

City of Forman, North Dakota
Regular City Council Meeting
August 4, 2020

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

All stood for the pledge of allegiance.

A motion was made by Al Colemer, seconded by Neil Weaving to approve the agenda. Motion carried.

The council recognized Steve McLaen and Austin McLaen to address two items of business. The first was a building permit to install a geothermal heating system for Sargent County Bank. This would involve drilling down 300 feet and installing fully enclosed tubing filled with a type of antifreeze. It would not pull any water from the ground. They also requested that five of the holes be drilled between the curb and the sidewalk. That would place the system on city property. They explained that the top of the tubes are capped off at five feet below the surface. The bank will assume all liability to damage to the sidewalk, curb and street in the process of drilling. They will also hold the city harmless for anything that happens with the system as long as it remains in place. Falk Brother's has already obtained the necessary permit from the state. A motion was made by Luke Anderson, seconded by Neil Weaving to approve the building permit for Sargent County Bank to install a geothermal well heating system. Roll call vote: Anderson – yes; Colemer – yes; Weaving – yes; Stenvold – absent. Motion carried.

Secondly, the McLaen's spoke to a Renaissance Zone application submitted for renovations to Sargent County Bank. Economic Development Coordinator, Paige Cary has been in touch with the state to see what can be done as the bank has already begun work on their project. The application submitted was incomplete and will need additional information provided also. The state said that the project could be considered, but none of the work completed prior to the final approvals may be counted toward the project. The bank needs to obtain a certificate of good standing from the state. Paige will work with Austin to fill in the missing information. A motion was made by Al Colemer, seconded by Luke Anderson to approve the Renaissance Zone application submitted by Sargent County Bank pending approval by Paige Cary and Rikki at the State of North Dakota. Roll call vote: Anderson – yes; Colemer – yes; Weaving – yes; Stenvold – absent. Motion carried.

Dave Jacobson was at the meeting to discuss a request regarding the cemetery. There are a number of cemetery plots adjacent to his family's plots that are owned by the Hubbard family. Those plots are unoccupied and there are no remaining Hubbard family members alive. Jacobson and his brother would like to acquire those plots. He spoke with Attorney Lyle Bopp who informed him that this could be accomplished through a process called quiet title. Attorney Bopp told the council that this might be an opportunity to clear title on numerous plots in the original cemetery. The cost would be about the same whether done for a couple of plots or the entire cemetery. Jacobson stated that he and his brother are willing to contribute financially to the process. Attorney asked the council if this was something they wanted to pursue. A motion was made by Luke Anderson, seconded by Neil Weaving to pursue quiet title action on the abandoned lots in the Forman Cemetery. Roll call vote: Anderson – yes; Colemer – yes; Weaving – yes; Stenvold – absent. Motion carried.

Tyler Newborg attended the meeting to voice concerns over Charge On Together Daycare closing. He wanted to see if there was anything the city might be able to do to assist the owner, Nicole Stevahn. She has not been able to find qualified employees at a pay rate she can afford. She has been in contact with FCDC but they have not offered enough assistance to make it viable for her to reopen. Paige and Luke are both on Sargent County JDA and though there might be some avenues to pursue there. Luke proposed a resolution to request that FCDC and Sargent County JDA make daycare in Forman as top priority. Paige will talk to Nicole and put her in contact with JDA.

Sheriff Travis Paeper submitted a brief report on policing activities in Forman for the month of July. They had 16 calls for service. an aggravated assault at the bar, (2) domestic disputes, 2 welfare checks, 7 papers served, and 6 traffic stops. Luke Anderson asked that we contact the sheriff and request extra patrolling on Highway 11 when school starts. Sargent Central is eliminating the two in town bus routes as a precaution for the Covid-19 virus. That means there will be more vehicle and foot traffic crossing the highway in the morning and afternoons.

A motion was made by Neil Weaving, seconded by Luke Anderson to approve the minutes from the July 14, 2020 meeting. Motion carried.

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

The council reviewed the City Superintendent's report.

City Attorney, Lyle Bopp reported that he has prepared a permanent easement between the city and Isensee. He asked that a check be cut and made out to the Bopp Trust Account for \$150 so he can get the document signed and recorded. The discrepancy on the Schreiner property description is in the hands of the Sargent County Tax Director and Treasurer. They will work with Schreiner to resolve the legal property description. Bopp stated that he was approached by Dennis Nelson about turning Ginger's Junk into a single unit apartment. This will require a conditional use permit as single family units are not permitted in a commercial zone. Paige Cary stated that the Main Street Initiative strongly supports mixed use properties. The council agreed that they would be open to this venture. Trish Pearson will contact Nelson and work with Attorney Bopp to begin the process.

Economic Development Coordinator, Paige Cary reviewed her report for the council. Central Grocery officially opens tomorrow, August 5. Cary gave a presentation for a company called Archive Social. They specialize in archiving social media records for governmental units. Every post and comment made on social media administered by a city is considered an open record. If a person deletes their comment, there is no way to retrieve it unless it has been properly archived. The service requires no contract and is \$199 per month. The council agreed they should address this. They will discuss this further in the budget. Paige will be writing a social media policy for the city.

Paige asked the council to choose a lot for the JDA spec house. Luke passed around a photo of lots available in the south addition. All agreed that the three lots on the circle should be made into two lots and the best choice for a lot would be Lot 1 and half of Lot 2. That would leave the other half of Lot 2 and all of Lot 3 for future development. Several other lots could work if the circle doesn't work. The council will finalize the decision once their choice is accepted by JDA. We will review our strategic plan at the September meeting.

In old business, we have received two quotes and are awaiting a third quote for paving patches in town, including a new spot where a water line repair is in process. A motion was made by Al Colemer, seconded by Luke Anderson to move forward with the ten paving patches in town to the lowest bidder. Roll call vote: Anderson – yes; Colemer – yes; Weaving – yes; Stenvold – absent. Motion carried.

Neil Weaving researched off-sale liquor license fees. Both bars in town indicated that about 25% of their alcohol sales were for off-sale. Weaving recommended setting the off-sale license fee at \$300 annually. A motion was made by Neil Weaving, seconded by Al Colemer to set the off-sale alcohol license fee for the City of Forman at \$300 per year or \$25 per month for pro-rated licenses. Roll call vote: Anderson – yes; Colemer – yes; Weaving – yes; Stenvold – absent. Motion carried.

The council brought up again the need to replace our mosquito fogger. Anthony has the price quotes we have received so far so they were unable to discuss particular machines. Luke will check with Andy Stroh about the cost of aerial fogging. In the meantime, we need to get the city fogged. Anderson suggested that Anthony adjust his hours for a day to accommodate either early morning or late evening fogging.

Tom Orth has indicated that he is considering retiring next March. The council discussed the need to hire an additional maintenance employee in advance of that date to accommodate training. Mayor Bopp will talk with Tom about how the city would like to proceed with the transition and to confirm his retirement plans. A motion was made by Neil Weaving, seconded by Al Colemer to post a position to hire an additional maintenance employee. Salary will depend on experience and qualifications. Step increases are to be provided as the employee obtains certifications and licensing. Roll call vote: Anderson – yes; Colemer – yes; Weaving – yes; Stenvold – absent. Motion carried.

In new business, A motion was made by Al Colemer, seconded by Neil Weaving to approve a building permit for Full Circle Ag to install additional safety rails along the tracks for loading rail cars. Motion carried.

Luke Anderson was approached by Sargent Central Superintendent, Daniel Warcken, to see if the crosswalk flashers on Highway 11 could be set to flash at predetermined times. He is concerned that

students will not always use the button at the crosswalk to light the flashing beacons. Anderson contacted Scott's Electric, who installed the lights. A kit can be added to make the flashers programmable. The cost for two kits – one for each side of the highway – installed would be \$1,590. It is possible that some grant money might be available. A motion was made by Luke Anderson, seconded by Al Colemer to purchase two kits to add into the flashers at the crosswalk on Highway 11 to make them programmable for school crossing. Motion carried.

The council took a short break, then resumed to complete the 2021 preliminary budget. Final changes were made and it will be submitted to the Sargent County Auditor this week. The preliminary budget will be available at city hall for any resident to review. The budget hearing will be set for our September meeting to approve the final budget.

Our next regular council meeting is scheduled for Tuesday, September 8, 2020 at 6:00 pm.

The meeting adjourned at 9:35 PM.

Kevin Bopp, Mayor

Trish Pearson, City Auditor