

**CITY OF GRAFTON
CITY COUNCIL MINUTES
MEETING OF DECEMBER 9, 2019**

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, December 9, 2019.

Mayor Chris West presided. Members present: Don Hutson, Chris Lipsh, Shane Mohn, Phil Ray, Brian Sieben, Mary Stark, and Greg Young. Member absent: Dave Fellman. Others present: Nick Ziegelmann, Nick Hall, Tony Dumas, Kevin Sevigny, Scott Boura, Shirley Burns, Todd and Matt from Wiseth Smith & Nolting, 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. Hutson 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 November 12, 2019
- b) Ways and Means Committee regular meeting of December 2, 2019
- c) Public Utilities Committee special meeting of November 12, 2019 and regular meeting of December 2, 2019

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. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Absent: Mr. Fellman. Mayor West declared the motion carried.

BILLS, CLAIMS AND ACCOUNTS

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

REPORTS OF STANDING COMMITTEES

On recommendation of the Ways and Means Committee, it was moved by Ms. Stark and seconded by Mr. Hutson to approve the following 2020 Retail Alcoholic Beverage License applications:

Gannett Peak, LLC – d/b/a/ La Cantina
Maher El-Sarraf, LLC – d/b/a Last Chance Bar and Grill
Polly’s Lounge, Inc. – d/b/a Polly’s
Grafton Company – d/b/a Extra End
Gail Martinson – d/b/a Shananigan’s Family Restaurant
Rosie’s Place Too, Inc. - d/b/a Rosie’s Place Too
Grafton Curlers, Inc.– d/b/a Grafton Curling Club
Wollitz Enterprises, LLC - d/b/a Frosty Fox
Valley Liquors, Inc. – d/b/a Hugo’s Wine and Spirits
Lee’s Restaurant, Inc. – d/b/a Lee’s Restaurant
12th Street Bowl, LLP – d/b/a 12th Street Bowl
Grafton Golfers, Inc. – d/b/a Fair Oaks Golf Course
Plains Liquor, LLC – d/b/a Cenex Zip Trip #61

An application for On-Sale Beer and On-Sale Wine from Mike1.Hospitality d/b/a AmericInn was submitted after the Committee meeting due to the property selling in December; the application was added to this list. On roll call vote the following voted in favor thereof: Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Absent: Mr. Fellman. Mayor West declared the motion carried.

On recommendation of the Ways and Means Committee, it was moved by Mr. Hutson and seconded by Mr. Young to approve the 2020 Retail Fireworks License applications for Bruce Eikenberry d/b/a TNT Fireworks at Hugo’s parking lot, and Memory Fireworks at 86 East 6th Street, contingent on receipt of proof of liability insurance. On roll call vote the following voted in favor thereof: Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Absent: Mr. Fellman. Mayor West declared the motion carried.

On recommendation of the Ways and Means Committee, it was moved by Mr. Lipsh and seconded by Mr. Mohn to purchase the following properties from Walsh County for \$1 each plus filing fees because the property owners lost ownership due to 3 years delinquent taxes and to direct the County Auditor to waive the delinquent special assessments:

Lots 1 & 2, Block 50, Original Townsite
Lot 4, Block 4, 4th Replat Vocational Addition
Lot 5, Block 4, 4th Replat Vocational Addition
Lot 6, Block 4, 4th Replat Vocational Addition
N 60’ of Lot 13, Block 5, 4th Replat Vocational Addition
Lot 14, Block 5, 4th Replat Vocational Addition
Lot 15, Block 5, 4th Replat Vocational Addition
Lot 16, Block 5, 4th Replat Vocational Addition
Lot 17, Block 5, 4th Replat Vocational Addition

On roll call vote the following voted in favor thereof: Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Absent: Mr. Fellman. Mayor West declared the motion carried.

On recommendation of the Public Utilities Committee, it was moved by Mr. Sieben and seconded by Mr. Young to approve the purchase of a 2020 Dodge Ram pickup for the Police Department with an estimated price up to \$29,000. The State bid for a 2019 Dodge Ram pickup is with Nelson Auto from Fergus Falls, MN. There is no State bid for 2020, however after contacting the supplier, Nelson Auto was informed the vehicle price from 2019 would increase about \$1,800 which would bring the total for 2020 to approximately \$28,700. Chief Dumas has been advised both Chevrolet and Ford utility plants are shut down and the Ram plant will be shut down as early as March for retooling. The Tahoes and Expeditions are over \$10,000 more than the Dodge Ram pickups. He was told if the City ordered a vehicle before the first of the year, Nelson Auto would hope to have it delivered by February or March. Fleet vehicles are built to order. The new vehicle will replace the 2013 Ford Expedition. The 2020 Budget includes \$36,000 for a new vehicle. All members were present and voted in favor thereof; Mayor West declared the motion carried.

On recommendation of the Public Utilities Committee, it was moved by Mr. Sieben and seconded by Mr. Young to approve the application from Grafton Co. d/b/a Extra End to sell alcoholic beverages at the Centennial Center for Demmy Dangles Cancer Hockey Tournament Saturday, December 21st and Sunday, December 22nd from 8:00 a.m.-10:00 p.m. 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. Hutson and seconded by Ms. Stark to approve the Renaissance Zone applications for the property tax and income tax benefits for both Suda Enterprises, LLC and Skin Rehab, LLC contingent on receipt of the necessary paperwork from Suda's. On roll call vote the following voted in favor thereof: Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Fellman. Mayor West declared the motion carried.

Mayor West announced the application for a Storefront Improvement application grant submitted by Suda Enterprises, LLC and Skin Rehab, LLC for 15 East 7th Street was approved by the Economic Development Committee.

UNFINISHED BUSINESS

Kadmas, Lee & Jackson, Inc. provided a status report on the Flood Risk Reduction Project and the Storm Sewer and Lift Station Project. The contractor should be finishing the channel excavation this week, rip rap is in place. There is no update about the CLOMR process. Mr. Lipsh requested that a small committee meet with Jon Markusen of KLJ in January to discuss the CLOMR. Mr. Lipsh said the City does not have an Operations and Maintenance Manual (O&M) and asked how the City should use the flood diversion channel and levee this spring without step by step instructions.

Scott Boura reviewed the monthly Building Official Code Enforcement report including an inspection report for a house at 413/417 West 6th Street owned by Roberto Godina and Elenita Garza. He will proceed with the condemnation process for this property.

Discussion was held about working with the County in the future when a trailer home transfer to County ownership due to delinquent taxes and needs to be demolished so that the costs for the demolition can be special assessed to the property owner.

City Administrator Ziegelmann reported he and the Mayor walked through the former Hardee's building which has been offered to the City. He said the structure is in fairly good shape. The storm sewer on the south side of the building is crushed. Mr. Ziegelmann has received a call from one person who stated they would be interested in the facility if the City accepted the property. If the City accepts the property, it would have to be offered to the public through bids. The City Council chose to take no action on this offer at this time.

Matt and Todd from Widseth Smith and Nolting (WSN) were present to review the proposal they submitted for engineering services to develop a plan and bid specifications for replacement of the water and electric meters. Their role would be to figure out what the City has and needs, how we want it to work and develop a plan to replace the meters. Widseth estimated the cost to replace 2,000 meters at \$865,000. If Grafton decides not to proceed with the project the cost for engineering would be about half of their proposal or approximately \$26,000, however that amount could be used as a credit toward another project in the future. Mayor West said the biggest question the Council had was the cost of the project as we have been told it would cost approximately \$1.1 million. The RFP fee from Widseth Smith and Nolting is 6% of the accepted bid. When they send a request for bids, they will get a price for the cost of the electric meters, cost of water meters, and a separate price for the cost of installation for both type meters. They explained there is a communication component for the project; and they included a budget in the proposal for that with one collection point in town. They also included one year support and licensing fees. When asked if they felt \$865,000 was low for a community the size of Grafton, they responded that it is hard to pinpoint an exact price. One estimate they got was quite a bit lower and the other was around \$1.2 million. The costs for construction services engineering are not included in the 6%; the fee would bring Grafton through the bid process and awarding the contract. WSN worked with Thief River Falls and East Grand Forks. They said the biggest issue they had was integrating the AMI software with the billing software. There were a few issues on the water side with getting the meters installed due to residents having issues with contractors. Mr. Lipsh asked where the funding for the project would come; the Administrator advised him the preliminary engineering could be paid from cash reserves, the construction part of the project will require debt service. If the RFP is accepted WSN will assess needs by visiting with staff, comparing all products with a recommendation, developing the City's recommendation into bid specifications which will be sent to eight vendors. Building Official/Meter Reader Boura urged moving forward with the meter replacement plan as the City is stretching the limit with its reading equipment right now. The equipment is starting to operate slower, so it takes longer for the whole process. He feels the timing is right for an upgrade as being discussed. It was moved by Mr. Lipsh and seconded by Mr. Mohn to approve the contract with Widseth, Smith and Nolting as presented. On roll call vote the following voted in favor thereof: Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Fellman. Mayor West declared the motion carried.

NEW BUSINESS

It was moved by Mr. Young and seconded by Mr. Hutson to approve first reading of an ordinance entitled, "AN ORDINANCE OF THE CITY OF GRAFTON, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF GRAFTON, NORTH DAKOTA, BE AMENDED BY REVISING CHAPTER 3, ALCOHOLIC BEVERAGES SECTION 3-29 OF SAID CODE; PROVIDING FOR QUALIFICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE." On roll call vote the following voted in favor thereof: Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Fellman. Mayor West declared the motion carried.

It was moved by Mr. Young and seconded by Mr. Hutson to approve the list of 2019 Budget Amendments as presented, 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. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Fellman. Mayor West declared the motion carried.

It was moved by Mr. Mohn and seconded by Mr. Ray to approve the list of 2019 Budget appropriation reserves as presented, 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. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Fellman. Mayor West declared the motion carried.

CORRESPONDENCE AND ANNOUNCEMENTS

Mayor West requested that all Council members assist with planning the Employee Appreciation Party.

Mayor West wished everyone a very Merry Christmas.

ADJOURNMENT

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

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Chris West, Mayor

Connie A. Johnson, City Auditor