

Wahpeton City Council

April 21, 2014

5:00 p.m.

Present: Schmidt, Hansey, Bertsch, Mitskog, Sturdevant, DeVries, Dale, Bajumpaa, and Bohn

Absent: None

Also Present: Huwe, Lies, Miranowski, Thorsteinson, Broadland, Priebe, Guck, and Gutzmer

Mayor for a Day essay winners present at the meeting: Mayor: Gracie Hoefts; Council Members: Allyssa Scoles, Rylie Platt, Bailee Heitkamp, Josie Welder, Emily DeVries, Madalyn Storo, Katrina Bajumpaa, and Jordyn Kahler

CALL TO ORDER

Welcome Mayor for a Day Essay Contest Students Mayor Sturdevant welcomed everyone to the Mayor for a Day Wahpeton City Council meeting and expressed appreciation to those who participated. Mayor for a Day Gracie Hoefts called the meeting to order, and then read her winning essay.

PUBLIC HEARINGS / CITIZEN CONCERNS / ETC.

Joint Public Hearing with the Planning Commission on Ordinance No. 959 Non-Conforming Uses and Structures (3) Restoration This public hearing was held jointly with the Planning Commission. Planning Commission Chair DeVillers reconvened their meeting and referred to Attorney Lies for explanation of Ordinance No. 959 and the proposed amendment. DeVillers asked Huwe if there were any written or oral protests received of which there were none. Lies then asked if there was anyone present to protest and there was none. **Motion by Allen Larson, second by Liz Mumm, to recommend to the City Council to allow modification of Ordinance No. 959. Motion carried with all voting 'aye'.**

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

ORDINANCE NO. 959

AN ORDINANCE AMENDING SECTION 46-29

NONCONFORMING USES AND STRUCTURES (3) RESTORATION

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Bajumpaa. Motion carried with a roll call vote 8-0.

Motion by Allen Larson, second by Donna Keogh, to adjourn the Planning Commission meeting at 5:10p.m. Motion carried with all voting 'aye'.

CONSENT AGENDA ITEMS (presented by the Mayor) Mayor Sturdevant asked if there were any items to be removed from the consent agenda and there were none.

Approval of minutes of regular meeting held April 17, 2014

Games of Chance Licenses, Site Authorizations & Special Permits

Relay for Life ó Wal-Mart Team ó Raffle Permit

Wahpeton Aerie #2749 Fraternal Order of Eagles ó Site Authorization

Other Games of Chance and/or special permits

Presentation/Approval of Reports

Dilapidated Properties Report

March 2014 Bill Pay Report (\$1,759,385.00 ó see below)

March 2014 Financials

Spring Clean-Up Week May 12 ó 16

Motion by Mitskog, seconded by Bertsch, to approve the Consent Agenda items as presented. Motion carried with all voting ‘aye’.

ITEMS REQUESTED MOVED FROM THE CONSENT AGENDA None.

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR/AUDITOR

2014 Fireworks Licenses – Request Referral to Finance Cmt. Huwe requested a motion for conditional approval of the 2014 fireworks licenses as presented and referral of the item to the Finance Committee for further review. **Motion by Bertsch, seconded by Bohn, for conditional approval the 2014 Fireworks Licenses as presented. Motion carried with all voting ‘aye’.** Mayor Sturdevant will refer this item to Finance, Economic Development & Personnel Committee.

Pay Study Proposals – Request Referral to Finance Cmt. Mayor Sturdevant will refer this item to Finance, Economic Development & Personnel Committee.

Refunding Improvement Bond Sale Planning – Request Referral to Finance Cmt. Mayor Sturdevant will refer this item to Finance, Economic Development & Personnel Committee.

NDLC Regional Meeting May 8th in Jamestown Huwe said the meeting’s focus this year is on leadership and those interested in attending should contact Jerrilyn at City Hall.

ASSESSOR/BUILDING CODES

Continuation of Equalization Meeting from April 8th, 2014 Broadland gave a reminder that the Equalization meeting of April 8th will be reconvened tonight following adjournment of the regular City Council meeting at approximately 5:30p.m.

ECONOMIC DEVELOPMENT DIRECTOR

Economic Development Report Priebe reported on some Planning Commission items from their meeting last week. She said PACES Lodging Corporation requested a rezone for the area west of Vision Ford and north of First Community Credit Union, which is zoned B-2. Darren Trudeau of PACES was present at the meeting to talk about a concept plan for 66 market rate 1, 2 and 3 bedroom apartment units, each with a double stall garage. A letter was received from him April 11th requesting a rezone, street and right-of-way vacation, and a replat of Valley First Addition. After staff review with the Planning Commission regarding the rezone, it was felt this area should be made a PUD (Planned Unit Development) in order to meet set-backs for building construction and other features within the development itself. Recommendation was made to schedule a joint hearing with the City Council at 5p.m. on Monday, May 19th to consider the re-zone request from B-2 to PUD as presented by PACES and recommended by staff. **Motion by Bertsch, seconded by Bajumpaa, to schedule a Joint Public Hearing with the Planning Commission and City Council for Monday, May 19th, 2014, at 5:00p.m. to consider the re-zone from B-2 to PUD for the area west of Vision Ford and north of FCCU as presented. Motion carried with all voting ‘aye’.**

Priebe said the Planning Commission also heard a request from Bruce Miller who plans to develop two vacant parcels located in the ETZ but adjacent to the city limits, which is currently zoned R-1A (residential, single family). Miller plans to build five 4-plexes roughly 1400 sf in size with each resident owning their own condominium. Burchill Construction will be the general contractor. The development is being created for the 55+ community and will be all-inclusive, with maintenance taken care of through an annual association fee. Miller proposes to construct 18-20 single level condo-type homes. Staff asked for input from the Planning Commission for the zoning change from R-1A to R-3, multi-family. The Planning Commission made a recommendation to set a joint

hearing with the City Council at 5p.m. on May 19th to consider the re-zone request at 11th Street South. **Motion by Hansey, seconded by Schmidt, to schedule a Joint Public Hearing with the Planning Commission and City Council for Monday, May 19th, 2014 at 5:00p.m. to consider the re-zone request at 11th Street South. Motion carried with all voting 'aye'.**

Priebe said information regarding the 11th Street Construction project is being posted on the City's Facebook page for those interested in following the project.

Priebe also reported that her office is in the process of conducting face-to-face visits with Wahpeton's existing manufacturers and value-added ag companies and surveying them using a business retention/expansion form. She said the goal is to have the information gathered by mid-May with results analyzed in aggregate in June for delivery by the first Council meeting in July. Priebe said a developer team format of no more than 4 individuals is being used at the meetings, and reported that 4 visits have been completed so far with more scheduled for this Wednesday and Thursday.

LIBRARY DIRECTOR

National Library Week Guck reported on happenings at the Library this month. She said National Library Week was last week with the theme being "Lives Change at Your Library", and to celebrate there was a photo booth set up at the library with different hats, masks, etc. available and patrons were asked to finish the statement "My library makes me feel...". Guck reported there were about 100 people who went through the photo booth, and last Thursday there was an open house to celebrate National Library Week and, also, the 90th Anniversary/Birthday of the Library, with about 50 people attending.

National Poetry Month Guck said this month is also National Poetry Month and the library has had a display set up this month with different poetry books set out and available for patrons to check out, and "Poem in Your Pocket" with different printouts of poems that patrons could take with them to read whenever they had free time during the course of their day. She said it was an effort to promote poetry. She announced this Thursday night at 7:30p.m. the Library will hold an after-hours open microphone night focusing on poetry to give the public a chance to read their own poetry or some of their favorite poems.

POLICE CHIEF

Blue Goose Days Street Closure Request Thorsteinson reported there was a request from the Wahpeton Breckenridge Chamber of Commerce to close the 300 Block of Dakota Avenue on Friday, June 6th between the hours of 5:00p.m. and midnight so that a street dance can be conducted between 7:00p.m. to 11:00p.m. in conjunction with Blue Goose Days. Thorsteinson said this has been done in the past and that there are still a few details to be worked out between the Police Department and the Chamber but did not have any problem with the request. **Motion by Bajumpaa, seconded by Schmidt, to approve the request from the Wahpeton Breckenridge Chamber of Commerce to close the 300 Block of Dakota Avenue on Friday, June 6th, 2014, from 5:00pm to midnight to conduct a street dance in conjunction with Blue Goose Days. Motion carried with all voting 'aye'.**

Thorsteinson said also in conjunction with Blue Goose Days, a request has been made to hold a parade on June 7th starting at 10:00a.m., and a request will also be made to the Breckenridge City Council to close part of the street there also, and will start in Breckenridge near Farm City Supply and continue west bound on Minnesota Avenue into Wahpeton and continue on the north bound lanes to the 900 Block in the Sears/Family Dollar parking lot. If not approved by the Breckenridge Council, they would like to start by Smith Motors on 11th Street, continue down Dakota Avenue in the north side of the west bound lane then continue north on 2nd Street to the park. Thorsteinson said either way he had no problem with accommodating the request. **Motion by Bohn, seconded**

by Hansey, to approve the request to close a portion of Dakota Avenue to hold a parade on June 7th, 2014, starting at 10:00a.m. in conjunction with Blue Goose Days. Motion carried with all voting ‘aye’.

Request Allocation of Forfeited Funds Thorsteinson said this was in regard to disposition of forfeited or abandoned property that is in the possession of the Wahpeton Police Department. He said he had in his possession \$4,850 related to two cases: one case from 2011 which is 2011-3352 and was an abandoned/found property case with \$700 cash and the required time for the cash to be held is up and would like to have it forfeited to the City as mandated by ND Century Code; the other is \$4,150 seized last month in a drug case which was already voluntarily forfeited by the defendant and has been ordered by the court to be turned over to the City and used by the Police Department. Thorsteinson explained that what has been done in those cases when cash has been seized in the past is that it is shared equally with participating agencies, which in this case would be the drug task force agency, SEMCA (South East Multi-County Agency) as well as the Wahpeton Police Department. He asked that the forfeited money be put in the general fund with half of the amount, \$2,075, sent to SEMCA for their asset forfeiture fund, and, if possible, requested the other \$2,075 to be put into Capital Improvements Fund so it can be tracked, and for this money as well as the \$700 to be designated for the Special Response Team being formed in our community as there are Wahpeton Police officers on that team and no money has been budgeted for them for equipment or training. **Motion by Hansey, seconded by Bertsch, to approve the Allocation of Forfeited Funds as presented, with \$2,075 disbursed to SEMCA and \$2,775 to the Capital Improvements Fund to be designated for the Special Response Team being formed. Motion carried with all voting ‘aye’.**

PUBLIC WORKS DIRECTOR NELSON

Miranowski requested referral to PW/PS Committee for **the Transfer of Electric Power Service for Well #2 which is currently being served by Dakota Valley Electric Cooperative over to OtterTail Power Company.** Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

Miranowski then gave an update on the 11th Street Reconstruction Project, noting that the intersection of 16th and 14th will be closed to traffic next week to lower a water main and sanitary sewer in that area. He also noted that the Street Department has been sweeping and all streets have been done from the river to 11th Street from the north side of the City to the south side. He said annual maintenance has been done on the levee pumps, although they were not needed this year. He also reported that pothole repairs have been made.

COMMUNICATIONS FROM THE MAYOR & COUNCIL

Request Confirmation of Appointments to Franchise Review Committee ó Mayor Sturdevant confirmed the appointment of Council Members Schmidt, DeVries, and Bajumpaa to the Franchise Review Committee.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Finance, Personnel & Economic Development Committee Report

Bohn said the Finance, Personnel & Economic Development Committee met at noon on April 14th. **Franchise Fee Review (Midcontinent Cable Franchise Expires 9/1/14)**

Public Works Public Safety Committee Report

Hansey said the Public Works Public Safety Committee met at noon on April 15th.

Dilapidated Properties Report

Foss Architects – Leach Library Re-Roof; Interior Plaster Repairs; North Entry Door Replacement – motion to recommend to proceed ó Motion by Hansey, seconded by Schmidt, to

approve authorizing Foss Architects to proceed with drawing up specification for Leach Public Library Re-Roof, Interior Plaster Repairs, and North Entry Door Replacement. Motion carried with all voting ‘aye’.

AE2S Water/Sewer Comprehensive Plan – Cmt. Of the Whole presentation on May 28th

Public Works Equipment Replacement Plan Review

Compost Site on 14th Ave. N. and 11th St.

March 2014 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$226,051.10	\$55,879.32	\$281,930.42
201 WATER OPERATING FUND	\$60,564.40	\$34,133.14	\$94,697.54
202 SANITARY SEWER OPERATING FUND	\$11,087.84	\$21,549.42	\$32,637.26
203 WASTE REMOVAL OPERATING FUND	\$20,045.04	\$750.30	\$20,795.34
205 VECTOR CONTROL FUND	\$1,588.97	\$1,473.64	\$3,062.61
206 STREET LIGHTING	\$10,595.41		\$10,595.41
209 LIBRARY LEVY FUND	\$6,428.81	\$13,954.85	\$20,383.66
213 ADVERTISING LEVY FUND	\$687.30		\$687.30
216 AIRPORT 4-MILL LEVY FUND		\$449.98	\$449.98
217 PLANN COMMISSION LEVY FUND	\$445.00	\$581.54	\$1,026.54
222 SOCIAL SECURITY LEVY FUND	\$25,137.67		\$25,137.67
224 RETIREMENT FUND	\$31,023.06		\$31,023.06
227 ANNUAL RESERVE WH FUND		-\$2,839.00	-\$2,839.00
229 CAPITAL IMPROVEMENTS FUND	\$24,628.67		\$24,628.67
233 REAL ESTATE LEVY FUND	\$46.00		\$46.00
235 SNOW/FLOOD EMERG LEVY FUND	\$7,307.75		\$7,307.75
236 LEVEE MAINTENANCE	\$2,369.13	\$7,111.72	\$9,480.85
261 UNEMPLOYMENT COMP RESERVE FUND	\$342.46		\$342.46
271 ECONOMIC DEVEL DEPT FUND	\$910.07	\$11,658.78	\$12,568.85
315 TAX INCREMENT FUND	\$206,917.00		\$206,917.00
318 WEED MAINT LEVY FUND	\$3,408.00		\$3,408.00
319 LODGING TAX FUND	\$3,544.64		\$3,544.64
320 SALES TAX OPERATING FUND	\$303,176.48		\$303,176.48
321 SALES TAX RESERVE FUND	\$9,821.58		\$9,821.58
324 SALES TAX MINI MATCH RSRV FUND	\$669.34		\$669.34
326 REVOLVING LOAN FUND	\$1,250.00		\$1,250.00
361 GASOLINE,OIL,ETC		-\$7,569.68	-\$7,569.68
389 GOLF COURSE DONATIONS	\$13,463.94		\$13,463.94
393 DOWNTOWN CARE & MTC FUND	\$4,699.16		\$4,699.16
572 SALES TAX FOR FLOOD FUND	\$620,058.97		\$620,058.97
574 5-2-97 (FLOOD PHASE II)	\$1,656.00		\$1,656.00
615 CUL DE SAC IMPROVEMENTS	\$4,641.00		\$4,641.00
620 TOWN CENTRE SQUARE	\$750.00		\$750.00
630 WESTSIDE NATURAL DRAIN PROJ.	\$644.00		\$644.00
631 11TH ST. N. AVE B TO 16TH AVE	\$227.20		\$227.20
636 16TH AVE. 11TH ST TO HWY 210	\$15,320.00		\$15,320.00
639 E. SANITARY SEWER 13-02-02	\$2,745.00		\$2,745.00
TOTAL	\$1,622,250.99	\$137,134.01	\$1,759,385.00

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Committee April 28th, 12:00 Noon
- b. PW/PS Committee April 29th, 5:00 P.M.
- c. Planning Commission April 30th, 4:00 P.M. (amendment to originally scheduled meetings)
- d. Planning Commission May 5th, 4:00 P.M.

Motion by Bertsch, seconded by Mitskog, to adjourn at 5:45 p.m.

Mayor Sturdevant

Lynelle Amos, Finance Assistant