

Wahpeton City Council

July 20, 2015

5:00 p.m.

Present: Schmidt, Lambrecht, Bertsch, Mitskog, Hansey, DeVries, Dale, Bajumpaa, and Wateland

Absent: None

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

Meeting called to order by Mayor Hansey.

CONSENT AGENDA ITEMS (presented by the Mayor) ó

Approval of minutes of regular meeting held July 6, 2015

Games of Chance Licenses, Site Authorizations & Special Permits

Richland Wilkin Relay for Life ó Raffle Permit

BW Blades ó Raffle Permit

Presentation/Approval of Reports

June 2015 Bill Pay Report \$1,170,271.98 (includes \$421,764.16 of transfers) ó see below

June 2015 Financials

Wahpeton Airport Authority Reports June 30, 2015

Wahpeton Volunteer Fire Dept. Picnic Invitation July 27, 2015

Mayor Hansey asked if there were any items to be removed from the consent agenda and there were none. **Motion by Wateland, seconded by Bajumpaa, to approve the Consent Agenda items as presented. Motion carried with all voting ‘aye’.**

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

Designation of Depositories & Pledging of Public Deposits – request motion to approve

Huwe explained that each January and July the list of current depositories, cash balances and collateralization/pledge of assets are presented to the Council for approval. She said the balance of the funds on deposit as of June 30th, 2015 is \$11,299,942.23. She said the pledged assets and/or Federal Deposit Insurance allocated to secure these deposits totals \$13,602,668.58. Huwe requested a motion to approve the designation of the depositories and the funds pledged to collateralize the deposits as presented. **Motion by DeVries, seconded by Bertsch, to approve the designation of the depositories and the funds pledged to collateralize the deposits as presented in the memorandum provided (see below). Motion Carried with a roll call vote of 7-0.**

<u>Designated Depository</u>	<u>Funds on Deposit</u>	<u>FDIC/NCUA</u>	<u>Additional</u>	<u>Total Pledged</u>
American Federal Bank	none	n/a	n/a	n/a
Bank of the West	2,208.61	250,000.00	153,029.00	403,029.00
Banc West Investment Services	469,000.00	469,000.00	n/a	469,000.00
Bremer Bank	4,467,398.96	250,000.00	5,387,750.00	5,637,750.00
Bremer Investment Trust	700,000.00	700,000.00	n/a	700,000.00
First Community Credit Union	none	n/a	n/a	n/a
Gate City Fed Savings Bank	none	n/a	n/a	n/a
Peoples State Bank	none	n/a	n/a	n/a
State Bank & Trust	251,502.16	250,000.00	24,940.00	274,940.00
U.S. Bank	100,000.00	100,000.00	n/a	100,000.00
Wells Fargo Bank	5,309,832.50	250,000.00	5,767,949.58	6,017,949.58
	11,299,942.23	2,269,000.00	11,333,668.58	13,602,668.58

Quit Claim Deed on 104 2nd Ave. N. – request motion to pay the balance of taxes due and remarket the property ó Huwe said the property owner of a former dilapidated property at 104 2nd

Avenue North has deeded ownership to the City. The transfer has been drawn out with multiple family members named on the deed with pro-rated shares of ownership. To complete and record the

transaction the City is required to pay the delinquent real estate taxes from years 2013 and 2014 in the amount of \$589.60. Huwe requested a motion to approve the payment of the back taxes from the City's Real Estate Levy Fund and to have the deed recorded. Upon completion of the process the City may market the property as a buildable lot. **Motion by Schmidt, seconded by Mitskog, to approve the payment of the back taxes for 104 2nd Avenue North for 2013 and 2014 in the amount of \$589.60 from the City's Real Estate Levy Fund and to have the deed recorded. Motion carried with a roll call vote of 7-0.**

Request for Change in Liquor License Availability – request referral to Finance Cmt. ó Huwe said a letter was received from a current liquor license holder requesting the Council to consider retiring a Class A on/off sale license in exchange for a B off sale license. She requested this item be referred to the Finance, Economic Development & Personnel Committee. Mayor Hansey will refer this item to Finance, Economic Development & Personnel Committee.

Requests for Proposals for Insurance Agent of Record – request referral to Finance Cmt. ó Huwe said Bank of the West Insurance no longer has a local agent in the City of Wahpeton, and currently our policies are being serviced from their Fargo office. A Request for Proposals process to select an agent of record will be necessary prior to our October 4, 2015 policy renewal date. She requested this item be referred to the Finance, Economic Development & Personnel Committee. Mayor Hansey will refer this item to Finance, Economic Development & Personnel Committee.

Hay Compensation Study Recommendations – request referral to Finance Cmt. ó Huwe said the Committee of the Whole meeting on July 15th presented a great deal of information on the compensation systems. Additional comparisons to North Dakota Cities, possible implementation models and salary administration policies are additional topics to be discussed. She requested this item be referred to the Finance, Economic Development & Personnel Committee with the July 27th meeting being rescheduled from 12:00 noon to 5:00 p.m. to allow additional time for discussion. Mayor Hansey will refer this item to Finance, Economic Development & Personnel Committee.

ATTORNEY

Ordinance No. 969 – Rezoning Lots 4-7, Block 15 of Original Townsite from Residence R-2 to Business RB-4 Request to offer second reading & adoption ó Lies explained the location of the lot to be rezoned, saying it may never be a buildable lot for a residence located adjacent to the railroad tracks.

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

ORDINANCE NO. 969
AN ORDINANCE REZONING FROM
RESIDENCE R-2 TWO-FAMILY TO BUSINESS RB-4 NEIGHBORHOOD
(N ½ Lots 4-7, Block 15, Original Townsite)

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Bajumpaa. Motion carried with a roll call vote of 7-0.

Appeal Hearing on MDI Zoning Matter rescheduled from July 27th to August 31st at 5:30 p.m. ó Lies explained the hearing needed to be rescheduled. **Motion by Dale, seconded by Mitskog, to approve rescheduling the Appeal Hearing on Machine Design, Inc. (MDI) Zoning Matter from July 27th to August 31st at 5:30 p.m. Motion carried with all voting 'aye'.**

ECONOMIC DEVELOPMENT DIRECTOR

Economic Development Report & Planning Commission Recommendations ó Priebe reviewed a document she had presented to the Rotary Club which talked about four different projects.

Final Plat Approval KLC Holdings – request motion to set hearing on Aug. 3rd at 5:00 p.m. ó

Priebe said the Planning Commission had set a hearing for August 3rd at 5:00 p.m. and the Council needs to also schedule a hearing so a joint hearing can be held with the Planning Commission on August 3rd for the final plat approval of KLC Holdings. **Motion by Bertsch, seconded by Schmidt, to approve setting a joint hearing with the Planning Commission for August 3rd at 5:00 p.m. for the Final Plat Approval of KLC Holdings. Motion carried with all voting ‘aye’.**

Regarding the proposed cooperative housing venture in West Briarwood, Priebe said Warren Kramer, the Executive Director of North Country Co-op Foundation has been signed on from the ND Rural Development Office to assist with the cooperative housing venture. She said Kramer will be here Thursday, July 23rd from 11:00 a.m. to 2:00 p.m., along with Lori Capouch, the ND Rural Development Director, and JoAnn Rodenbiker, the Northern Plains Electric Co-op Director of Business Development. She invited those interested in sitting in on the discussion to let her know so arrangements can be made.

Priebe said October is Manufacturing Month and the City will again hold a Manufacturing Day. This year Sophomores and Juniors from Wahpeton High School will be invited to attend on a date to be determined.

LIBRARY DIRECTOR

Library Report ó Guck said last year the library did Books in Bars which went very well and they received a grant to fund it. In brainstorming funding to continue this program, a suggestion was made to conduct an adult spelling bee. The event will be held Saturday, September 26th at the Firehouse Pub, co-presented by the Friends of the Library. There will be a limit of 10 teams, with 2-5 people per team, and a \$100 registration fee. The money raised will go to the Friends of the Library then will be used to fund Books in Bars, and depending on the funds raised could fund other library programming. She said the competition will consist of 3 written rounds, then after each round will score and re-rank the teams, then the top 3 scoring teams will go into regular spelling bee competition mode with single elimination. Guck said they are trying to promote -Smart is fun and Smart is coolø She said they are also looking for sponsors for the event to do t-shirts.

[Lambrecht enter at 5:20 p.m.]

PUBLIC WORKS DIRECTOR

PW Report ó Miranowski requested referral to Public Works Committee **of Consideration of Land Sale for Parcel 17-3309 after consideration from Flood Committee.** Mayor Hansey will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Continued Discussion of Yard Waste Collection.** Mayor Hansey will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Consideration of an Ordinance Requiring Paving of Commercial Parking Lots.** Mayor Hansey will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Consideration of the Updates to the Equipment Replacement Plan.** Mayor Hansey will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of the 16th Avenue North Reconstruct approval of the Preliminary Engineering Report and approval of the NDDOT Decision Documents.** Mayor Hansey will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of the Consideration of Transfer of the Sewer Department Truck (SW98-1) to the Park Department.** Mayor Hansey will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Water Tower #2 Lighting and Pole Concerns.** Mayor Hansey will refer this item to the Public Works & Public Safety Committee.

Miranowski then provided some updates, saying tomorrow they will have divers in Tower #1 to make some repairs. Murr had reported the lead and copper testing has been completed with the Health Department, and there are no concerns. The State Inspector was down today from Bismarck and went through the water treatment plant as well as all the wells, the lift stations and the wastewater ponds. The Jet Vac is out and jetter truck and are cleaning a lot of the storm sewers and repairing catch basins. After tonight's meeting there will be a tour of the wastewater ponds.

COMMUNICATIONS FROM THE MAYOR & COUNCIL

CHI St. Francis Health Stakeholder Meeting – Request representative from Council to attend on August 6, 2015 at 12:00 Noon Mayor Hansey appointed Police Chief Thorsteinson or a designee of his choice to attend this meeting.

REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS

Finance, Personnel & Economic Development Committee Report

DeVries said the Finance, Personnel & Economic Development Committee met at noon on July 13th. **Dakota Valley Electric Patronage Buyout – motion** to recommend acceptance of discounted buyout of \$1,852.96 ó **Motion by DeVries, seconded by Schmidt, to approve accepting the Dakota Valley Electric Patronage Discounted Buyout of \$1,852.96. Motion carried with a roll call vote of 8-0.**

Purchase Agreement Update on 920 3rd Ave. N. – motion to recommend approval of purchase agreement at \$455,000 ó **Motion by DeVries, seconded by Bertsch, to approve the Purchase Agreement between Richland Wilkin Funeral Homes, LLC and the City of Wahpeton for 920 3rd Avenue North at \$455,000. Motion carried with a roll call vote of 8-0.**

2016 Budget Planning Priorities – motion to recommend consolidation of mill levies for 2016 budget ó **Motion by DeVries, seconded by Wateland, to approve consolidating the designated Special Levy Funds into the General Fund for the 2016 Budget at presented. Motion carried with all voting ‘aye’.**

Compensation Study – discussion

Old City Hall Development Agreement – discussion

Lagoon Odors – presentation and tour to follow Council meeting tonight

Public Works & Public Safety Committee Report

Bajumpaa said the Public Works & Public Safety Committee met at noon on July 14th.

Dilapidated Properties Updates – motion to recommend notice and order on former KC Hall at 120 6th St. N. ó **Motion** to recommend notice and order on former KC Hall at 120 6th St. N. ó **Motion by Bajumpaa, seconded by Dale, to approve directing the City Attorney to issue a Notice & Order to the owner of 120 6th Street North. Motion carried with all voting ‘aye’.**

Lift Station #1 Final Pay Request – motion to recommend approval of RL Larson, Inc. final pay request of \$80,986.80 ó **Motion by Bajumpaa, seconded by Schmidt, to approve the Lift Station #1 Final Pay Request to RL Larson Excavating, Inc. in the amount of \$80,986.80. Motion carried with a roll call vote of 8-0.**

Seal Coat Project Final Pay Request – motion to recommend approval of Astech Corp. final pay request of \$55,095.00 ó **Motion by Bajumpaa, seconded by Bertsch, to approve the Seal Coat Project Final Pay Request of \$55,095.00 to Astech Corporation. Motion carried with a roll call vote of 8-0.**

Hawkins Chemical, Inc. Aqua Hawk Proposal – motion to recommend approval of proposal as presented ó **Motion by Bajumpaa, seconded by Bertsch, to approve the Hawkins Chemical, Inc. Aqua Hawk Proposal at Lift Station #1 as presented. Motion carried with a roll call vote of 8-0.**

Water Treatment Plant RFP Update – discussion

Lagoon Odors – tour to follow Council meeting tonight

Staff Updates – request additions to the Committee Agenda: 1) Paved Parking Requirements; 2) Grass Clippings, Yard Waste & Compost

FLOOD MITIGATION (AD-HOC)

Report of Meeting July 14, 2015 ó Hansey said a motion was made to refer land available for sale to Public Works Committee. Mayor Hansey will refer this item to the Public Works & Public Safety Committee.

NEW BUSINESS

Executive Session – for attorney consultation on negotiation strategy NDCC 44-04-19.1 ó Lies said this item must be discussed in an executive session. The legal authority for closing this portion of the meeting is North Dakota Century code section 44-04-19.1. The topic or purpose of this executive session is for attorney consultation on negotiation strategy NDCC 44-04-19.1. He said at this time we will convene in executive session. Lies said the executive session will be recorded and all members of the governing body are reminded to limit their discussion during the executive session to the announced topic. Any collective decision, collective commitment, or other final action by the governing body must occur after it reconvenes in an open meeting, unless final action is specifically required by law to be taken during the executive session. The prohibition on taking final action during the executive session does not apply to providing guidance or instructions to our attorney or negotiator. Hansey asked the members of the public who were attending the meeting to leave the room, of which there were none. **Motion was made by Mitskog, seconded by Bertsch, to close the meeting to go into executive session for attorney consultation on negotiation strategy NDCC 44-04-19.1. Motion carried with all voting ‘aye’.** The next agenda item was confidential under NDCC §44-04-19.1 in that the reason for subject is for attorney consultation on negotiation strategy. The minutes will show that the executive session began at 5:44 pm o’clock and will reflect who was present for this executive session: Mayor Meryl Hansey, Council Members Marty Schmidt, Brett Lambrecht, Renelle Bertsch, Alisa Mitskog, Chris DeVries, Steve Dale, Don Bajumpaa, and Lane Wateland, Finance Director Darcie Huwe, Public Works Director Dennis Miranowski, Police Chief Scott Thorsteinson, City Assessor Carla Broadland, Economic Development Director Jane Priebe, Librarian Greta Guck, City Attorney Steve Lies, and City Finance Assistant Lynelle Amos.

Motion by Schmidt, seconded by Lambrecht, to come out of closed session and re-open the meeting. Motion carried. The minutes will show that the executive session was adjourned and the meeting re-opened at 6:01 p.m. Hansey said the meeting was now back in open session.

The motion made in executive session was then restated. **Motion by Dale, seconded by Mitskog, to approve a 5 year PILOT with the graduated scale of 100%, 80%, 60%, 40% and 20% as presented.** Lies commented that was using the dollar figures that are projected so are dealing with dollars and not actually percentages, but dealing with dollars reflected in the schedules provided by Broadland. Broadland questioned if were going to use example 1 or example 2, where the mill levy stayed even because that would be the dollar amount certified to the County or with the 2% increase as

that would be the dollar amount certified to the County. The amounts were highlighted in the PILOT payment column with one certified at \$172,335 and the other at \$162,370. It was wondered what is going to happen with the budget. Dale said to use the higher amount Example 1 for the Triple G Properties. Lies explained the dollars reflected are what would be tendered to Triple G Properties. Hansey said the motion and second stand then, and it was agreed. **Motion carried with a roll call vote of 7-0.**

June 2015 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$213,485.41	\$54,131.22	\$267,616.63
201 WATER OPERATING FUND	\$90,316.57	\$34,594.06	\$124,910.63
202 SANITARY SEWER OPERATING FUND	\$47,446.04	\$22,120.86	\$69,566.90
203 WASTE REMOVAL OPERATING FUND	\$21,278.36	\$769.64	\$22,048.00
205 VECTOR CONTROL FUND	\$13,416.47	\$2,721.61	\$16,138.08
206 STREET LIGHTING	\$9,781.13		\$9,781.13
209 LIBRARY LEVY FUND	\$181,043.52	\$15,356.08	\$196,399.60
213 ADVERTISING LEVY FUND	\$1,326.34		\$1,326.34
216 AIRPORT 4-MILL LEVY FUND		\$449.98	\$449.98
217 PLANN COMMISSION LEVY FUND	\$530.00	\$597.56	\$1,127.56
222 SOCIAL SECURITY LEVY FUND	\$26,780.86		\$26,780.86
224 RETIREMENT FUND	\$31,964.88		\$31,964.88
226 EMPLOYEE SAFETY COMMITTEE	\$159.95		\$159.95
227 ANNUAL RESERVE WH FUND		-\$2,819.00	-\$2,819.00
229 CAPITAL IMPROVEMENTS FUND	\$57,649.53		\$57,649.53
231 FD BLDG & EQUIP LEVY FUND	\$6,389.06		\$6,389.06
233 REAL ESTATE LEVY FUND	\$27,039.98		\$27,039.98
234 SPECIAL STREET MAINT FUND	\$14,607.00		\$14,607.00
236 LEVEE MAINTENANCE	\$20,946.20	\$10,024.10	\$30,970.30
271 ECONOMIC DEVEL DEPT FUND	\$1,902.16	\$11,878.90	\$13,781.06
303 MISCELLANEOUS FUND	\$473.37		\$473.37
305 VECTOR CONTROL DIST LEVY FUND		\$1,049.71	\$1,049.71
315 TAX INCREMENT FUND	\$3,750.00		\$3,750.00
316 1% LODGING TAX (ADDTL 1/1/08)	\$10,500.00		\$10,500.00
317 JOB DEVELOPMENT LEVY FUND	\$882.24		\$882.24
318 WEED MAINT LEVY FUND	\$5,480.00		\$5,480.00
319 LODGING TAX FUND	\$338.23		\$338.23
320 SALES TAX OPERATING FUND	\$24,637.50		\$24,637.50
325 SALES TAX H.E.L.P. HOUSING FUND	\$230.00		\$230.00
326 REVOLVING LOAN FUND	\$1,805.96		\$1,805.96
340 HANDICAPPED PARKING FINES	\$225.00		\$225.00
365 PD SPEC EQUIP SINKING FUND	\$13,735.29		\$13,735.29
389 GOLF COURSE DONATIONS	\$20,000.00		\$20,000.00
390 CLUBHOUSE MAINTENANCE	\$1,280.00		\$1,280.00
393 DOWNTOWN CARE & MTC FUND	\$231.00		\$231.00
395 CERT	\$251.00		\$251.00
572 SALES TAX FOR FLOOD FUND	\$83,004.67		\$83,004.67
574 5-2-97 (FLOOD PHASE II)	\$161.00		\$161.00
622 3RD AVE N. RECON PROJ	\$37,828.10		\$37,828.10
636 16TH AVE. 11TH ST TO HWY 210	\$6,461.82		\$6,461.82
639 E. SANITARY SEWER 13-02-02	\$11,000.00		\$11,000.00
640 WELL #3 RISER REPAIRS/WELLHSE	\$6,016.94		\$6,016.94
646 VECTOR CTRL CAPITAL EQUIP	\$25,041.68		\$25,041.68
TOTAL	\$1,019,397.26	\$150,874.72	\$1,170,271.98

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Cmt. July 27th, time to be determined
- b. Public Hearing . Appeal of MDI Zoning Notice & Order July 27th, 5:30 P.M.
- c. Public Works Cmt. July 28th, 5:00 P.M.
- d. Planning Commission August 3rd, 4:00 P.M.

Motion by Mitskog, seconded by Bertsch, to adjourn at 6:03 p.m.

Mayor Hansey

Lynelle Amos, Finance Assistant