

Wahpeton City Council
February 6, 2012

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

Absent: Mitskog

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

Meeting called to order by Mayor Sturdevant.

PUBLIC HEARINGS/ETC.

Mike Bassingthwaite of Interstate Engineering said the North Dakota Ready-Mix & Concrete Products Association held their annual award banquet in which they presented all the project participants in the Dakota Avenue Pavement Reconstruction project an award for Excellence in Concrete. A plaque was provided to all the project participants which included the owners (City of Wahpeton / NDDOT), engineers and contractors associated with the project, and Bassingthwaite presented a plaque to the City of Wahpeton as a participant in that project.

Request for use of archery range for fundraiser – Wade Harty on behalf of Chahinkapa Zoo

Wade Harty, Vice-President of Three Rivers Archery Club and member of the Chahinkapa Zoo Board, and in an effort to raise funds would like to, in conjunction with Three Rivers Archery Club and the zoo, hold a haunted forest in the archery range in October. Since this is City property, Harty said they are requesting approval to hold this event and whatever permits that might be necessary. It was noted they would need to apply for a permit. Huwe said preliminary approval could be granted but more details need to be worked out. **Motion by Hartman, seconded by Hansey, to grant preliminary approval for the use of the Archery Range for a zoo fundraiser pending further details. Motion Carried.**

Request for Reconsideration of Right of Way Permit – Henry Behle IV

Henry Behle IV, of Richland County Construction, Henry Behle Estates, and Worldwide Wholesale Warehouse, said they just started manufacturing skincare products and continue fixing up the front of the building located at 314 Dakota Avenue. Behle said when the project was first started he was told it needed to be completed this winter to receive financing, so they built scaffolding and wasn't aware it had a date that it needed to be taken down other than the date he will have the project finished which is April 1st. He said City Building Codes Official Todd Johnson and Public Works Director Randy Nelson held a meeting with him and produced a document stating the scaffolding needed to be torn down by January 15th which Behle said he was not previously made aware of. In December Behle said Johnson and Nelson met with him and suggested Behle hire an engineer from Fargo who assisted Behle in making improvements to the scaffolding per the engineer's instruction, which cost Behle \$7,500 and a month's delay in the work. Behle said he anticipates having the project done and the scaffolding down by April 1st but received a letter from Public Works that the scaffolding has to be down by March 16th or may face jail time and/or be fined \$500/day. Mayor Sturdevant said he would like to refer the issue to the Public Works Committee. Further discussion was held regarding the permit that was issued and the extension granted for the scaffolding, and also the percentage of work that has been completed on the project. The issue will be put on the Public Works Committee agenda for February 14th, 2012 at noon.

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 January 17, 2012
Games of Chance Licenses, Site Authorizations & Special Permits

St. Catherine's Living Center – Local Game of Chance Permit
Benefit for Heather & David Goroski – Game of Chance Raffle Permit
Wahpeton Wrestling Club – Game of Chance Raffle Permit
Other Games of Chance and/or special permits

Presentation/Approval of Reports

Prairie Arts Newsletter
ND State Tax Commissioner Local Tax Update
Bois de Sioux Watershed District Minutes January 19, 2012

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

ITEMS REQUESTED MOVED FROM THE CONSENT AGENDA None.

REPORTS

FINANCE DIRECTOR

No Texting While Driving Policy recommendation – request referral to Finance Cmt. Mayor Sturdevant will refer this item to Finance & Personnel Committee.

Convention & Visitors Bureau Welcome to Wahpeton Sign Lease Agreement with ND DOT – request referral to Finance Cmt. Mayor Sturdevant will refer this item to Finance & Personnel Committee.

ND Council on the Arts Letter of Agreement – request referral to Finance Cmt. Huwe said initially this item was to be referred to the Finance Committee but felt it was a topic in which information could be provided and Council action taken tonight. Wayne Beyer of the Three Rivers Arts Council was present and Councilmember Bertsch also had information to share on the topic. Mayor Sturdevant agreed to allow the request to be presented. Bertsch referred to the Prairie Arts Newsletter in which Wahpeton's Red Door Gallery was featured on the front page. She said Rocco Landesman, chairman of the National Endowment for the Arts, visited the gallery and was very impressed with the improvements made to the building. Bertsch said other organizations are now looking at Wahpeton as a model for creating monetary and cultural benefits for the community, and gave an example. Bertsch said an agreement has been drafted between the ND Council on the Arts and the City of Wahpeton, which has already been signed by the ND Council on the Arts, and she proposed the agreement be approved for a \$35,000 grant. She said there would be no cost to the City, but would need some in-kind action by City volunteers. **Motion by Bertsch, seconded by Bohn, to approve/sign a Letter of Agreement between the ND Council on the Arts and City of Wahpeton. Motion Carried.**

Bond Refinance of Series 2005 & 2006 – request referral to Finance Cmt. Mayor Sturdevant will refer this item to Finance & Personnel Committee.

City Hall Fleet Vehicle Replacements – request referral to PW Cmt. Mayor Sturdevant will refer this item to Public Works & Public Safety Committee.

City Hall Closed on February 20th in observance of President's Day Huwe noted that due to this holiday the next City Council meeting will be held on Tuesday, February 21st.

LIBRARIAN

Library Info – MacIver gave an update on happenings at the Library. She said since starting Library2Go there was some concern as to how it would affect the in-library use, but she said after tallying 2011 found it was only 3/100 of a percent lower compared to the previous year. She then provided some numbers regarding e-reader use/classes attended and Library2Go program checkouts. MacIver then talked about an organized volunteer program that will be starting at the library. She also announced that February is “I Love My Library” month and Leach Library will be doing “I Love My Library Card” month in an effort to encourage patrons to remember to bring their library cards when checking out materials. MacIver then reported on attendance of some of the new library programs, which she said have been very successful.

PUBLIC WORKS DIRECTOR NELSON

PW Report –

11th St. N. Reconstruction Project Input Meeting – February 14th 5:00 p.m. Nelson said this will be held at City Hall in the Council Chambers in an open house format with a short formal presentation at 5:30 pm. He and Interstate Engineering, the project engineer, will be available to answer questions and describe what the project entails, and will be looking for input from the public. Discussion was held regarding notifying the affected property owners.

Nelson requested referral to Public Works Committee for **Engineers Report for Cul de Sac Street Improvements Project No. ST10-161**. Mayor Sturdevant will refer this item to Public Works & Public Safety Committee.

Nelson requested referral to Public Works Committee of a **Professional Services Agreement with Interstate Engineering for Lift Station #5 Rehabilitation Project No. SS12-192**. Mayor Sturdevant will refer this item to Public Works & Public Safety Committee.

Nelson then addressed an item that was on the last Public Works Committee agenda for the **Final Change Order for the Alley Improvements, Various Locations, Project No. ST10-162, Assessment District 10-30-04 with Adelman Concrete & Excavating**. He said the project work is done and have final quantities prepared but at the time of the last committee meeting did not have the final change order available. Nelson said the change order decreases the contract amount by \$18,746.05 for a final contract amount of \$126,663.95. He then talked about the reason for the reduction. **Motion by Hansey, seconded by Bertsch, to approve Final Change Order for the Alley Improvements, Various Locations, Project No. ST10-162, Assessment District 10-30-04 with Adelman Concrete & Excavating at a decreased amount of \$18,746.05 for a final contract amount of \$126,663.95.** Discussion held regarding special assessments for this project. **Motion Carried.**

REPORTS FROM THE CITY COUNCIL COMMITTEES

Finance Committee Report

Bohn said the Finance Committee did not meet due to the lack of a quorum so had nothing to report at this time. **Council Retreat Planning, Interest Rates on City Loan Programs, Economic Development Loans Receivable Aging Report, and Funding Dakota Ave. Care & Mtc.** remain on the agenda.

Public Works Public Safety Committee Report

Hartman said the Publics Works Public Safety Committee did not meet so had nothing to report at this time. **Change Order No. 1 (Final) for Alley Improvements, Various Locations, Proj. No. St10-162 with Adelman Concrete & Excavating, Engineer's Report for Southside Storm Sewer District, Part 3, Phases B & C, Change Order No. 3 (final) with Central Specialties, Inc. for N. Central Area Streets Rehab. Proj. No. ST10-160, and Town Centre Square Plaza** remain on the agenda.

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Planning Commission Meeting February 6th, 4:00 P.M.
- b. Finance Committee February 13th, 12:00 Noon
- c. Public Works Committee February 14th, 12:00 Noon
- d. Public Input Meeting on 11th St. N. Proj. February 14th, 5:00 P.M.
- e. Planning Commission Meeting February 16th, 4:00 P.M.
- f. Flood Committee Meeting February 17th, 12:00 Noon

Motion by Bertsch, seconded by Hartman, to adjourn.

Mayor Sturdevant

Lynelle Amos, Finance Assistant