

City of Forman, North Dakota
Regular City Council Meeting
September 10, 2019

The Forman City Council meeting was called to order at 6:00 PM by Mayor Kevin Bopp. Present were council members Al Colemer, John Stenvold, Neil Weaving and Luke Anderson. Also attending were Attorney Lyle Bopp, Trish Pearson and Paige Cary. All stood for the Pledge of Allegiance.

The Public Hearing to approve the final 2020 budget was called to order. Resident Dave Jacobson was the only resident in attendance. He voiced a complaint about what he considered an excessive increase in taxes. The council heard his concerns and volunteered to go through the budget with him line by line, but he wasn't interested. He thanked the council for hearing him and left. A motion was made by John Stenvold, seconded by Al Colemer to approve the 2020 budget as presented. Motion carried unanimously. The Public Hearing was adjourned at 6:15 PM.

The regular city council meeting then resumed. There was one addition to the agenda. A motion was made by John Stenvold, seconded by Neil Weaving to approve the agenda with the additional item in new business.

Cavin Berube was in attendance to give the engineer's report. A settlement was reached on the liquidated damages with Knife River Materials, ND DOT and the City. No payments have been made for work on the trail since last fall while LD's were being negotiated. Berube presented Pay Estimate #3, the total of which is \$217,519.32. The City's share is \$21,751.93. A motion was made by Luke Anderson, seconded by Al Colemer to approve pay estimate #3 in the amount of \$217,519.32 with the city share of \$21,751.93. Mayor Kevin Bopp voiced concern that Knife River may not return to complete the punch list items if we approve the payment. We do still have a small amount of retainage held until the list is complete. The council members decided to trust that Knife River would be professional enough to complete the project by addressing all items on the punch list. A roll call vote was taken with all voting yes. Motion carried. Moore Engineering will present their billing at the next meeting, which will be detailed with the work done and the areas they discounted or cut out due to their errors. There will be one final Pay Estimate for Knife River once the punch list items are complete. There are three items that Moore Engineering will be correcting from design issues: the ditch along 4th Street; the low area just south of the park along Highway 32; and the low spot at the crossing by Kwik Stop. These will be corrected prior to closing out the project. Berube had the annual DWSRF priority list items ready for signatures. This list does not obligate the city in any way, but makes funding readily available should the need arise.

A motion was made by John Stenvold, seconded by Al Colemer to approve minutes from the August 6, 2019 regular city council meeting. Motion carried.

A motion was made by Neil Weaving, seconded by Luke Anderson to approve the city auditor's report including the August financial statements, delinquency report and payment of the bills. Motion carried.

The City Superintendent's report was read without comment.

City Attorney Lyle Bopp had several items to address in his report. He is still working on the roads and alleys that need to be vacated. Dickey Rural Networks reviewed all areas that the city is considering and marked those that have fiber optic cable in them. The council added two more roads to the list. Lyle will contact all the adjacent property owners, and then prepare a petition for our next meeting.

Lyle prepared a lease for Rick Hoistad to farm the lots in the industrial park that the city purchased on the tax foreclosure sale. The lease will be for \$1 and automatically renew until the lots are sold. Lyle tried to contact both Rick and Bradley to see whose name to use on the lease, but they were unavailable. He will continue to reach out to them to get the proper information. A motion was made by Al Colemer, seconded by Luke Anderson to approve and execute the lease. Motion carried.

A policing contract was prepared between the City and Sargent County. A motion was made by John Stenvold, seconded by Neil Weaving to approve the contract and send it to the county for their approval.

While researching some tax exemptions on properties, Lyle came across a tax exemption that was approved for Nelson Home Center for the pole building erected on the NE corner of Main St and Maple Ave. W. Tax exemptions can be withdrawn if the applicant is no longer in business. Since the business was open for part

of this year, it could not be effective until next year, but the applicant will need to be notified. A motion was made by Luke Anderson, seconded by John Stenvold to withdraw the tax exemption for Nelson Home Center and have Attorney Lyle Bopp notify the applicant of the city's intent. Roll call vote: Colemer – aye; Weaving – abstain; Stenvold – aye; Anderson - aye. Motion carried.

There was no report from the Sheriff.

Paige Cary reported that she is working on a volunteerism campaign called Pick1 to encourage volunteer efforts in the community. She has reached out to one company for a new design for our welcome signs coming into town. She approached Jiggs Dyste about purchasing the vacant lot to the north of the market. Cary says she has design options to expand the green space from the AAA grant and feels confident that she can get a grant to expand the space. Dyste is open to selling the lot. The council is open to purchasing but would like to wait until January and our new budget. Paige also asked the council about starting a city blog similar to Rutlands. She indicated it is an area she enjoys and doesn't think it would take a lot of time. The council encouraged her to pursue the idea. Finally Cary asked for the council's approval on the Renaissance Zone Project Completion for Forman Lumber and Fireworks. A motion was made by Luke Anderson, seconded by Al Colemer to approve the completion.

A motion was made by John Stenvold, seconded by Luke Anderson to approve the resolution setting water and garbage rates for 2020. Roll call vote was unanimous. Motion carried.

In other old business, the striping on Main Street is complete. The windows at city hall have been installed. FCDC is meeting on Thursday regarding the grocery store. Paige asked if she could issue some kind of an update, as the community is greatly concerned. The council asked her to wait until after the meeting on Thursday.

With the recent heavy rains, a complaint was made about flooding in the middle of the northern most block of 2nd St. It was determined that all culverts and drains are clear of obstructions and water is flowing. The ditch along Highway 32 does need to be cleaned out, but that is not the main problem. Water flows into a 24" culvert under Highway 32 near Green Ave then connects with a 12" pipe that runs NE through the fairgrounds. Water also comes into that pipe from the east ditch from Ekstrom's shop to the north and from Rick Hoistad's coming from the south. There is too much water coming at the drain to keep up with the flow and water then backs up into the west ditch and the city drain, flooding 2nd St. The city will approach the county about replacing the drainpipe with a larger size or adding a second pipe to accommodate the water volume. Lyle stated that FEMA just announced that funds are available for flood mitigation assistance and pre-disaster mitigation. This program may be applicable to our situation. We will continue to look at our options and try to get the west ditch cleaned out as soon as possible.

A motion was made by Al Colemer, seconded by John Stenvold to approve a building permit from Harvey Fiala to erect a soft sided car port on his property. Motion carried.

A motion was made by John Stenvold, seconded by Neil Weaving to appoint the Sargent County Tax Assessor, Denise Ferderer, as the City Assessor pursuant to Century Code 40-14-04. Motion carried.

Under notices, the City's Arbor Day Celebration is scheduled for Tuesday, September 17 at 12:40 PM in the campground park. Kevin Cramer's office will be setting up a Mobile Office Hour at City Hall on Friday, September 20 from 2:00 – 3:00 PM. Paige and Trish will be attending the NDLC annual conference in Bismarck September 19 – 21.

Our next regular council meeting is scheduled for Tuesday, October 8, 2019 at 6:00 pm.

The meeting adjourned at 8:20 PM.

Kevin Bopp, Mayor

Trish Pearson, City Auditor