

**CITY OF GRAFTON  
CITY COUNCIL MINUTES  
MEETING OF FEBRUARY 10, 2020**

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 10, 2020.

President Chris Lipsh presided. Mayor West was out of town. Members present: Dave Fellman, Don Hutson, Chris Lipsh, Shane Mohn, Brian Sieben, Mary Stark, and Greg Young. Member absent: Phil Ray. Others present: Nick Ziegelmann, Tony Dumas, Kevin Sevigny, Rock Desautel, Russ Geddes, Scott Boura, Shirley Burns, Todd Morgan, Stacie Sevigny, and Jon Markusen.

**PUBLIC HEARINGS**

Pursuant to duly published Notice of Public Hearing, a public hearing was held to inform the public that the Community Development Block Grant that was awarded to the City of Grafton on behalf of Tri-Valley Opportunity Council for their energy efficiency project at the Migrant Head Start building has been implemented and the results are available to the public. Stacie Sevigny from Red River Regional Council explained the Head Start Program serves migrant farm children from May through November and operates from the Tri-Valley Opportunity Council building. The project consists of replacing 24 windows and the heat exchanger in the gymnasium. The application was for \$56,400 of eligible expenses and the Red River Regional Council Board of Directors allocated \$45,711 from the fiscal year 2018 funds. The bid was awarded to Paulson Construction of Arvilla for \$55,000 which included a subcontractor. Additionally, Tri-Valley was able to secure a \$21,000 grant that was used toward the purchase of the windows, the CDBG was used for overall construction costs, and Tri-Valley's share was the remaining construction costs, architect and grant administration. Work began August 2019 and was finished in December 2019. The project period had to be amended to allow the contractor additional time and the contractor's cost was increased slightly to sand the corners of the windows. The final contract cost with Paulson Construction was \$60,570 and the final project cost was \$73,040. The CDBG award was \$45,711, Tri-Valley's grant was \$21,000, and Tri-Valley's share was \$4,470, which left an unused CDBG balance of almost \$6,000. There was no cost to the City of Grafton. The unused CDBG funds will be transferred to an open project in the region. Closeout of the CDBG project is in process and is expected to be completed by the project period end date of May 31, 2020. No one appeared at the public hearing to provide input regarding the project.

**CONSENT AGENDA**

President Lipsh 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. Hutson to approve the Consent Agenda as follows:

IV. CONSENT AGENDA

4.1 Approval of Minutes:

- a) City Council regular meeting of January 13, 2020.
- b) Ways and Means Committee regular meeting of February 3, 2020.
- c) Public Utilities Committee special meeting of January 13, 2020 and regular meeting of February 3, 2020.

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 applications:

#997 – Grafton Area Chamber of Commerce

#998 – Angel of Hope

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

### **BILLS, CLAIMS AND ACCOUNTS**

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

### **REPORTS OF STANDING COMMITTEES**

On recommendation of the Ways and Means Committee, it was moved by Mr. Hutson and seconded by Mr. Mohn that the application for Abatement and Settlement of Taxes submitted by Roch Tweten for 150 West 15<sup>th</sup> Street, N ½ of Lot 11 and all of Lot 12, Block, 3, Southside 4<sup>th</sup> Addition be approved as recommended by the City Assessor. The total true and full value of Parcel No. 10731 will be adjusted to land value unchanged at \$11,800 and structure value \$134,200 for a total true and full value of \$146,000 for 2018 and 2019. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Ray. President Lipsh declared the motion carried.

On recommendation of the Ways and Means Committee, it was moved by Mr. Lipsh and seconded by Mr. Fellman that the application for Abatement and Settlement of Taxes submitted by Loree Osowski Rentals, LLC for 515 Prospect Avenue, Lot 5, Block 19, Original Townsite be approved as recommended by the City Assessor. The total true and full value of Parcel No. 8550

will be adjusted to land value unchanged at \$2,400 and structure value to \$33,600 for a total true and full value of \$36,000 for 2019. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Ray. President Lipsh declared the motion carried.

On recommendation of the Ways and Means Committee, it was moved by Mr. Lipsh and seconded by Mr. Hutson to approve transferring uncollectible accounts as listed to the bad debts account. All members present voted in favor thereof; President Lipsh 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 ½ ton Chevrolet 4x4 four-door pickup from Hanson's Auto for \$33,565 with Street Dept. Funds. The State bid was \$30,430 but did not include the necessary accessories included with Hanson's bid, also supporting the local business was a priority. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Ray. President Lipsh declared the motion carried.

### **REPORTS OF SPECIAL COMMITTEES**

Administrator Ziegelmann reported the Economic Development Committee has been working on the strategic plan for quite some time and have recently met with representatives of the Red River Regional Council and the Walsh County JDA to determine if there is a partnership that could be formed with the City to provide economic development services. More discussion will take place at upcoming Economic Development Committee meetings about funding, etc. He recommended any members with questions contact him or Mr. Lipsh.

### **UNFINISHED BUSINESS**

Jon Markusen of Kadrmas, Lee & Jackson gave a brief report on the Flood Risk Reduction Project and the Storm Sewer and Lift Station Project. The Engineers have met with Gladen Construction to plan for work resuming in the spring. The Contractor wants to start as soon as weather permits. There has been some electrical work done at the storm sewer pumping station on the south end. Mr. Markusen said Friday or next week engineers will meet with FEMA again for an update on the CLOMR/LOMR process. Mr. Markusen said the project should be ready for a flood this year should that happen. He has not heard back from Burlington Northern Railroad regarding the Operational Manual.

Mr. Hutson asked if the river reaches 12 feet does water start entering the diversion channel at the control structure. Mr. Markusen said it can be adjusted to flow into the channel before 12 feet but as the water builds up on one side it pushes it through; there is a lot more to it than just elevation. This spring the gates will be open to about half and more detail will come as time goes because it will take a year or two to figure out how it is most beneficial to operate them.

Administrator Ziegelmann has consulted with USGS regarding the river gauge and it will be left where it is this year. To place a new gauge upstream would cost \$3,500 annually and he does

not want to do that at this time. USGS will make their flood predictions as if the channel was not in place.

A brief discussion was held about whether the Army Corps of Engineers will release from Homme Dam as that may require the City to lower the gates. It was believed they did release some about a month ago and will likely do so again in March.

Building Official Scott Boura reviewed the monthly Building Official Code Enforcement Report and reported the public hearing for a condemnation order at 413/417 West 6<sup>th</sup> Street will be held March 2<sup>nd</sup>. Mr. Boura has scheduled a Planning and Zoning Commission meeting for February 27<sup>th</sup> at which time the deficiencies with Russ's Auto & Scrap Conditional Use Permit will be discussed. Nothing more will be done at 12<sup>th</sup> Street Bowl until spring when the property owner can remove more vehicles. Mr. Boura will inspect the structure at 926 Griggs Avenue tomorrow morning. Mr. Boura reported potential buyers of Oak Arbor Mobile Home Court have contacted City Hall with questions. He has been investigating what the original layout plan of the Court was at the time it was developed and the zoning ordinance that was in effect at that time. The Court does not meet the current zoning codes, so the plan is to enforce what was in existence at the time it was developed and then ask any new owner to make some improvements to that. Mr. Boura said the lot sizes are 25 feet and current Code calls for 40 feet. It is not feasible to expect them to meet that Code, however, he would like to ensure there are adequate setbacks for fire safety. It has been made clear to the current property owner as well as any potential buyers who have contacted the City that no additional mobile homes will be connected for services until some of the deficiencies are corrected.

A 2020 Census brochure was provided to the Council members and Administrator Ziegelmann explained the North Dakota League of Cities is working to inform everyone on the importance of an accurate Census. He urged Council members to spread the word about the importance of an accurate Census to the residents of Grafton.

President Lipsh announced the 2020 City election will be for the four Ward City Council positions, Municipal Judge and two Park Board Commissioners. Deadline to file election petitions is Monday, April 6, 2020 at 4:00 p.m.

It was moved by Mr. Young and seconded by Mr. Hutson that Ordinance No. 333 entitled, "AN ORDINANCE OF THE CITY OF GRAFTON, PROVIDING THAT THE CODE OF ORDINANCES CITY OF GRAFTON, NORTH DAKOTA BE AMENDED BY REVISING SECTION 4-21 PROVIDING FOR DEFINITION OF NUISANCE AND DANGEROUS ANIMALS; BY REVISING SECTION 4-24 PROVIDING FOR ENFORCEMENT AND BY REPEALING SECTION 4-41 PROVIDING FOR REGULATION OF PIT BULLS DOGS" be placed on second reading and adopted. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Ray. President Lipsh declared the motion carried.

## **NEW BUSINESS**

It was moved by Ms. Stark and seconded by Mr. Mohn to approve the Mayor's recommendation to appoint Patricia Hodny as Alternate Municipal Judge. All members present voted in favor thereof; President Lipsh declared the motion carried.

It was moved by Mr. Fellman and seconded by Mr. Sieben to approve the engagement letter with Brady Martz for the 2019 Audit \$16,800. All members present voted in favor thereof; President Lipsh declared the motion carried.

**CORRESPONDENCE AND ANNOUNCEMENTS**

The first day to circulate a petition for an elected position in the City of Grafton is January 1, 2020; deadline to file is 4:00 pm April 6, 2020. The City election will be held on Tuesday, June 9, 2020.

There will be a Special City Council meeting Monday, March 2<sup>nd</sup> at 6:00 p.m. to hold a public hearing for a Condemnation Order at 413/417 W. 6<sup>th</sup> Street.

**ADJOURNMENT**

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

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Chris Lipsh, President

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Connie A. Johnson, City Auditor