

**Wahpeton City Council
October 18, 2010**

Present: Bertsch, Hansey, Hartman, Mitskog, Sturdevant, DeVries, Dale, Bohn

Absent: Bajumpaa

Also Present: Huwe, Lies, Nelson, Thorsteinson, Broadland, Priebe, MacIver, Amos, and Gutzmer

Meeting called to order by Mayor Sturdevant.

**Motion by Bertsch, second by Hansey, to approve the Council Minutes from October 4, 2010.
Motion Carried.**

**Motion by Bohn, second by Dale, to approve the Special Council Minutes from October 12, 2010.
Motion Carried.**

PUBLIC HEARINGS

Request was made to suspend the rules to hold a joint public hearing with the Planning Commission.

Motion by Mitskog, second by Hansey to suspend the rules to hold a joint public hearing with the Planning Commission. Motion Carried.

Joint Hearing with the Planning Commission on Rezoning of Vertin Munson Funeral Home property at 503 3rd Ave. N., 224 6th St. N. and 218 6th St. N from R-2 to B-2

Planning Commission President Damon DeVillers called the Planning Commission Meeting to order. Lies explained the reason for the request to rezone this area. Mayor Sturdevant asked if there is anyone present to protest the Ordinance; hearing none Mayor asked Huwe if any written protests had been received, there are none. **Motion by Larson, seconded by Keogh, to recommend approval of Ordinance 934 An Ordinance Rezoning from Two-Family Residence (R-2) to Business-Heavy (B-2) (Part of the Original Townsite). Motion carried all voting aye.**

Mayor Sturdevant asked for offering of first reading of the rezoning ordinance, offered by Hartman:

**ORDINANCE NO. 934
AN ORDINANCE REZONING FROM TWO-FAMILY RESIDENCE (R-2) TO
BUSINESS-HEAVY (B-2)
(PART OF THE ORIGINAL TOWNSITE)**

Motion by Keogh, seconded by Eberhardt to adjourn the Planning Commission meeting. Motion carried with all voting aye.

Scout member Carter Kipp was welcomed to the Council meeting.

Dakota Ave. Resolution of Necessity Public Hearing

Lies explained this was a housekeeping issue for bonding. Lies asked if there is anyone present to protest the Resolution; hearing none Lies asked Huwe if any written protests had been received, there are none.

Council member Mitskog offered the following and moved its adoption:

RESOLUTION NO. 3440
RESOLUTION DETERMINING INSUFFICIENCY OF PROTEST
AGAINST IMPROVEMENT DISTRICT 08-01-06
(CENTRAL BUSIENSS DISTRICT)
(SECTION 1 – ND 13 (DAKOTA AVENUE))
(SECTION 2 – MUNICIPAL UTILITIES UNDER ND 13 (DAKOTA AVENUE))
(SECTION 3 – STREETS ADJACENT TO ND 13 (DAKOTA AVENUE))

The motion of the foregoing Resolution was duly seconded by Council member Hartman, Motion Carried.

It was noted a Special Council meeting will be held Tuesday, October 26th at 5:00pm regarding this bond.

Municipal Court Annual Report – Judge Don Krassin

Krassin reviewed a graph showing the amount of funds remitted to the City of Wahpeton. He explained that due to a change in the reporting system the information provided in the past has not been available but felt the case load was similar to last year.

REPORTS

FINANCE DIRECTOR/AUDITOR HUWE-Huwe asked for approval for any site authorizations or games of chance permits presented.

Council member Bohn offered the following game of chance permit and moved its adoption:

RMEF Minn-Dak Inc. Wahpeton Chapter

The motion for the adoption of the foregoing Resolution was duly seconded by Mitskog.

Council member Dale offered the following game of chance permit and moved its adoption:

NDSCS Electrical Club

The motion for the adoption of the foregoing Resolution was duly seconded by DeVries.

Council member DeVries offered the following game of chance permit and moved its adoption:

Healthcare & Wellness Foundation at St Francis

The motion for the adoption of the foregoing Resolution was duly seconded by Bohn.

Bond Sale Scheduled for October 25th – special Council meeting Oct. 26th

Huwe explained that a public bond sale would take place October 25th at 10:30am and a special Council meeting regarding the bonds will be held October 26th at 5:00pm in conjunction with the Public Works committee meeting. Huwe explained the City of Wahpeton would be marketing \$5,405,000 in refunding improvement bonds. She explained the areas affected by this refunding. Huwe said assessment values were available and that once bonds are sold specials should be able to be calculated.

ASSESSOR/BUILDING CODES

Broadland requested referral of **Adoption of 2009 I-Codes** to Public Works Public Safety Committee. Mayor Sturdevant will refer this item to PWPS Committee.

Broadland requested referral of **Review of Sign Code** for portable signs and procedures to Public Works Public Safety Committee. Mayor Sturdevant will refer this item to PWPS Committee.

ATTORNEY

Lies requested second reading and adoption of **Ordinance No. 933 Request for Rezoning Willow Creek Chapel** property.

Council member Bertsch offered the second reading of the following Ordinance:

ORDINANCE NO. 933
AN ORDINANCE REZONING FROM TWO-FAMILY RESIDENCE (R-2)
TO RESIDENTIAL BUSINESS NEIGHBOR (RB-4)
(PART OF WOODRUFF'S ADDITION)

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Hartman, Motion Carried.

Regarding **Town Centre Square**, Lies explained the City has acquired the deed from the County for all 3 parcels of Town Centre Square and is requesting authority to seek either Quit Claim Deeds from US Bank and Jerry Meide or to commence with a Quiet Title Action to satisfy prospective buyers or banker that tax proceeding were done properly. **Motion Bohn, second by DeVries, to authorize seeking Quit Claim Deeds from US Bank and Jerry Meide or a Quiet Title Action. Motion Carried.**

ECONOMIC DEVELOPMENT DIRECTOR PRIEBE

Economic Development Report

Priebe reported that the Planning Commission will be meeting on Thursday at 4pm to get started on the Comprehensive Plan update, and will be coordinating a 2-day event to collect information on November 17-18.

Priebe reported that sales tax collections for October were up as well as the lodging tax collections.

Priebe announced that Business After Hours will be held Tuesday, October 26th and Economic Development will have a booth at the event promoting 'Wahpeton Welcome' and start generating interest in the Comprehensive Plan update.

Priebe also announced that Shari Hetland was recently hired as the new Economic Development Assistant.

Regarding the Dakota Avenue Dedication, Priebe said that the car show was very successful and there was great turnout. Volunteers were thanked for their efforts in making this event possible.

PUBLIC WORKS DIRECTOR NELSON

PW Report

Nelson requested referral of a **Professional Services Agreement with Interstate Engineering, Inc. for Design Services for 3rd Avenue North Reconstruction, Project No ST11-180** to Public Works Public Safety Committee. Mayor Sturdevant will refer this item to PWPS Committee.

Nelson reported on the **ND Water & Pollution Control Conference** stating that Don Wald, Wahpeton Sewer Foreman, was named ND Department of Health's Operator of the Year. Wald was present and was congratulated and recognized for the award he received.

COMMUNICATIONS FROM THE MAYOR & COUNCIL

Review of Recommendation from the Contractors group amendments to the International Building Code

Mayor Sturdevant said he attended a recent contractor’s group meeting who have requested review of amendments to the International Building Code, and referred this item to PWPS Committee.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Finance Committee Report

Bohn gave the Finance Committee report from the meeting held October 11, 2010. She said discussion was held regarding maintenance of Town Centre Square and that it had been decided to pursue a management agreement with Community Properties. Ongoing discussion continues with other agenda items.

Public Works Public Safety Committee Report

Hansey gave the Public Works Public Safety Committee report from the meeting held on October 12, 2010.

Hansey said **On-Street Parking Configuration on 6th St N** was discussed and a lot of testimony was heard along with safety issues. Motion was made to approve parallel parking for that area which ended in a tie so there is no recommendation. It was requested the issue be referred back to PWPS for further study. Mayor Sturdevant will refer this item to PWPS Committee. It was suggested that other streets off Dakota Avenue with parallel parking also be reviewed. This issue will be addressed at the PWPS meeting scheduled for October 26th at 5pm.

Motion Hansey, second Hartman, to approve Annual Service Agreement with Sweeney Contris for Pump Station Maintenance Contract in the amount of \$2,200 annually. Motion Carried roll call vote 7-0.

Motion Hansey, second Hartman, to approve Change Order No. 4 for South Side Drainage Improvement Phase A, Part 1, with Kuechle Underground, Inc. for \$4,984. Motion Carried roll call vote 7-0.

Motion Hansey, second Hartman, to approve Purchase Authority for Snow Plow Equipment on State Bid in the amount of \$128,650. Motion Carried roll call vote 7-0.

PRESENTATION OF COMMUNICATION/REPORTS

- a. *Annual Report from Mayor’s Committee on Employment of People with Disabilities*
- b. *ND League of Cities Nuts & Bolts for the Newly Elected*
- c. *NDIRF Participator Newsletter*
- d. *RSVP Keeping in Touch*

Motion by Bertsch, seconded by Hansey, to approve the reports sent in the mail and in the correspondence book. Motion Carried.

DISBURSEMENTS FUND	ACCTS PAYBL	PAYROLL&GL	TOTAL
101 GENERAL FUND	\$192,578.46	\$58,656.41	\$251,234.87
201 WATER OPERATING FUND	\$144,978.24	\$25,395.08	\$170,373.32
202 SANITARY SEWER OPERATING FUND	\$28,981.75	\$15,084.95	\$44,066.70
203 WASTE REMOVAL OPERATING FUND	\$18,789.83	\$688.08	\$19,477.91
205 VECTOR CONTROL FUND	\$17,294.88	\$1,564.62	\$18,859.50
206 STREET LIGHTING	\$7,372.68		\$7,372.68
209 LIBRARY LEVY FUND	\$14,241.92	\$11,474.74	\$25,716.66

213 ADVERTISING LEVY FUND	\$2,340.10		\$2,340.10
216 AIRPORT 4-MILL LEVY FUND		\$449.96	\$449.96
217 PLANN COMMISSION LEVY FUND	\$2,181.58	\$653.22	\$2,834.80
222 SOCIAL SECURITY LEVY FUND	\$18,823.82		\$18,823.82
224 RETIREMENT FUND	\$15,656.40		\$15,656.40
227 ANNUAL RESERVE WH FUND		-\$1,595.00	-\$1,595.00
229 CAPITAL IMPROVEMENTS FUND	\$16,745.09		\$16,745.09
231 FD BLDG & EQUIP LEVY FUND	\$4,466.00		\$4,466.00
233 REAL ESTATE LEVY FUND	\$11.50		\$11.50
234 SPECIAL STREET MAINT FUND	\$5,579.00		\$5,579.00
236 LEVEE MAINTENANCE	\$214.02	\$5,167.72	\$5,381.74
271 ECONOMIC DEVEL DEPT FUND	\$1,951.20	\$6,835.30	\$8,786.50
272 PROFESSIONAL DEVELOPMENT PLAN	\$17,712.64		\$17,712.64
305 VECTOR CONTROL DIST LEVY FUND		\$251.90	\$251.90
315 TAX INCREMENT FUND	\$3,750.00		\$3,750.00
317 JOB DEVELOPMENT LEVY FUND	\$25,031.86		\$25,031.86
318 WEED MAINT LEVY FUND	\$3,852.20		\$3,852.20
319 LODGING TAX FUND	\$1,693.21		\$1,693.21
320 SALES TAX OPERATING FUND	\$13,676.67		\$13,676.67
323 SALES TAX DEVELOPERS AGMNT RES	\$38,000.00		\$38,000.00
325 SALES TAX H.E.L.P. HOUSING FUND	\$260.00		\$260.00
326 REVOLVING LOAN FUND	\$82,874.09		\$82,874.09
361 GASOLINE,OIL,ETC		-\$2,718.98	-\$2,718.98
389 GOLF COURSE DONATIONS	\$963.53		\$963.53
572 1/2 SALES TAX FUND	\$525,154.28		\$525,154.28
574 5-2-97 (FLOOD PHASE II)	\$18,569.11		\$18,569.11
605 8-1-06 DAKOTA AVE	\$33,108.19		\$33,108.19
608 08-02-03 SOUTHSIDE STORM SEWER	\$34.50		\$34.50
610 SAFE ROUTES TO SCHOOL	\$108.00		\$108.00
612 DAKOTA AVE ALLEYS	\$69.00		\$69.00
614 NSP GRANT PROJECT	\$94.18		\$94.18
616 N CENTRAL AREA ST IMP PROJ	\$570,625.14		\$570,625.14
TOTAL	\$1,827,783.07	\$121,908.00	\$1,949,691.07

Motion by Bohn, seconded by Dale, to approve disbursements totaling \$1,949,691.07. Motion Carried 7-0.

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Planning Commission October 21st, 4:00 p.m.
- b. Finance Committee October 25th, 12:00 Noon
- c. Special Council Meeting October 26th, 5:00 p.m.
- d. PW/PS Committee October 26th, 5:00 p.m.

Motion by Mitskog, seconded by Bertsch to adjourn.

Mayor Sturdevant

Lynelle Amos, Finance Assistant