

**CITY OF GRAFTON
CITY COUNCIL MINUTES
MEETING OF JULY 13, 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, July 13, 2020.

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, Tom Dusek, Russ Geddes, Jon Markusen, and Todd Morgan.

CONSENT AGENDA

Mayor West added purchase wire to 6.2 (f) to the agenda. He asked if any Council member wanted to remove any item from the Consent Agenda. As no one did, it was moved by Mr. Ray 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 June 8, 2020 and Organization meeting of June 23, 2020.
- b) Ways and Means Committee regular meeting of July 6, 2020 cancelled.
- c) Public Utilities Committee regular meeting of July 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

4.3 Game of Chance applications:

#1002 – Grafton School District No. 3

4.4 Site Authorization applications:

- a) Grafton Blueline Club, Inc. at Rosie's Place Too, Inc.

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. Hutson and seconded by Ms. Stark 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, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Mayor West declared the motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Hutson introduced Resolution No. 1752 entitled, "A RESOLUTION DECLARING A SURPLUS IN MUNICIPAL UTILITIES DEPARTMENT FUNDS, AND DIRECTING THE TRANSFER THEREOF TO THE GENERAL AND MAINTENANCE DEPARTMENT FUNDS." Mr. Young 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. Mayor West declared the motion carried.

Curling Club Gaming Manager Mary Stark submitted a request to change time when electronic and paper pull tabs can be sold from 12:45 a.m. to 2:00 a.m. Councilmember Stark and Hutson recused themselves from voting. Ms. Stark said she believes the ordinance was adopted prior to pull tab machines and when the bars were only open until 1:00 a.m. After some discussion, it was moved by Mr. Sieben and seconded by Mr. Lipsh to allow the sale of paper and electronic pull tabs until 1:45 a.m. and direct the draft of an ordinance for consideration. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, and Mr. Young. Those opposed: None. Recused: Mr. Hutson and Ms. Stark. Mayor West declared the motion carried.

It was moved by Mr. Hutson and seconded by Mr. Sieben to declare the dead tree at 1355 Eastview Drive a public nuisance as it endangers life, health and safety or property of the public. All members voted in favor thereof; Mayor West declared the motion carried. The property owner will have a certain amount of time to remove the tree and if it is not done, the City will hire a contractor to do so and have the costs billed to the owner or special assessed.

City Administrator Ziegelmann reported City clean up week is tentatively set for the week of August 24th. The City Auction will be held August 24th and a list of sale items will be brought to the City Council for approval at the August meeting.

City Administrator Ziegelmann reported that a \$25,000 pump was installed at the Wakemen Ave. Lift Station, and Electric Pump has the concrete casting and panel on order. The work should be completed in August. There will be an additional \$40,000-\$45,000 required to make the Wakeman Avenue Lift station completely renovated.

The Master, Legion, Boeing and Industrial Lift Station generators are all operational and the grant paperwork is being finalized.

Mr. Desautel has a farmer cultivating the undeveloped west portion of Lessard Addition to keep the weeds under control. The farmer does not charge anything but this year he noticed we had some surplus pallet racking and he asked if he could have 3 pallet racks. It was moved by Mr. Sieben and seconded by Mr. Hutson to swap out pallet racking for cultivation work completed by

Brad Suda in Lessard Addition. All members present voted in favor thereof; Mayor West declared the motion carried.

Power Superintendent Russ Geddes provided the following bids for 3 rolls of 4/0 high voltage wire: Border States \$2.56/ft for approximately \$21,107.13, Dakota Supply Group \$2.64/ft for approximately \$21,810.99 and, Resco \$2.84/ft for approximately \$23,397. He also requested a bid for one roll of 1/0 wire: Border States \$2.34/ft for approximately \$6,127, Dakota Supply Group – no bid, Resco \$2.69/ft for approximately \$7,408.50. It was moved by Mr. Hutson and seconded by Mr. Sieben to accept the best bids from Border States Electric for 4/0 3-phase wire for \$2.56/ft and 1/0 wire for \$2.34/ft. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, and Mr. Young. Those opposed: None. Recused: Mr. Hutson and Ms. Stark. Mayor West declared the motion carried.

Mr. Geddes reported the power outage this past weekend was caused by bad cable by 15th Street. He said it is the largest loop in the City. They also replaced 2 transformers.

UNFINISHED BUSINESS

Jon Markusen of KLJ Engineering was present to give an update on the Flood Risk Reduction Project and the Storm Sewer Lift Station Project. The projects are close to completion but have been delayed due to weather this last month. The areas left to finish with the Flood Risk Reduction Project are a 500-foot stretch of levee east of Holand's, the stretch on Hwy 17 south to Presteng's, and a small area near the control structure. They have completed the stretch from Hwy 81 to Holand's. When they are not able to work on lifts, they work on topsoil, prepping for seeding, finishing culverts, etc. Mr. Markusen estimated the early part of next week they may have all the levees done. Mr. Markusen expressed thanks to Pete Holand and Prestengs for their patience and understanding throughout the project; they have been very good to work with.

Mr. Sieben questioned what they will be doing for weed control and replanting grass along Lavergne Avenue. Mr. Markusen said that is on their list to complete but he will follow up on it.

Mr. Markusen addressed the Storm Sewer Lift Station Project lift station switch failure; there was an issue with the power feeding the switch. The second incident was some debris in the pump that triggered it. Electric Pump is trying to get the codes to determine what is going on.

The completion date for the Flood Risk Reduction project was originally October 2019 with an extension to July 1, 2020. Mr. Markusen will have a Change Order for the Gladen Construction contract at the August City Council meeting. He said typically for a large project there is a substantial completion date and a final completion date. The contract has a \$5,000 per day liquidated damages fee if the contractor does not meet the substantial completion date and \$2,000 per day for the final completion date.

Mr. Markusen also reminded the Council there will be another change order for additional dirt needed for various reasons. He hopes to have the quantities finalized with the contractor for the August Council meeting. He presented Change Order No. 9 to repair the control structure guardrail in the amount of \$15,072.33. It was moved by Mr. Lipsh and seconded by Mr. Sieben to approve Change Order No. 9 in the amount of \$15,072.33 for the control structure guardrail. 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. Mayor West declared the motion carried.

Building Official Scott Boura reviewed the Code Enforcement Report and reported he has been unable to make any progress with the owner of Oak Arbor Trailer Court to maintain the property and repair or remove the empty mobile homes. The Council directed the Building Official to begin condemnation on 2 of the trailers in the Court. The process is very difficult because neither trailer has clear title. Mr. Hall asked about the house at 40 East 10th Street, if the utilities had to be terminated, they do not meet demolition standards and repair orders are ignored; is there a way to turn that into criminal action. The ordinance will be reviewed by the City Attorney to see what options are available.

Mayor West said he and Mr. Lipsh met with members of the Walsh County Commissioners Karen Anderson and Dennis Skorheim, and Emergency Manager Brent Nelson to discuss the Law Enforcement Agreement. The City offered \$70,000 a year and Walsh County can keep the City's 911 fees for the next two years. Mr. Lipsh reported they discussed the city of Grafton makes up 40% of the 911 fees collected. Century Code states a dispatch center is required to provide 911 services but that does not include ordinance calls that are specific to Grafton. It was discussed the 911 fees currently collect \$130,000 annually and that will increase to about \$165,000-\$170,000. They said they think the meeting went very well and they all agreed it is better to work together than apart.

NEW BUSINESS

A presentation about an indoor playground project at the Armory was cancelled due to the spike in Coronavirus numbers in the county.

CORRESPONDENCE AND ANNOUNCEMENTS

The Shared Use Trail Overlay project (trail along 3rd Street from Golf Course to Noben Ave. along Noben Ave. from 5th Street to Hwy 17, along Hwy 17 from Noben Ave. to Prospect Ave.) was prioritized but not funded by the NDDOT for a Transportation Alternatives grant.

ADJOURNMENT

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

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Chris West, Mayor

Connie A. Johnson, City Auditor