

Wahpeton City Council
April 2, 2012

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

Absent: Bajumpaa

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

Meeting called to order by Mayor Sturdevant.

PUBLIC HEARINGS/ETC.

Joint Public Hearing with the Planning Commission regarding proposed Ord. No. 943 to amend Ord. No. 46-29(b) pertaining to non-conforming uses in I(1) Zoning Districts

This public hearing was held jointly with the Planning Commission. Mayor Sturdevant asked Huwe if there were any written protests received of which there were none. Sturdevant then asked if there was anyone present to protest and there was none. Planning Commission Chair DeVillers referred to Lies for explanation. Lies said the Ordinance No. 943 proposes to change the restoration provisions of the City's non-conforming uses and structures to allow buildings which are situated in I-1 Industrial district that if there is a residence that suffers a casualty loss (tornado, fire, etc.) their insurance company can come in and pay if more than 50% damage. He said this is already found in B-1, B-2, and B-3 zones so are giving the same consideration to properties in I-1. **Motion by Donna Keogh, second by Roger Jenson, to approve Ordinance No. 943 to amend Ordinance No. 46-29(b) pertaining to non-conforming uses in I(1) Zoning Districts. Motion carried.** Council member Hansey offered the second reading of the following Ordinance:

ORDINANCE NO. 943

**AN ORDINANCE AMENDING SECTION 46-29(3)
NON-CONFORMING USES AND STRUCTURES, RESTORATION**

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

Motion by Roger Jenson, second by Liz Mumm, to adjourn the Planning Commission meeting. Motion carried.

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 March 19, 2012

Approval of minutes of Council Retreat held March 16, 2012

Games of Chance Licenses, Site Authorizations & Special Permits

Other Games of Chance and/or special permits

Presentation/Approval of Reports

Conversations for Communities

Dakota Valley Electric Cooperative

City Attorney Correspondence to Attorney General

2012 City Council Goals & Priorities

Motion by Bohn, seconded by Dale, to approve the Consent Agenda items as presented. Motion Carried.

ITEMS REQUESTED MOVED FROM THE CONSENT AGENDA None.

REPORTS

FINANCE DIRECTOR

Development Agreement Reserve Fund Review – request referral to Finance Cmt. Mayor Sturdevant will refer this item to Finance, Economic Development & Personnel Committee.

Municipal Government Week April 9th – 13th Huwe said several essays for ‘Mayor for the Day’ have been received, and that the winners should be chosen and present at the next City Council meeting.

NDLC Regional Meeting and Webinar Training Series Huwe said copies of the scheduled classes had been provided, and that the meeting will be held in Oakes on May 3rd. Those interested in attending were asked to contact either Huwe or Jerri Gutzmer at City Hall for registration.

2012 Election Filing Deadline April 13th Huwe gave a reminder that for the 2012 elections the filing deadline is 4:00pm on Friday, April 13th. Huwe stated this deadline is very firm, and the Secretary of State has advised that if a petition is received after that time it cannot be accepted. That person can still actively campaign for office but their name will not appear on the ballot, and they will essentially be a write-in candidate. Those interested in filing for public office can find forms on the City of Wahpeton website, at City Hall, or on the Secretary of State website.

ASSESSOR/BUILDING CODES

Board of Equalization Tuesday, April 10th 5:00 p.m. Assessor Broadland reminded the Council that next Tuesday, April 10th at 5:00pm is the City Board of Equalization meeting. She asked any Council members unable to attend to please let her know. Broadland said notices were mailed out on March 25th and that she has not had anyone contact her yet on those increase notices but she plans to continue after the meeting on April 10th until the next Council meeting in case there are a few received late. She stated that if anyone has any questions or concerns with their new values they should contact her at City Hall and she will review the information with them.

ATTORNEY

Ordinance No. 942 Payment of Use Service Charges Lies said Ordinance No. 942 had first reading at a prior City Council meeting, where consideration was given to amending the City’s billing process and shut-off system on water when it becomes delinquent. Lies said currently the bill gets 90 days out before that point is reached and can become a hardship for property owners and/or tenants. He said it was then discovered there was a need to also change the sewer charge as it is charged simultaneously on the same billing, and it has a separate Ordinance No. 44-190 so would like to bring that in at the same time with the same deadlines. Lies said the deadline was slightly modified in a revised draft which he asked be considered as part of the second reading, which says that the payments are made on the 20th day instead of 20 days from the date of billing because the billing date slightly fluctuates. Lies asked for consideration in amending the first reading to include the 2 changes: 1) Making payments due on the 20th of the month for the prior month’s billing; 2) To make the same change to Section 44-190 for the sewer service charge.
Motion by Hansey, seconded by Hartman, to amend the first reading of Ordinance No. 942 to include the changes as explained by Attorney Lies. Motion Carried.

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

ORDINANCE NO. 942

AN ORDINANCE AMENDING SECTIONS 44-58 AND 44-190

PAYMENT OF USER SERVICE CHARGES

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

Lies then addressed an item carrying from the Planning Commission. He said the City received a request from Land Resources Inc., the property owner of a large tract in south Wahpeton lying between 6th Avenue South and 7th Avenue South, a block west of 6th Street South, which is an industrial area. A map of the area was provided. Lies said Land Resources is requesting to have the undeveloped alley that runs east and west and the street that runs north and south that's already dead ended due to a prior street vacation. The property is being used for the storage of materials and equipment at this time. Lies said in order to fence the property to keep trespassers out, including across the undeveloped street, will need to proceed with the vacation but will need a motion to set a hearing and Lies explained it takes four publications. Lies said there are no known sewer, water or other utilities under either the alley or the street so the City doesn't have a direct interest at this time. Lies said he would like to set a hearing for the earliest possible date, either May 7th or May 21st, depending on when the ad can be published in the paper. Lies said the Planning Commission voted to recommend the City Council approve the proposed vacation. **Motion by Hartman, seconded by Hansey, to set a hearing for the vacation request for the earliest possible date, either May 7th or May 21st, depending on when the ad can be published in the paper. Motion Carried.**

ECONOMIC DEVELOPMENT DIRECTOR

Economic Development Report – Priebe said the Manufacturing Tour of 2012 event will be held Saturday, April 21st from 9:00am-1:00pm. A map will be provided giving each person the opportunity to visit designated businesses either in Wahpeton or in Fergus Falls. Wahpeton businesses include Bobcat, ComDel Innovation, Heartland Precision, WCCO Belting, and Wil-Rich. The NDSCS Manufacturing Department will also be open. Fergus Falls businesses include Green Plains Otter Tail, ShoreMaster, Vector, and StoneL Corporation. Priebe said this is an opportunity to see first-hand what kind of skilled workers are needed to manufacture products. This event is free and open to the public.

Priebe announced the DREAMS Auction is scheduled for Friday, April 13th at the NDSCS Blikre Activity Center at the cost of \$50 per ticket.

Priebe then circulated some photos of the Henry Behl IV project on Dakota Avenue, noting that the scaffolding was taken down and the right-of-way opened up.

PUBLIC WORKS DIRECTOR NELSON

PW Report –

Nelson asked for referral to Public Works Committee for **Bids for Hydrants Replacement 2012**. Nelson noted the bid opening will held on April 5th. Mayor Sturdevant will refer this item to Public Works & Public Safety Committee.

Nelson asked for referral to Public Works Committee for **Professional Services Agreement with Interstate Engineering, Inc. for Fairview Infrastructure Plan Project No. PW12-197**. Mayor Sturdevant will refer this item to Public Works & Public Safety Committee.

Nelson gave a reminder that the NDSU Extension Service is hosting a tree trimming workshop on Wednesday, April 4th, at Hughes Shelter starting at 6:30pm. No advance registration is required.

Nelson announced that Spring Clean-up Week has been scheduled for the week of April 30th. More information will be provided at the next Council meeting, as well as being published and advertised locally. He added that Household Hazardous Waste Collection day has been scheduled for Saturday, May 5th from 9:00am – 1:00pm at the Breckenridge Recycling Center. Item can be delivered here at no charge to Wahpeton residents.

COMMUNICATIONS FROM THE MAYOR & COUNCIL

Mayor Sturdevant said the Wahpeton-Breckenridge Chamber of Commerce will be hosting a ND Measure 2 forum on Tuesday, April 10th, at the Wahpeton Eagles Club from 7:00pm-8:30pm with representation from both sides of the issue. Donations can be made to the Chamber to alleviate their expenses.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Finance, Personnel & Economic Development Committee Report

Bohn said the Finance Committee met at noon on March 26th.

City Owned Land Inquiry - discussion

Northside Industrial Park Land Inquiry – discussion

Development Agreement Review – ongoing discussion

CVB Welcome to Wahpeton Sign Lease Agreement – ongoing discussion

Funding Dakota Ave. Care & Mtc. – ongoing discussion

Public Works Public Safety Committee Report

Hansey said the Publics Works Public Safety Committee met at 5:00 pm on March 27th.

Golf Clubhouse Maintenance Requests – motion to recommend approval of reimbursement to Bois de Sioux Golf Club for Vent Cleaning \$1,225 – **Motion by Hansey, seconded by Hartman, to approve reimbursement of \$1,225 for Vent Cleaning to the Bois de Sioux Golf Board from the Maintenance Fund. Roll call vote 7-0. Motion Carried.**

Agreement with NDSCS for City Utilities – ongoing discussion

Henry Behl IV Right of Way Permit – ongoing discussion

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Committee April 9th, 12:00 Noon (tentatively changed to April 10th following Equalization meeting)
- b. Public Works Committee April 10th, 12:00 Noon
- c. City Board of Equalization (Council) April 10th, 5:00 p.m.

Motion by Mitskog, seconded by Hartman, to adjourn.

Mayor Sturdevant

Lynelle Amos, Finance Assistant