

**CITY OF GRAFTON
CITY COUNCIL MINUTES
MEETING OF AUGUST 12, 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, August 12, 2019.

Mayor Chris West presided. Members present: Dave Fellman, Don Hutson, Chris Lipsh, Phil Ray, Brian Sieben, Mary Stark, and Greg Young. Member absent: Shane Mohn. Others present: Nick Ziegelmann, Nick Hall, Tony Dumas, Rock Desautel, Scott Boura, Jon Markusen, Kevin Machart, and Todd Morgan.

OPEN PETITIONS

Kevin Machart representing Simplot requested that repairs be made to Detweiler Drive as he said it is in poor condition; the City will blade it but that is not a good fix. He was told 15 years ago it was scheduled for a complete rebuild, but it was never done. Street/Wastewater Superintendent Desautel said several years ago the City did dump semi loads of rock on the road because the ground is a slew and added gravel on top. He said the gravel has been pushed in and some of the rock shows through, which makes it harder to blade. The road gets a lot of truck traffic. Mayor West directed Street/Wastewater Superintendent Desautel and Administrator Ziegelmann to consider what options there are to improving the condition of Detweiler Drive.

PUBLIC HEARING

The public hearing to consider the Building Official's Condemnation Order for 803 Cooper Avenue owned by Ranulfo and Ronda Moreno was held. Moreno's did not attend the meeting or provide any written or verbal appeal to the Condemnation Order. Building Official Boura reported the property has been problematic for several years. The basement flooded this past winter which will require that the electrical service be replaced in addition to the unpaid cost of digging and repairing the curbstop and the outstanding bill for the loss of over 600,000 gallons of water. The true and full value of the structure is \$15,300 but the Building Official said the estimated current value after the basement flooded is \$10,000. Ms. Moreno had indicated to the Building Official that she would like to repair the structure but if the cost was too much they would let it go. City Attorney Hall recommended that if the Council was considering a motion for demolition that it include the following findings: 1) The Council accepts the repair estimates set out by the Building Official, necessitated by the Building Code and other regulations, in order for this structure to be in compliance with City Ordinances. Said repairs are in excess of \$11,750. 2) The true and full value of the structure, on the City records is \$15,300. The actual value of the structure is not greater than \$10,000. 3) The property is not fit for habitation as it does not meet Code standards or include the necessary amenities for residential use. The structure is severely dilapidated and constitutes a serious blight in the neighborhood for other homeowners. 4) Under Code Section 5-350, the cost of necessary repairs exceeds 50% of the value of the structure. Building Official Boura said there is a substantial fence on the property and he asked if the City Council would want it removed as well; the Council did want the fence removed. It was moved by Ms. Stark and seconded by Mr. Young to approve the Findings of Fact as proposed by the City Attorney and the Building Official's Condemnation Order to demolish the house and fence at 803 Cooper Avenue owned by Ranulfo and Ronda Moreno. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Ray,

Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Mohn. Mayor West declared the motion carried.

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 July 8, 2019.
- b) Ways and Means Committee regular meetings of July 1 and August 5, 2019.
- c) Public Utilities Committee regular meetings of July 1 and August 5, 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

4.3 Game of Chance applications:

- a) #989 – St. John The Evangelist Catholic Church

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

BILLS, CLAIMS AND ACCOUNTS

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

REPORTS OF STANDING COMMITTEES

On recommendation of the Ways and Means Committee, it was moved by Mr. Fellman and seconded by Mr. Hutson to approve the sale of abandoned and obsolete vehicles, bicycles and equipment including a Lewis-Shepard 3,000 lb. electric forklift and a cash drawer. These items

will be offered for sale at the City Auction Tuesday, September 17th. All members present 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. Ray to accept the bid from Interstate Power Systems for 3-50 kw diesel generators for \$70,920 and 1-200 kw diesel generator for \$39,840 for a total of \$110,760. The following bids were received for 1-200 kw diesel 3-phase 277Y/480Y generator and 3-50 kw diesel 3-phase 120Y/208Y diesel generators: Butler Machinery Company for \$139,378 (\$88,335 for 3 - 50 kw and \$51,043 for 1-200 kw), Interstate Power Systems for \$110,760 (\$70,920 for 3 - 50 kw and \$39,840 for 1- 200 kw), RDO Equipment Company for \$107,461.76 (\$69,982.89 for 3 - 50 kw and \$37,478.87 for 1- 200 kw), and Technology International, Inc. for \$116,000 (\$69,750 for 3 - 50 kw and \$46,250 for 1 - 200 kw). It was moved by Mr. Sieben and seconded by Mr. Ray to recommend the City Council accept the bid from Interstate Power Systems for 3-50 kw diesel generators for \$70,920 and 1-200 kw diesel generator for \$39,840 for a total of \$110,760. Mayor West reported Interstate Power Systems was not the low bid however the warranty was better, Interstate has a heated enclosure, and the exhaust system decibels were a lot quieter for a residential area. Another factor in the recommendation to accept their bid was because the City already owns 3 other Interstate Power Systems generators. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Mohn. Mayor West declared the motion carried.

On recommendation of the Public Utilities Committee, it was moved by Mr. Young and seconded by Ms. Stark to approve the Application for a Permit for Temporary Street or Public Property Closure for Special Events submitted by Darryl Collette for Alan Collette Farming Association. The application is to close 8th Street from Manvel Avenue to Stephen Avenue from 7:00 a.m. – 7:00 p.m. September 7th through October 7th or when harvest is complete, to provide a safer environment during harvest. All members were present except Mr. Mohn and voted in favor thereof; Mayor West declared the motion carried.

UNFINISHED BUSINESS

Jon Markusen of Kadrmas, Lee & Jackson provided an update on the Flood Risk Reduction Project. The crew is taking advantage of the dry weather and placing topsoil on the levees. The inspection trench is mostly complete. They are continuing to excavate on the channel and did find a small patch of black dirt north of Hwy 17; that was dug out and is being cleaned up. They continue to build in multiple locations but mainly focusing on the west end of the project. The control structure is essentially done and soon they will have a supplier on site to go through some of the actual operations of the control structure. There is one change order pending. Every two weeks they have been having meetings with FEMA on the CLOMR process. The updated changes were sent to them and they are doing some additional reviews. Mr. Markusen estimated the Flood Risk Reduction Project is 75% complete. Mr. Young asked if there have been complaints on weed control. Mr. Markusen said there have been a lot less than last year; they had a few calls they took care of right away.

Mr. Markusen reported on the Storm Sewer and Lift Station Project. Replacing storm sewer on Lavergne Avenue from 15th Street north is done, and Lavergne Avenue south to the first manhole is done. Some of the water mains will be lowered beginning tomorrow and then work will be

focused on Lavergne Ave south. After that they will put their crew back on building levees. Work on the lift station will begin on Wednesday. Mr. Lipsh asked if any hydro seeding will be done on the internal drain project. Mr. Markusen said we will have to address that but he thinks hydro seeding vs sodding works better. Mr. Lipsh said the contractor has been so accommodating and it is very much appreciated.

Building Official Scott Boura reviewed his monthly report and reported he has conducted an inspection of the mobile home at 404 Noben Avenue and found the structure to be substandard. The property owners do not live there and there is no other address so the notices must be posted on the property and published. The property owners will have an opportunity to appeal the Building Officials order to demolish 404 Noben Avenue at the September City Council meeting.

It was moved by Mr. Fellman and seconded by Mr. Young that Ordinance No. 328 entitled, "AN ORDINANCE TO AMEND AND REENACT SECTIONS 3-22 THROUGH 3-25 OF THE CODE OF ORDINANCES OF THE CITY OF GRAFTON, NORTH DAKOTA RELATING TO ALCOHOLIC BEVERAGE SPECIAL PERMITS" be placed on second reading and adopted. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: None. Member absent: Mr. Mohn. Mayor West declared the motion carried.

CORRESPONDENCE AND ANNOUNCEMENTS

The North Dakota League of Cities Conference will be held at the Bismarck Events Center September 19-21. Please contact Wanda if you wish to attend.

The Grafton Fire Department will be conducting practice fire burns in the area referred to as the Greenbelt Area north of the river during Monday training.

ADJOURNMENT

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

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Chris West, Mayor

Connie A. Johnson, City Auditor