Mohn. Mayor West declared the motion carried.

It was moved by Mr. Mohn and seconded by Mr. Fellman to approve the painting credit incentive as presented. All members present voted in favor thereof; Mayor West declared the motion carried.

## **REPORTS OF SPECIAL COMMITTEES**

On recommendation of the Economic Development Committee, it was moved by Mr. Mohn and seconded by Mr. Hutson to approve the Renaissance Zone application submitted by Marvin and Angela Longtin and Brad and Denise Moe for a 2-bay automated car wash at 838 West 12<sup>th</sup> Street. The property is owned by Brad and Denise Moe. Administrator Ziegelmann reported the property is currently vacant and the plan is to construct a 2-bay automated car wash west of B&D Furniture. The projected 5-year property tax savings is \$28,000. 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.

On recommendation of the Economic Development Committee, it was moved by Mr. Hutson and seconded by Mr. Young to approve the Flex PACE interest buydown loan for Marvin and Angela Longtin and Brad and Denise Moe for a 2-bay automated car wash at 838 West 12<sup>th</sup> Street in an amount not to exceed \$13,000. Administrator Ziegelmann reported the total community present value of the loan is approximately \$25,344. Walsh County Job Development Authority has agreed to split the loan value with the City. The loan will be paid back when the Bank of North Dakota loan is satisfied, no interest will be charged while the BND loan is repaid. 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.

### **UNFINISHED BUSINESS**

Jon Markusen from KLJ Engineering provided an update on the Flood Risk Reduction Project and the Storm Sewer and Lift Station Project. Gladen Construction moved to town today. They are working on some drainage issues, pumping down some water, starting to pull the clay off levees. They have reported seeing 6” to 12” of frost in some areas. They are hoping to be in full operation by next week when the weather is supposed to be warmer. They will also start touching up any erosion areas and get everything ready that can have topsoil placed on it. They hope to seed as soon as possible.

Mr. Markusen said the southend storm sewer lift station has been operating but they still need to make permanent connections to power. Gladen Construction is doing cleanup and seeding on that project.

Mayor West asked if Mr. Markusen had investigated the large dip at West 15<sup>th</sup> Street and the manhole that has dropped 1 ½” to 2”. Mr. Markusen said the manhole is a sanitary sewer that was not put in with the project, so they are trying to figure out what is going on there. They will pop the lid and see if anything inside happened. Mr. Markusen said he does not know what caused the dip at 15<sup>th</sup> Street but he will report back once he has the contractor check it out.

Mr. Ray said when you come from the north on Lavergne and turn into the school and head west the intersection was made very small and it is hard to make that corner. He said people are driving in the mud because the apron seems too small. Mr. Markusen will check on that.

Mr. Markusen reported FEMA has moved the CLOMAR to the LOMAR stage. The plan was to meet in Colorado but that was delayed due to COVID-19. They plan to schedule some skype meetings.

Mr. Markusen reported the river hit about 9.5’ during spring flooding and all three gates were opened. As the river height began to rise, it just trickled into the new bypass. There was a little water for a day or two but other than that it stayed in the river channel and continued through town. Everything was functioning as it was designed to. If there was higher water, it would have pushed more into the channels and they would have been able to operate the gates as needed.

### **NEW BUSINESS**

It was moved by Mr. Young and seconded by Mr. Fellman that it be resolved by the City Council of the City of Grafton, North Dakota pursuant to Section 3 of the Power Sales Agreement between Northern Municipal Power Agency and the City of Grafton, North Dakota that Nick Ziegelmann be appointed as the City's representative on the N.M.P.A. Advisory Council and Chris West be appointed as the City's member on the N.M.P.A. Board of Directors for the term expiring April 30, 2021. 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.

## **CORRESPONDENCE AND ANNOUNCEMENTS**

Mayor West reported he did declare a State of Emergency March 19, 2020 due to the COVID-19 pandemic to follow suit with the larger communities in the State.

Mr. Young questioned if any other funds, other than utilities collections, will be less than budget projections due to COVID-19 problems. Administrator Ziegelmann said the sales tax, gas tax and highway distribution funds will be less. Mr. Ziegelmann reported 7 residences will have utilities disconnected tomorrow for unpaid utilities as they are habitual, and staff are working with 1 business. He is more concerned about the bills due May 1 and June 1. If we know there is an impact due to COVID-19 or by an emergency declaration by the Governor, we will work with people on a case by case basis.

Administrator Ziegelmann explained release of the Prairie Dog funds have been delayed due to proceeds being less with very low gas prices.

Mr. Young questioned how each City department is handling COVID-19 and what precautions are they taking. City Hall is closed to the public. The Water Department is not going into houses to install meters. If customers need meters, the Water Plant just leaves the equipment outside to be retrieved. The Street Department has been sheltering in place other than daily checks. The street sweeper will be running again this week. The Power Department has been working at the Power Plant trying to get Unit 3 generator operational.

The Water Department has satisfied all applicable Safe Drinking Water Act requirements and has received the Safe Drinking Water Act Certificate of Achievement.

Mayor and Council authorized administration to approve requests to reschedule the special event alcohol permits for the Firemen's Fundraiser and the Hockey Mega Raffle due to COVID-19 regulations.

The Board of Equalization meeting will be held on Tuesday, April 14<sup>th</sup> at 5:30 p.m.

City Cleanup, Arbor Day and Spring Cleanup are postponed. Mayor West asked if everyone who is walking around the community to pick up debris; we need to take pride in our community.

The City and Primary Election will be held Tuesday, June 9, 2020.

It was reported 51.6% of Grafton residents have completed the 2020 Census. Mayor West encouraged everyone continue reminding people to complete their census and to help people who do not have a computer.

**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