

**CITY OF GRAFTON  
CITY COUNCIL MINUTES  
MEETING OF JANUARY 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, January 13, 2020.

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

**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. Fellman 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 December 9, 2019.
- b) Ways and Means Committee regular meeting of January 6, 2020.
- c) Public Utilities Committee regular meeting of January 6, 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:

4.4 Site Authorizations:

- a) Grafton Volunteer Fire Department at Centennial Center 4/2/2020-4/5/2020

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

**BILLS, CLAIMS AND ACCOUNTS**

It was moved by Mr. Mohn and seconded by Mr. Lipsh that the General, Special, Capital Projects, Debt Service, and Enterprise Funds bills be approved for payment in accordance with the listing submitted including the added bills from the Walsh County Auditor for share of Task Force Officer salary for November - \$3,242.63 and December - \$3,242.63; 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, and Mr. Young. Those opposed: None. Absent: Ms. Stark. Mayor West declared the motion carried.

### **REPORTS OF STANDING COMMITTEES**

On recommendation of the Ways and Means Committee, it was moved by Mr. Mohn and seconded by Mr. Lipsh that Resolution No. 1749 entitled, "RESOLUTION AUTHORIZING PUBLIC SALE OF REAL PROPERTY SITUATED IN AND OWNED BY THE CITY OF GRAFTON, NORTH DAKOTA" be adopted setting the minimum bid for the 8 lots in the 4<sup>th</sup> Replat of Vocational Addition at \$5,000 per lot, 803 Cooper Avenue at \$1,000, and the remaining lots at \$250 per lot. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Lipsh, Mr. Mohn, and Mr. Young. Those opposed: Mr. Hutson, Mr. Ray, and Mr. Sieben. Member absent: Ms. Stark. Mayor West declared the motion carried. The no votes were related to resale at a lesser value.

On recommendation of the Ways and Means Committee, it was moved by Mr. Lipsh and seconded by Mr. Hutson that Resolution No. 1750 entitled, "A RESOLUTION ORDERING THE DESTRUCTION OF OBSOLETE DOCUMENTS, RECORDS, FILES, PAPERS AND MATERIALS, AND PROVIDING FOR THE MANNER OF SUCH DESTRUCTION" be adopted. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, and Mr. Young. Those opposed: None. Absent: Ms. Stark. Mayor West declared the motion carried.

### **REPORTS OF SPECIAL COMMITTEES**

The Economic Development Committee recommended approval of a Flex PACE buydown for Skin Rehab, LLC at 15 East 7<sup>th</sup> Street. The Skin Rehab, LLC loan with the Bank of North Dakota and Choice Financial has a 10-year amortization; once the principal is paid in full the interest buydown will be paid back with 3% interest. There is no interest on the buydown loan while the principal is being paid. Half of the local share is \$11,809.79 at 3% interest. The Walsh County JDA will pay the other half. It was moved by Mr. Hutson and seconded by Mr. Young to approve the Flex PACE buydown in the amount of \$11,809.79 with 3% interest once the principal is paid in full. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, and Mr. Young. Those opposed: None. Absent: Ms. Stark. Mayor West declared the motion carried.

### **UNFINISHED BUSINESS**

Jon Markusen of Kadrmas, Lee & Jackson reported there will be a meeting this week with Gladen Construction to make a plan once they can work again in the spring on the Flood Risk Reduction Project and the Storm Sewer and Lift Station Project. The official startup of the storm sewer lift station project will be in March because they need to have water for the pumps. FEMA is reviewing the CLOMR. KLJ will continue to coordinate with the railroad on Memorandum of Understanding (MOU) points. KLJ is also working on the USGS with the

National Weather Service on some things they would do to predict spring flooding and how the channel is going to change some of that. Regarding spring flooding, Mr. Markusen reported the channel is operational and the gates are in place and operational.

Building Official Scott Boura reported he plans to bring Russ's Auto and Salvage junk yard permit renewal to the Planning and Zoning Commission for clarification. 12<sup>th</sup> Street Bowl has removed a significant amount of junk from around their building. Mr. Boura has been working with the Oak Arbor Trailer Court for several months and there have been several trailers demolished. There are currently 5 mobile homes occupied at this time and the rest have their power shut off. Power will not be reconnected to any of those homes prior to inspection.

It was moved by Mr. Fellman and seconded by Mr. Young that Ordinance No. 332 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" 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. Ray, Mr. Sieben, and Mr. Young. Those opposed: None. Absent: Ms. Stark. Mayor West declared the motion carried.

### **NEW BUSINESS**

It was moved by Mr. Lipsh and seconded by Mr. Ray to approve the Mayor's appointment of Steve Kliniske to the North Dakota Cares Committee and the reappointment Jessica Pankow to the Carnegie Regional Library Board. All members voted in favor thereof; Mayor West declared the motion carried.

Police Chief Dumas reviewed a proposed ordinance providing for dangerous animals prohibited and penalties and enforcement. City Attorney Hall recommended adding to the ordinance that does not bar the City from making an animal be removed from the City following a first offense. The purpose of the proposed ordinance is to ensure that the facts of the case are considered and there is more leeway for the Court to decide what the proper repercussions are for the owner of the animal and the animal itself. Attorney Hall explained as the ordinance is currently written it would allow for an animal to have one bite or one threat and it is declared to be a dangerous animal and on the second offense the animal would be euthanized. Mr. Hall stated the revised Section 7-30 is designed to give the Court more discretion than that so that should the first attack or bite be particularly vicious the Court can surpass the first sections and order an immediate euthanization. Chief Dumas said this ordinance also allows for more prohibitions. It was moved by Mr. Hutson and seconded by Mr. Young that first reading of the ordinance be approved with revisions recommended by the City Attorney. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, and Mr. Young. Those opposed: None. Absent: Ms. Stark. Mayor West declared the motion carried.

It was moved by Mr. Lipsh and seconded by Mr. Fellman that first reading of the ordinance which repeals Division, 3, Section 4-41 Regulation of Pit Bull Dogs be approved. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, and Mr. Young. Those opposed: None. Absent: Ms. Stark. Mayor West declared the motion carried.

It was moved by Mr. Mohn and seconded by Mr. Hutson to enter into contract with North Dakota Transportation for Bridge Inspection and Load Rating Services Agreement. The State will not be conducting the bridge inspections now, but instead will be hiring a contractor to do so. The local share of the contractor cost will be charged to the City. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Hutson, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, and Mr. Young. Those opposed: None. Absent: Ms. Stark. Mayor West declared the motion carried.

**CORRESPONDENCE AND ANNOUNCEMENTS**

A Public Utilities Street Resurfacing meeting will be held immediately following this meeting.

Notice was received from ND Transportation that the State Revolving Fund (SRF) grant to resurface the golf course road was not funded.

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.

**ADJOURNMENT**

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

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Chris West, Mayor

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Connie A. Johnson, City Auditor