

City of Forman, North Dakota
Regular City Council Meeting
May 12, 2020

The Forman City Council meeting was called to order at 6:00 PM by Mayor Kevin Bopp. Present were council members Neil Weaving, Luke Anderson and Al Colemer. 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 Luke Anderson, seconded by Al Colemer to approve the agenda. Motion carried.

Mitch Calkins from Lake Agassiz joined the meeting via phone. He called for a public hearing on CBDG Grant received by Forman Housing Association in 2017 and asked if there were any comments on the project before closing out the grant. There were no public comments.

Calkins also informed the council that Lake Agassiz would be applying for a regional Brownfields grant. The grant helps pay for site assessments for run down properties to try to rehabilitate them. Specifically they look for the presence of asbestos, lead based paint or other environmental hazards. He asked if we have any properties that we want to have considered. It can be used for homes, but typically is used for commercial property. We will stay in touch as we consider any potential projects.

Brandon Pankow is the new owner of the grocery store. He joined the meeting to introduce himself and give a brief update on the plans for the store. The new refrigeration units have been ordered and the remodeling work has begun. He is hoping for an August 1st opening date or sooner. It depends on how long it takes to get and install the refrigeration unit. Pankow will be moving to town.

Cavin Berube and Kyle Meyer joined the meeting. The DOT did a walk through in March on the electrical. One light base was damaged by a Bobcat that ran into it. It would be around \$2,900 to replace the base. We need to see with what DOT would be okay. Scott's Electric will be down to make the necessary corrections to the lights based on the inspection. If they have to replace the light base, they want to do all the work in one trip. We will reach out to Joe Peyerl to see what the DOT recommends for the light base. Once the lights are corrected, we can officially close out the project.

There are still two issues remaining outside of the DOT on the project. There are two areas that were design flaws in the engineering. Cavin has been in touch with Landon Carlblom. There is an issue at 4th street will be taken care of no matter what. Cavin will tell Carlblom to begin the work on it tomorrow. There is also an issue with water drainage at the property to the south of Highway Park. That area has always been flat, but did not hold and backup water prior to the trail. The elevations Moore took showed that there are points on the trail that are higher than the lot. The water therefore, cannot get across the trail to the drainage ditch. Moore is saying that the area south of the park had drainage issues in the first place and they do not think they should be fully liable for it. They are asking for an additional \$18,000 to assist with the work. Moore's cost for the two areas are just over \$30,000. DOT would still need to approve it. Kevin and Luke both stated that the trail created a damn. The area may have been wet and flat, but it did drain. It did not create a lake. There had never been flooding up to the apartments before the trail. There have already been two engineering amendments to the project nearly doubling the original cost. Luke gave a background of the project and the previous two amendments. He does not feel comfortable approving this amendment. A motion was made by Luke Anderson, seconded by Neil Weaving to deny the amendment. Roll call vote: Anderson – aye; Colemer – aye; Weaving – aye; Stenvold - absent. Motion to deny the 3rd amendment carried. Mayor Bopp asked Moore Engineering what their plan B was. They responded there is no plan B. . The council will continue to pursue the issue with Moore to remedy the problem.

A motion was made by Al Colemer , seconded by Neil Weaving to approve minutes from the April 14, 2020 regular city council meeting. Motion carried.

A motion was made by Neil Weaving, seconded by Al Colemer to approve the City Auditor's report including the, April Financial statements, delinquency report and payment of the bills. Motion carried.

The council discussed options for the preparation of our annual audit. Our previous auditor is no longer preparing governmental audit, therefore we need to retain a new firm. Our CPA prepared our audits at a very reasonable cost. Unfortunately, there are very few firms that do governmental audits and the costs greatly exceed what we have been paying. The two CPA's found with the lowest cost were Daniel Julson – Wahpeton with an estimate of \$6000-\$7000 and Craig Hashbarger – Fargo with an estimate of \$8500-\$9500. A motion was made by Al Colemer, seconded by Luke Anderson to pursue having Daniel Julson, CPA perform the audit. Motion carried.

The council reviewed the City Superintendent's Report. There are two issues that need to be addressed. The roof on the restrooms in the campground is rotten. The skylight is broken and birds are flying in and nesting. Water is coming in. The 2x6's supporting the roof structure are rotted. We discussed the possibility of having a porta-potty placed on site until the roof can be repaired. There are two individuals that will be submitting bids to replace the roof. Al Colemer stated that the inside of the restrooms need painting and sprucing up. We could contact Becky Sundquist about painting the inside. We will wait for the bids and see what kind of cost we may incur.

The single sliding door on the red shed needs to be rebuilt and replaced. The header board rotted out and the track fell. The door cannot be opened at this time. We could frame it and tin it rather than replacing the door but it still needs the header replaced and needs to be framed. Neil Weaving said he had gotten a quote on this from Kevin Maly four years ago, but the council chose not to repair the door at that time. We will contact Maly for a quote. Lynn Bettlaf is preparing a quote as well.

City Superintendent asked if he could purchase the 18' usable length of culvert that was damaged and replaced last year. He offered \$200. New, the culvert is about \$15/foot. We don't have any place we would use the culvert at this time so it is being stored. A motion was made by Al Colemer, seconded by Neil Weaving to sell the 18' length of culvert for \$200.

City Attorney Lyle Bopp reported that the survey of the city owned property at the landfill and lagoon is complete. He will be reviewing it further.

Bopp looked at century code as it pertains to Housing Authorities. The Forman Housing Authority asked about the possibility of disbanding and turning the oversight of the housing project to the city. Bopp said that is not something that can be done, but members of the city council can also be the members of the Housing Authority and that would be his recommendation. The Housing Authority currently has one vacant and two expired positions. Mayor Kevin Bopp stated that he would call a meeting of the Housing Authority to consider that recommendation.

Sheriff Travis Paeper was unable to attend but called in ahead of the meeting. There was a break-in at the Kwik Stop. They have some leads they are investigating.

Economic Development Coordinator Paige Cary reported that the Census committee did a big push on the census with a friendly competition between cities. She is winding down for now and will do another push later toward the finish of the competition. The Census Bureau keeps moving the completion date out due to the pandemic. She has been working on the career builders program with the county JDA. We have been nominated for two Governor's Choice Awards: one for the "Pick 1 Campaign" and one for our "Main Street Beautification" project. The new Community Garden is getting under way. We received six garden boxes donated by the Cogswell American Legion and built by Dick Johnson. The outdoor water is scheduled to be connected at the District Health Building next week.

Cary asked the council for input regarding Carfest 2020. We need to make a decision very soon. Paige handles all the vendors and games for the event. There are twice as many people interested in attending as last year. The Community Club runs the 5k fun run/walk. Dylan Ekstrom is in charge of the car portion of the celebration. He is leaning towards cancelling the event and is not interested in postponing. Luke says

he would encourage him to look at end of August. The Governor is supposed to speak about group events on Friday. They will see what he says Friday and make a decision by next Monday for sure.

Mayor Bopp discussed opening Parks. We have very small parks with not much use. Bopp recommends opening parks. Weaving is concerned about liability and thinks we should stay with state guidelines. Anderson thinks the parks need to be open. The kids need some place to get out and play. Attorney Lyle Bopp said congress is looking at a limited liability law due to Covid. There is nothing in place yet, but that could be coming soon. Several other states have already passed such laws. The Park Board is holding a special meeting on Friday after the Governor's conference. We will back whatever the Park Board decides on Friday.

In old business, Trish Pearson stated that the new ADA compliant office door has been installed. This is 100% grant funds. We are still waiting for Shay Walden to replace the concrete in front of the city hall door, which will then close out the last of the grant funds.

In new business, a motion was made by Al Colemer, seconded by Neil Weaving to declare Friday, May 15, 2020 as our Arbor Day. Motion carried. The city was awarded Tree City USA for 23rd year. We also received a Growth Award for our Tree Project along the trail

A motion was made by Neil Weaving, seconded by Luke Anderson to certify the hiring of Shane Swanson to mow lawn this summer and perform other duties at needed. Motion carried.

A motion was made by Luke Anderson, seconded by Al Colemer to approve gaming permit for Rutland Sportsman's Club to operate pull-tabs and electronic pull-tabs at the No Name Bar from 7/1/2020 – 6/31/2021. Motion carried.

A motion was made by Luke Anderson, seconded by Al Colemer to approve a building permit for Charge on Together Daycare install 6' wood fence in the back year. Both neighbors are fine with the placement. Mayor Kevin Bopp gave prior approval.

The council discussed opening the city hall office. Trish Pearson stated that we could place a table in the hall to restrict access to other areas of the building and people would be restricted from entering the office. Business would be conducted from the doorway. The only touch points to sanitize would be the main door and the table, if used. Council stated that if Pearson is comfortable with opening with those restrictions, they were okay with that. She will open starting next Monday.

Pet Day is Wednesday, May 13, 2020 from 4:00 – 6:00. It will be conducted as a mobile clinic.

City Hall and Shop are closed Monday, May 25 for Memorial Day.

Our next regular council meeting is scheduled for Tuesday, June 9, 2020 at 6:00 pm.

The meeting adjourned at 7:55 PM.

Kevin Bopp, Mayor

Trish Pearson, City Auditor