

**CITY OF GRAFTON
CITY COUNCIL MINUTES
MEETING OF FEBRUARY 11, 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, February 11, 2019.

Mayor Chris West presided. Members present: Dave Fellman, Don Hutson, Shane Mohn, Phil Ray, Mary Stark, and Greg Young. Members absent: Chris Lipsh and Brian Sieben. Others present: Nick Ziegelmann, Nick Hall, Tony Dumas, Kevin Sevigny, Rock Desautel, Russ Geddes, Scott Boura, Genevieve Wingerter, Shirley Burns, Mike Steinfeldt, 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. Hutson to approve the Consent Agenda as follows:

IV. CONSENT AGENDA

4.1 Approval of Minutes:

- a) City Council regular meeting of January 14, 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. Fellman, Mr. Hutson, Mr. Ray, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Lipsh, Mr. Mohn, and Mr. Sieben. Mayor West 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. Ray, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Lipsh, Mr. Mohn, and Mr. Sieben. Mayor West declared the motion carried.

REPORTS OF STANDING COMMITTEES

It was moved by Ms. Stark and seconded by Mr. Hutson to transfer uncollectible utility accounts in accordance with the listing submitted to the bad debts accounts. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Ray, Ms. Stark, and Mr. Young. Those opposed: None. Members absent: Mr. Lipsh, Mr. Mohn, and Mr. Sieben. Mayor West declared the motion carried.

A copy of the City's investment policy was provided to the Council members for review due to a recent amendment to North Dakota Century Code which no longer requires the City Council to approve a resolution of pledged securities twice a year. The City Auditor explained the change is possibly due to most financial institutions have contracts for pledging now rather than specific securities. The City will continue to monitor each financial institution's pledges monthly. The investment policy was created in 1998 and has been working very well but the City Auditor thought it should be reviewed and possibly updated. The Council will review the investment policy for further consideration at the March meeting.

Mr. Ziegelmann reviewed the Grafton Golfers lease which expires on March 31, 2019. The land is leased to the Grafton Golfers for \$1.00 and the City pays 50% of the water and electricity. Mr. Hutson said he believes the Club is doing well financially and suggested the Board be invited to a meeting to discuss some possible changes to the lease. Mr. Ziegelmann will make contact with them.

It was moved by Ms. Stark and seconded by Mr. Ray to approve the Abatement and Settlement of Taxes submitted by Community Health Service, Inc., Lot 3, Block 4, Replat of Blocks 2-3-4, Replat of Dakota Addition to reduce the land value from \$33,200 to \$0.00 and the structure value to \$0.0 for 2017 and 2018. This is a nonprofit which qualifies for the tax abatement. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Ray, Ms. Stark, and Mr. Young. Those opposed: None. Members absent: Mr. Lipsh, Mr. Mohn, and Mr. Sieben. Mayor West declared the motion carried.

Police Chief Dumas distributed the 2018 year-end report. He said a new officer has been hired and will start work next week. Police officers will be attending active shooter training hosted by the Grafton Public Schools. The Sheriff's office will be sending officers as well so it will be a good opportunity to train with local officers.

Water Department Superintendent Kevin Sevigny reported Midco Diving Services inspected and cleaned the intake structures on the Red River pumping station. They found a small amount of damage on an upstream screen and there is a log wedged underneath the intake structure on the base. They did find some zebra mussels on both intakes; they were scattered on the screens, mostly on the downstream side. They said there was about 40-50 zebra mussels on each screen and they removed them. They recommended the City get on a 3-year inspection schedule.

Superintendent Sevigny reported there was a water break at 803 Cooper Avenue which caused the loss of about 630,000 gallons of water. The house was unoccupied and the power was off, but the water could not be shut off as the curb stop was not operational so the pipes froze and broke. This home was supposed to have had the curb stop repaired last fall, but the local contractor and the homeowner could not come to an agreement on a payment plan. The curb stop was dug and repaired; the house remains unoccupied.

There was also a water break at the corner of 8th and Stephen Avenue. The water was surfacing in four spots in the residential yard. It took staff about 45 minutes to shut it down; they had to dig five holes before they found the break. They found approximately a 3” hole in a cast iron hydrant lead. There was a lot of damage to the yard; but the homeowner was able to get pumps going to minimize the damage to the inside of the house.

A service line broke under the driveway at 12th Street and Griggs Avenue. They were able to get that shut down and it was repaired on Sunday. It was a private service line so it will be paid for by the homeowner.

On February 3rd there was a break in the service line on the property by railroad across from the Extra End. They worked all day Monday in a snowstorm to dig the line, but the excavation kept caving in because the ground was so saturated. The following day they started digging in the street, eventually found the corporation, and were able to shut it off. Mr. Sevigny thanked his crew for their hard work and the other departments for their assistance.

Mr. Sevigny reported there have been 12 to 15 trailer homes with frozen lines. They have also found several unoccupied homes where people may have been gone for the weekend, gone south, etc. where the water lines are freezing. One home has 78,000 gallons of water going out the back of the house of the slab home. He recommended anyone who is leaving their home overnight that they shut their water valve off to protect your property.

Superintendent Sevigny presented a proposal from CO2 Systems, Inc. for renovation of the Water Plant CO2 storage unit for \$31,250 plus freight. CO2 is part of the water plant softening process for ph control. The liquid CO2 comes in on semi's and is pumped to this unit that has a condenser that keeps the liquid at 200 degrees below zero. As it comes out of the storage tank there is a vaporizer that allows it to turn from a liquid to a vapor as it goes into the water plant. Inside there is a heater so it is a usable CO2 product. Ed Evans, the man who installed the system in 1978 came to the plant recently and said some of the equipment is no longer used in the industry. The bid provided will replace everything outside other than the tank itself. This project was budgeted in this year's budget. Only one bid was obtained as Mr. Evans, owner of CO2 Systems, Inc, is the only one who does this in the area. Mr. Sevigny did contact Viscos since they supplied the gas feeder inside, but they wanted to replace the entire system. It was moved by Mr. Hutson and seconded by Mr. Young to accept the proposal from CO2 Systems, Inc. for renovation of the CO2 storage unit and proposals from Lunseth Plumbing and Heating for \$3,525 and Rocks Electric for \$1,500 - \$1,800. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Ray, Ms. Stark, and Mr. Young. Those opposed: None. Members absent: Mr. Lipsh, Mr. Mohn, and Mr. Sieben. Mayor West declared the motion carried.

Mr. Young questioned if the Water Department has all the equipment necessary to thaw valves and perform their work during freeze-ups. Mr. Sevigny explained they borrowed a generator from the Electric Department so they will be able to use the electric valve operating wrench on the street. The valve operator wrench is very old and heavy so they are looking for a newer, lightweight one possibly through a Workforce Safety grant if that becomes available. Mr. Young commended the Water Department staff as well as the other departments for their extra effort during the cold weather.

Power Department Superintendent Russ Geddes reported his staff assisted with snow removal in January. On January 30th Minnkota called for all generators they lease to run the electric plant as needed through the day. They did have a problem with generator #3, which had to be shut down so that will have to be repaired. It will require someone from Fairbanks Morris to fix it. That same day there was a short power outage when a transformer was hit during snow removal.

Mr. Geddes said they are looking at purchasing a mini excavator, which will help digging the holes when they are boring. Currently they use the trencher but it is not designed to dig holes and does not work well. He had budgeted to replace the trencher, but instead would like to keep the trencher and purchase a mini excavator, which will be more useful for their work. He is obtaining quotes and will bring them to a future meeting.

Street Superintendent Rock Desautel said the Department moved a lot of snow this last week; all went well with a few minor breakdowns and a minor fender bender with a truck. They continue to clear corners, widen streets and remove snow piles. They are having trouble with parked cars in the street and people placing their garbage cans in the street. Mayor West asked that the emergency snow removal route be posted so the public can be more informed. He has received some complaints of individuals placing snow on other people's berms; he asked if an ordinance should be amended to prohibit this. There is an ordinance prohibiting blowing snow into the street and enforcement of this violation may decrease some of that activity. Administrator Ziegelmann said a 3" snow costs \$12,000-\$15,000 because it takes several days to cleanup.

Mr. Mohn was present at this time.

It was moved by Mr. Young and seconded by Mr. Hutson to approve first reading of an ordinance entitled, "AN ORDINANCE TO AMEND SECTION 12-1 OF ARTICLE I, CHAPTER 12 OF THE CODE OF ORDINANCES OF THE CITY OF GRAFTON, NORTH DAKOTA RELATING TO DEFINITIONS OF HEALTH AND SANITATION." Police Chief Dumas explained the amendment will change the definition of junk vehicle to inoperative for 48 continuous hours, rather than 30 days. This will mimic the definition of inoperable in the street for 48 hours before it's a violation. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Mohn, Mr. Ray, Ms. Stark, and Mr. Young. Those opposed: None. Members absent: Mr. Lipsh and Mr. Sieben. Mayor West declared the motion carried.

REPORT OF SPECIAL COMMITTEES

On recommendation of the Economic Development Committee, it was moved by Mr. Young and seconded by Mr. Ray to grant a Flex PACE interest buydown loan to buydown the interest on a loan for Ekman Dusek, LLC/Lifetime Dental P.C. with Citizens Bank and the Bank of North Dakota to improve their new location at 927 West 12th Street. The City's share of the buydown is \$25,000. The Walsh County Job Development Authority has approved the same amount of buydown. Ekman Dusek, LLC/Lifetime Dental P.C. will pay back the local share of the interest buydown loan after paying approximately 84 months of principal, then 3% interest will be charged on the local share. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Mohn, Mr. Ray, Ms. Stark, and Mr. Young. Those opposed: None. Members absent: Mr. Lipsh and Mr. Sieben. Mayor West declared the motion carried.

On recommendation of the Economic Development Committee, it was moved by Mr. Fellman and seconded by Mr. Ray to approve a Flex PACE interest buydown loan toward the interest on a \$200,000 loan for Michael Leighton to improve his business at 43 East 8th Street. The personal loan is with First United Bank and the Bank of North Dakota and terms include a fixed interest rate of 6.25% adjusted after five years with a seven-year amortization. The local share of the interest buydown is \$7,698.90. Mr. Leighton will pay back the local share of the interest buydown loan after the principal is paid in full, interest free while the principal is being paid, then interest will be charged at 3%. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Mohn, Mr. Ray, Ms. Stark, and Mr. Young. Those opposed: None. Members absent: Mr. Lipsh and Mr. Sieben. Mayor West declared the motion carried.

UNFINISHED BUSINESS

Construction Status Report #10 for the Flood Risk Reduction Project was provided by Kadrmas, Lee & Jackson, Inc. Most construction has stopped for the season.

It was moved by Mr. Young and seconded by Mr. Fellman that Ordinance No. 324 entitled, “AN ORDINANCE OF THE CITY OF GRAFTON, PROVIDING THAT THE CODE OF ORDINANCES CITY OF GRAFTON, NORTH DAKOTA BE AMENDED BY REVISING SECTION 10-2 AND SECTION 10-66; PROVIDING FOR FLOOD PREVENTION AND CONTROL” be placed on second reading and adopted. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Mohn, Mr. Ray, Ms. Stark, and Mr. Young. Those opposed: None. Members absent: Mr. Lipsh and Mr. Sieben. Mayor West declared the motion carried.

It was moved by Ms. Stark and seconded by Mr. Young that Ordinance No. 325 entitled, “AN ORDINANCE OF THE CITY OF GRAFTON, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF GRAFTON, NORTH DAKOTA BE AMENDED BY REVISING SECTION 22-147; PROVIDING FOR PUBLIC PARKING LOTS” be placed on second reading and adopted. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Mohn, Mr. Ray, Ms. Stark, and Mr. Young. Those opposed: None. Members absent: Mr. Lipsh and Mr. Sieben. Mayor West declared the motion carried.

The monthly Building Official Code Enforcement Report was reviewed by Scott Boura. He has not seen any activity at 333 West 5th Street, owned by Jillian Skjoldal. The deadline for appeal of the mobile home located at 205 Elm Drive is February 22nd; after that date a contractor will be hired to demolish the mobile home. The yard cleanup at 203 Kittson Avenue is delayed until April 30 due to the snow cover. There are three residential structures that will be inspected in the spring. Mr. Boura has been working with Kadrmas, Lee & Jackson to update the zoning map.

Mayor West reported the vacant lot at 729 Noben Avenue, Lot 7, Block 3, Johnson’s Addition which James and Tamra Weal proposed gifting to the City has over \$450 in taxes due. If the City accepts the donation it would be responsible to pay the taxes before the deed can be filed. It was moved by Mr. Hutson and seconded by Mr. Mohn to leave the property in Mr. and Mrs. Weal’s ownership. All members present voted in favor thereof; Mayor West declared the motion carried.

NEW BUSINESS

It was moved by Mr. Fellman, seconded by Mr. Young and carried to accept the resignation of Michael Leighton from the Airport Authority and to approve the Mayor’s appointment of Tony Dumas to fill Mr. Leighton’s unexpired term.

A request was considered from John Mittleider of Off the Hook Seafood for an annual transient merchant license to sell seafood from his truck parked at a business from 2-4 a couple times a month. Mr. Mittleider suggested a \$100 annual permit rather than the City’s current \$25 daily permit. It was the consensus of the City Council to leave the ordinance unchanged and to deny Mr. Mittleider’s request.

CORRESPONDENCE AND ANNOUNCEMENTS

The City has received notice of the bankruptcy and future closing of Shopko. The City Attorney will advise on how to proceed. Mayor West stated he has heard some communities have petitioned Shopko to keep them in the community; he doesn’t know if that would work.

There was no reply from Yard’s Yardcare regarding renewal of the City Cemetery Caretaker contract so requests for proposals were sent to reputable lawn care businesses today.

The aerial mosquito spraying contract with Airborne Custom Spraying will be renewed with the same terms which are 2,050 acres at a rate of \$2.50 per acre plus a \$200 ferry fee. Each time aerial mosquito spray costs \$5,325.

ADJOURNMENT

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

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Chris West, Mayor

Connie A. Johnson, City Auditor