

**CITY OF GRAFTON
CITY COUNCIL MINUTES
MEETING OF OCTOBER 14, 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, October 14, 2019.

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

PUBLIC HEARING

A public hearing was held to consider rezoning a former mobile home park located in Parkview Addition and the adjoining parcel from R-5 Mobile Home Park Residence District to R-2 One- and Two-Family Residence District. No one appeared in opposition. It was moved by Mr. Mohn and seconded by Mr. Fellman that Ordinance No. 330 entitled, "AN ORDINANCE AMENDING THE ZONING MAP ACCOMPANYING APPENDIX A (ZONING ORDINANCE) OF THE CITY OF GRAFTON CODE OF ORDINANCES TO REZONE PROPERTY IN PARKVIEW ADDITION AND ADJOINING PARCEL" 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, Ms. Stark, and Mr. Young. Those opposed: None. Absent: None. President Lipsh declared the motion carried.

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. 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 September 9, 2019.
- b) Ways and Means Committee regular meeting of October 7, 2019.
- c) Public Utilities Committee regular meeting of October 7, 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) 991 – Lutheran Sunset Home
- b) 992 – Our Saviour’s Lutheran Church
- c) 993 – Chad Demers Foundation

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. Absent: None. President Lipsh declared the motion carried.

BILLS, CLAIMS AND ACCOUNTS

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

REPORTS OF STANDING COMMITTEES

On recommendation of the Public Utilities Committee, it was moved by Mr. Young and seconded by Mr. Ray to accept the proposal from Ditch Witch for a bore rig in the amount of \$173,000 and amend this year’s budget for the purchase rather than purchase it in 2020. 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. Absent: None. President Lipsh declared the motion carried.

On recommendation of the Public Utilities Committee, it was moved by Mr. Young and seconded by Mr. Sieben to approve the application from the Grafton Area Chamber of Commerce to close 5th Street from Griggs to Hill Avenue and Hill Avenue (Highway 81) from 5th to 11th Street for Winterfest Light Parade on Saturday, December 14th from 4:30 – 6:30 pm contingent on approval from the North Dakota Department of Transportation. The parade route is 5th Street from Griggs to Hill Avenue, then Hill Avenue from 5th to 11th Street. The detour is 4th Street to Wakeman Avenue, Cooper Avenue, Highway 17. 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. Absent: None. President Lipsh declared the motion carried.

UNFINISHED BUSINESS

Jon Markusen of Kadrmas, Lee & Jackson, Inc. provided an update on the Flood Risk Reduction Project. The weather has not cooperated this last month with considerable rain and snow. The contractor has been able to haul some topsoil, complete some random excavation, and work on a few culverts. The diversion structures are done and the #2 and #4 side inlets on the main channel are done; they are currently working on #1 and #3. They have done a little erosion control prep. Mr. Markusen reported the contract is now through pay estimate 32 at about \$21.8 million paid. The biggest parts of the project left are to finish the dirt work and the rip rap. Future work includes continuing work on the channel excavation; and once the frost sets in, they want to

stage clay for the remaining levee areas to be built so that will be ready for spring. They plan to finish all the rip rap mainly around the Hwy 17 west area and the southeast end, by Pete Holand's place. Mr. Markusen estimated the contractor must move about 150,000 yards of material for levee building and about 110,000 yards of excavation on what is left. They are still meeting with FEMA on the CLOMR. The FEMA Director was part of the last conference call and he called back afterwards trying to follow up to expediate the process.

Mr. Markusen also reported on the Storm Sewer Lift Station Project explaining the contractor is putting storm sewer pipe in the ground again tomorrow. The third and final pour on the walls of the lift station will be done and then they will be able to backfill that and continue to work on the inside of the lift station, as well as the roof. They will continue to work to get some temporary roads in place for the winter.

Building Official Scott Boura reviewed his monthly report. He reported outstanding utility bills and taxes have been paid for 134 West 2nd Street and ownership transferred. The structures at 803 Cooper Avenue have been demolished as ordered by the City Council. Kilmer Excavating will be demolishing the mobile home at 404 Noben Avenue in compliance with the City Council's Condemnation Order.

It was moved by Mr. Fellman and seconded by Mr. Hutson that Ordinance No. 331 entitled, "AN ORDINANCE TO AMEND AND REENACT CHAPTER 14.1 MARIJUANA OF THE CODE OF ORDINANCES OF THE CITY OF GRAFTON, PROVIDING FOR POSSESSION OF MARIJUANA IS UNLAWFUL, MEDICAL MARIJUANA DEFENSE" 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, Ms. Stark and Mr. Young. Those opposed: None. Absent: None. President Lipsh declared the motion carried.

Police Chief Dumas reported there were 8 vehicles and 2 miscellaneous items that did not receive bids, or the bids received were less than the minimum required. It was moved by Mr. Young and seconded by Mr. Ray to direct staff to negotiate with salvage buyers for all unsold vehicles and equipment to be sold as a scrap lot. On roll call vote the following voted in favor thereof: Mr. Fellman, Mr. Lipsh, Mr. Mohn, Mr. Ray, Mr. Sieben, Ms. Stark, and Mr. Young. Those opposed: Mr. Hutson. Absent: None. President Lipsh declared the motion carried. Administrator Ziegelmann asked if the minimum bids should be done away with in the future. President Lipsh suggested that prior to the next auction the City Council will entertain the discussion of minimum bids.

NEW BUSINESS

It was moved by Mr. Hutson and seconded by Mr. Fellman to extend Scare Oaks season to include November 1st and 2nd due to the poor weather conditions. All members present voted in favor thereof; President Lipsh declared the motion carried.

Roch Tweten submitted a request to make the traffic signal on Hill Avenue and 7th Street a flashing yellow. All traffic signals on Hill Avenue currently flash yellow from 11 p.m. to 7 a.m. Mr. Tweten said he feels four traffic signals in four blocks in a town the size of Grafton are too many. President Lipsh suggested referring this request to the Public Utilities Committee November 4th for further consideration and investigation because any changes could affect transportation funding.

Street/Wastewater Superintendent Desautel requested authorization to trade the 2015 John Deere subcompact mower to True North for a 2020 model. The bid received lists the 2019 price but True North indicated they don't anticipate a big increase for 2020. If the price increases by 5%, then the City's cost would increase 2 to 3 percent. If the price increases 2 to 3%, then the City's cost would not change at all. Mr. Desautel explained when the City purchased the 2015 mower, it was his intention to trade it in while there was still good value. We have four attachments for the mower and they will also fit on the 2020 model but he does not know if they will fit on a 2022 model. Mr. Desautel said the mower deck is showing wear and he would like to replace that as well. It was moved by Mr. Fellman and seconded by Mr. Sieben to approve trading in the 2015 John Deere subcompact mower with mower deck for a 2020 John Deere subcompact mower with mower deck. 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. Absent: None. President Lipsh declared the motion carried.

Fire Chief Brad Martinson was present to discuss the use of outdoor sirens for fire calls. He reported the Grafton Fire Department is in the process of updating their standard operating guidelines. The Department has identified the need to include other agencies such as utility departments, law enforcement, ambulance, and the fire marshal, in the development of their guidelines. When he became Chief, he reviewed the history of fire calls and noticed the attendance numbers by fire fighters at fire calls was low. He determined the reason was due to not using the outdoor sirens, so he started having the sirens rung for all fire calls. Since the City Council has asked that practice to be discontinued, he has noticed attendance dropped again. Mr. Martinson said the purpose of the siren is to alert the citizens and the firefighters that something bad is happening and time is of the essence. He said last year there were 77 fire calls between city and rural; of those calls 27 were alarm activations and 12 were due to tests of the sirens which should be completed monthly. Mr. Martinson said after reviewing the call volume and types of calls, the Fire Department requests sounding outdoor sirens for fire calls showing smoke and or fire, car accidents, mutual aid calls and all calls deemed necessary on demand by the Fire Chief. Chief Martinson believes an interoffice training program should be developed as a way for others to find out what the fire department must do, what it takes to do it, and, for the Fire Department to learn the same of other agencies. Mr. Martinson said after he became Fire Chief and started ringing the sirens for all calls, they saw a 13% increase in attendance by firefighters. If there is an active fire scene they need 14 people present before anyone can enter the building. Mr. Hutson asked if ringing the alarms increases the number of bystanders at a fire scene and Mr. Martinson said he did not believe so. Mr. Hutson has received complaints about the sirens going off after midnight and that it is difficult to tell the difference between a fire call and a weather call. Last year the Fire Department responded to 3 vehicle fires, 4 vehicle accidents in the city and in the rural there were 6 vehicle accidents and 2 vehicle fires. A ringing siren is a relief to a person involved in a vehicle accident because they know help is on the way according to Mr. Martinson. Walsh County dispatch activates the sirens and Mr. Martinson was originally told it was all or nothing, but now he has learned they can be more selective on when they ring the sirens. Mr. Lipsh said in the last 30 days there was 1 tree fire, 2 vehicle fires, 2 accidents in the County and 6 false alarms, so if the recommended standard operating guidelines are followed, the alarms would only be rung for the tree fire, vehicle fires and the accidents.

Mr. Young questioned why the City Hall fire alarm was no longer good enough for coverage for fire calls, so we had to start using all the fire sirens. Police Chief Dumas explained they switched from Stones to Mid-States Wireless to do the siren maintenance and when doing that he

discussed the sirens with Brent Nelson, Dispatch Manager. At that time dispatch had two different fire siren page outs, north and south. When Mid-States came to verify which sirens were set off at what tones they found that two of them worked properly and the other three were sporadic. When the programming was completed Mid-States felt it would be better to sound all sirens at the same time or program them to be single tone sirens. Chief Dumas chose to go with the dual tones and for all sirens to ring because the sirens are designed first and foremost for civil defense (weather) and that is the safest way to know the entire city is covered.

Mr. Martinson stated he would really like to work with any City department that would have anything to do with a fire call, as well as Nodak, Ottertail, and MDU on updating their standard operating guidelines.

Mr. Ziegelmann stated he would like to see the formal standard operating guidelines drafted along with Mr. Martinson's recommendation for fire siren use brought before the Public Utilities Committee for review. President Lipsh stated this is a very passionate issue but he thinks it's important that what is thought about are facts, not feelings. Focus should be on the factual information rather than the what-ifs.

CORRESPONDENCE AND ANNOUNCEMENTS

November City Council meeting will be held Tuesday, November 12th as Monday is the Veteran's Day holiday. The committee to review the roads funding will meet after the City Council meeting.

City Hall will be closed the day after Thanksgiving; staff will take vacation time.

ADJOURNMENT

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

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Chris Lipsh, President

Connie A. Johnson, City Auditor