Tioga City Commission

November 17, 2014

Minutes

Commissioners Present: McClelland, Grubb, Thompson, and Weflen

Commissioners Absent: Davidson

Visitors Present: Rich Zakrajsek, Harlan Engberg, Kevin Killough (Tioga Tribune), Desiree Hanson, Kelci Hanson, Dan Larson, Antonio Conti, Darrel Carlyle (AE2S), Jeff Spivey, Amanda Mosser, Chris Norgaard, Chris DeCresente, Kathy Neset, TJ Halvorson, Steven Fretland, Larry Maize

The regular meeting of the Tioga City Commission was called to order at 7:00 pm by President McClelland at Tioga City Hall on November 17, 2014.

Grubb made a motion and Weflen seconded to dispense the reading of November 3, 2014 minutes. Being no errors or omissions the minutes were approved as submitted. All voted aye, motion carried.

Commissioners Reports:

Grubb reported that Jeff Moberg, Harlan Engberg and himself visited the wastewater treatment plant in Pennsylvania and now the decision should be made on it.

Weflen reported that new landfill hours for the winter season will be Monday, Wednesday and Friday 9 am to 5pm.

Jeff Spivey reported on behalf of Davidson about the problem of overpopulation in some buildings in the City of Tioga. Overpopulation creates crime and parking issues for the neighborhood. According to the city ordinances, there is a limit of 3 unrelated people that can reside in one dwelling. Jeff stated that the Board should find a way how to enforce the existing ordinance either by publicizing more about the ordinance or by keeping the landlords responsible. The police are very limited on their actions since they can’t enter the private property without a reason. McClelland asked Rich and Planning & Zoning board to address the issue.

McClelland reported on the issue of reckless driving at the intersection of Hwy 40 and Signal road. McClelland asked the Police and Street Commissioners look into the issue. Spivey reported that the police will increase their presence at the intersection. McClelland suggested contacting ND DOT about the possibility of installing the flashing light alerts to slow down the traffic. McClelland stated that “No engine brakes” signs need to be moved further away from the city limits.

Old Business:

Harlan Engberg from Ackerman-Estvold stated that he will be scheduling meetings with Grubb & McClelland in November, and Weflen in December to discuss the projects for the next year. Harlan reported that the lagoon project is being on hold due to the weather. McClelland reported that the water main line is leaking and inquired if the faucets were fixed. Harlan stated that the issue wasn’t fixed.

Darrel Carlyle with AE2S presented the final packet on Task Order #2 part “Job Descriptions”. The packet includes job descriptions, organizational charts and performance appraisal forms. The City is comprised of 4 departments: Auditor’s Office, Police Department, Water & Wastewater and Community Services. Auditor’s Office will consist of the City Auditor, City Deputy Auditor and Accounting Specialist; Police Department – Chief of Police, Captain, Lieutenant, Sergeant, Corporal, Patrol Officer, Community Service Officer, Dispatcher/Administrative Assistant/Clerk of Court-2, Dispatcher/Administrative Assistant/Clerk of Court-1; Water & Wastewater Department – Water Superintendant; Street – Superintendant, Maintenance Worker-1 & 2 shared by Water and Street departments; Community Services Department – Community Services Director & Economic Development Director. McClelland requested that each job description need to be signed by the employee, Commissioner and Department Head. Appraisal forms should be handled the same way. If there is any revision to the job description, the revision date should be marked on the last page of the job description. Darrel advised to have performance appraisal forms be filled out by the beginning of the next fiscal year for salary bases purposes. McClelland asked the Commissioners to have appraisal forms completed by December 8th, 2014. Grubb made a motion and Thompson seconded to approve the job descriptions, organizational charts and appraisal forms as presented. All voted aye, motion carried.

Darrel reported that Employee Handbook, best hiring practices and other HR documents will be ready by December 1st, 2014. McClelland requested to have a special meeting facilitated by AE2S with 100% employee participation to clarify the new policies with signatures required from respective employees, Commissioners and Department Heads on the employee handbook.

Grubb made a motion and Weflen seconded motion to correct typographical error for recording purposes on ordinance no.2014-2 relating to the annexation of real property presently located outside the corporate boundaries of the City of Tioga for the purpose of correcting document #785446 as on recorder with the Williams County Recorder’s Office. All voted aye, motion carried.

Grubb made a motion and Weflen seconded to make the following changes to the PD credit card: remove Shannon Duisen; add Jeff Spivey and Larry Maize. All voted aye, motion carried. Thompson made a motion and Grubb seconded to raise the limit on the PD credit card from $5,000 to $10,000. All voted aye, motion carried. Thompson requested that employees who make charges to the City accounts with local vendors should turn in receipts within 1 business day since for the auditing purposes all purchases need to be accompanied by the receipt.

Discussion was held on the amendment of the liquor license. Grubb suggested to eliminate the combination of “on and off sale” liquor license after the renewal in July 2015. He also requested to have the liquor license fees reviewed and make the renewal fees equal to the initial fees of the new licenses: Class A & B - $2,500, C & D - $1,500 & $2,000. Grubb suggested to review the penalties that can be imposed for non-compliance to the liquor license ordinance. McClelland stated that decision on the liquor license ordinance need to be made before the renewal in 2015. Weflen made a motion and Grubb made a second to table the decision on the liquor license amendment to do some research and to ask legal advice. All voted aye, motion carried.

Grubb presented the proposed residential & commercial water and sewer rates and stated that increase is needed for wastewater treatment plant and infrastructure improvement projects. The proposed rates are as follows:

Residential water - $15 plus $7/1000 gallons;

Commercial water - $30 plus $7/1000 gallons;

Residential sewer - $15 plus $5/1000 gallons;

Commercial sewer - $30 plus $7/1000 gallons.

Jeff Moberg inquired how the campgrounds will be charged for the sewer, since now they are charged per camper hook-up. Commissioners agreed that they need to have more research done in this matter. Antonio Conti noted that the base water rates should be determined by the meter size plus the usage. Weflen made a motion and Grubb made a second to table the decision on the water/sewer rates. All voted aye, motion carried.

Grubb made a motion and Thompson seconded to approve Kirk Odegaard’s request to rezone his property with legal description: Section S 50x210 of 210x311 T157 R95 unplatted Tioga from R2 to I1 to match the neighboring properties for the purpose of building storage units. All voted aye, motion carried.

TJ Halvorson and Rich Zakrajsek presented the land use map that Pheasants Forever will use for the shooting range for the community. The map showed the skeet, trap shoot, archery range and dog field training area. Pheasants Forever would like to put the fence around the area for security reasons. TJ Halvorson stated that the club is looking into having supervised hours with Pheasants Forever member being present on sight whenever people want to utilize the shooting range. He also stated that Pheasants Forever would like to hire a part-time groundkeeper. Rich stated that Ben Johnson will be working on the lease agreement and other liability agreements needed for insurance and injury purposes. McClelland asked Rich to show him around the area where the shooting range is planned to be built.

New Business:

Antonio Conti gave an update on CIP: water system, wastewater and sewer and street improvement modules are finished; now the work is being performed on financials. Antonio Conti presented a land use map developed by AE2S for planning and zoning purposes for the next 20-22 years. Rich stated that the master plan should be reviewed and updated every 2 years. Grubb made a motion and Thompson seconded to approve the land use map as presented. All voted aye, motion carried.

Rich stated that committee was formed to make a decision on the architects to be considered for the new city hall project. The members on the committee are Todd Thompson, John Grubb, Dan Larson, Melissa Koch and Rich Zakrajsek. Rich stated that the City received packets from 8 architects. 3 shortlisted candidates will be presented to the City Commission.

Kathy Neset presented her application for conditional use permit for 6 years to place a modular building on the property of the Tioga Airport Authority to serve as a new terminal for general aviation travelers until a permanent structure is built with the new apron project. Chris Norgaard stated that this building will help improve operations of the airport until the permanent terminal will be constructed. Grubb made a motion and Weflen seconded to approve the application as presented. All voted aye, motion carried.

Grubb made a motion and Thompson seconded to approve a conditional use permit for 3 months for Robert Myers to have 1 RV parked at 310 13th St NE pending the adequate usage of portable restrooms. All voted aye, motion carried.

Grubb made a motion and Thompson seconded to approve a conditional use permit for 4 weeks for Mike Hayes Consulting to have 3 self-contained RV’s at 310 13th St NE pending the adequate usage of portable restrooms. All voted aye, motion carried.

Weflen made a motion and Grubb seconded to approve a conditional use permit for 2 years for Trade Winds RV with retro back to February 2015. All voted aye, motion carried.

McClelland inquired why the conditional use permit application for 42 Grill was not presented to the Commission. Dan Larson reported that 42 Grill was given 30-day grace period and the application will be reviewed once 30-day period is over.

Rich Zakrajsek presented the following building permits for approval:

- Tioga Aero Center – a modular building to be used as a terminal at the Airport – Weflen made a motion and Grubb seconded to approve as presented. All voted aye, motion carried.

- Kirk Odegaard – 25x165 building for storage units – Grubb made a motion and Weflen seconded to approve the building permit. All voted aye, motion carried.

- Tioga Rail Terminal – a permanent structure to enclose the loading rack area - Grubb made a motion and Thompson seconded to approve the building permit. All voted aye, motion carried.

- KS Industries – a permanent structure to enclose the fuel storage area - Weflen made a motion and Thompson seconded to approve the building permit pending on proper fuel storage. All voted aye, motion carried.

Grubb made a motion and Weflen seconded to approve a general contractors license for Neset Consulting Services to do the work at the airport. All voted aye, motion carried.

Rich reported that Desiree Hanson made a list of residents who need to be contacted regarding the future annexations. Ordinance on ETA boundary to amend Chapter 5 “Zoning - Land Use Planning” had its first reading at the commission meeting. Thompson made a motion and Grubb seconded to approve the 1st reading. All voted aye, motion carried.

Grubb stated that the Board needs to work on developing a list of citations for violation of zoning ordinances. Ben Johnson will work with Rich Zakrajsek, Dan Larson and Tioga Police Department to address the issue.

Grubb made a motion and Thompson seconded to approve the donation in the amount of $250 towards the gift for the Chamber of Christmas Event. All voted aye, motion carried.

Thompson made a motion and Grubb seconded to approve the Visitor Promotion Fund application from the Chamber of Commerce requesting $2,500 for the Christmas Event. All voted aye, motion carried.

Weflen made a motion and Thompson seconded to approve a raffle permit application from the Chamber of Commerce for the Christmas Event. All voted aye, motion carried.

Weflen made a motion and Thompson seconded to approve a raffle permit application from Westgate #125 Mason Lodge for the after grad event. Weflen, Thompson, McClelland voted aye, Grubb abstained. Motion carried.

Grubb made a motion and Weflen seconded to approve a special liquor license for Model Tavern to sell alcohol at Farm Festival Building for Continental Christmas Party on December 5th. All voted aye, motion carried. Thompson made a motion and Weflen seconded to approve a special liquor license for Model Tavern to sell alcohol at Farm Festival Building a dance on November 29. All voted aye, motion carried.

The Board was considering the liquor license application from Main Stay Suites to transfer the liquor license holder from Bainfield Management to Tioga Hotel Suites. Weflen made a motion to table the decision on the liquor license transfer until the next meeting and have a public hearing prior to the meeting. Thompson seconded. All voted aye, motion carried.

Thompson made a motion and Weflen seconded to have Occupancy Tax deposits from ND State Treasurer be deposited to the Visitor Promotion Fund bank account. All voted aye, motion carried.

Weflen made a motion and Grubb seconded to approve November Bills. All voted aye, motion carried.

McClelland reported that currently there are 3 applicants for the Auditor position and the Board is still waiting for more applications to come. Starting December 1st, the Committee that will include Drake McClelland, Todd Thompson and Loren Hoffman will start the interview process.

Thompson made a motion and Weflen seconded to approve October Balance Sheet. All voted aye, motion carried.

Being no further business, the meeting adjourned at 10:15 pm.

Drake McClelland, Desiree Hanson,

President, Tioga City Commission City Deputy Auditor