

Wahpeton City Council
March 19, 2012

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

Absent: DeVries

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

Meeting called to order by Mayor Sturdevant.

PUBLIC HEARINGS, ETC.

Barb Diederick of the Zonta Club, along with several other members who were present, gave a presentation of the Yellow Rose Award, which she said Zonta awards to individuals who exemplify professionalism and who help advance the status of women through accomplishment in the community and her workplace. Diederick stated this individual exemplifies these attributes by serving on the City Council, her outstanding level of accomplishment in her profession, her dedication to the Three Rivers Arts Council/Red Door Art Gallery and in Rotary, presenting Renelle Bertsch with the Yellow Rose Award.

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 5, 2012

Approval of minutes of special meeting held March 13, 2012

Games of Chance Licenses, Site Authorizations & Special Permits

Valley Lake Boys' Home – Game of Chance Raffle Permit

Humane Society of Richland/Wilkin County – Game of Chance Raffle Permit

VFW Auxiliary – Game of Chance Raffle Permit

Richland/Wilkin Ladies Night – Game of Chance Raffle Permit

Breckenridge-Wahpeton Zonta Club – Game of Chance Raffle Permit

Bois de Sioux Golf Club – Game of Chance Raffle Permit

St Catherine's Living Center – Game of Chance Raffle Permit

Other Games of Chance and/or special permits

Presentation/Approval of Reports

Red Door Art Gallery & Museum Grand Opening Mar. 24, 2012

ND Dept. of Health Safe Drinking Water Act Certification of Compliance

St. Catherine's Living Center Supreme Cuisine Challenge Mar. 29, 2012

February 2012 Bill Pay Report (\$1,089,261.89 – see below)

February 2012 Financials

Dilapidated Properties Report

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

ITEMS REQUESTED MOVED FROM THE CONSENT AGENDA None.

REPORTS

FINANCE DIRECTOR/AUDITOR

2011 Transportation Funding Report Huwe said the City of Wahpeton is required to file an annual report that summarizes their revenues and expenses dedicated to transportation infrastructure. Copies of a summary report and also the report filed with the ND State Tax Commissioner were provided. Huwe reviewed some of the highlights. **Motion by Bertsch, seconded by Hansey, acknowledging receipt of and approving the 2011 Transportation Funding Report. Motion Carried.**

City Owned Land Inquiry – request referral to Finance Cmt. Mayor Sturdevant will refer this item to Finance, Economic Development & Personnel Committee.

Golf Club House Maintenance Items – request referral to PW Cmt. Mayor Sturdevant will refer this item to Public Works & Public Safety Committee.

Municipal Government Week April 9th – 13th Huwe said Auditor's Assistant Jerri Gutzmer has contacted 6th grade teachers in several Wahpeton schools to see if there's interest in participation for a 'Mayor for a Day' essay contest. Entries are due by March 30th, and if interest is shown those entries will be reviewed by the Mayor and students will be present at the April 16th City Council meeting.

2012 Election Reminders Huwe gave a reminder of filing deadlines approaching for any prospective candidates interested in either of the two City Council Member At-Large positions or for Ward 2 or Ward 4 which are all up for re-election at the June 12, 2012 City election. If someone wants their name on the ballot they need to submit a Certificate of Nomination and a Statement of Interest to Huwe by Friday, April 13th at 4:00 pm. Huwe said information is available on the City website or by contacting her at City Hall.

Huwe announced that the Wahpeton Fire Department Fish Fry will be held Friday, March 23rd at the Eagles Club from 11am to 8pm. Tickets are available at City Hall for those interested.

ECONOMIC DEVELOPMENT DIRECTOR

Northside Industrial Land Inquiry – request referral to Finance Cmt. Priebe said she had a referral regarding development of a strategic plan for the Imation acquired property to the Finance & Economic Development Committee. Mayor Sturdevant will refer this item to Finance, Economic Development & Personnel Committee. As an update, she explained that an agreement to farm the 32 acres of city-owned land located in the Replat of the Northside Industrial Park Addition has been prepared, signed by the City of Wahpeton, and sent to K-2 Farms for their signature. This is a 3-year contract for farming seasons 2012-2014, at a rate of \$100/acre for 30 tillable acres, and ditch mowing is at the contractor's expense and is to be compliant with the weed control ordinance. The property is for general farming and there is to be no subletting. Lastly, the City will have the right to terminate this lease upon 30 days notice of the whole tract or any part thereof. In the event the Lessee has a planted unharvested crop in the field, the City shall reimburse the Lessee all of his actual input costs for those acres taken out of production. If the City terminates the lease only in part and not to the whole tract, the Lessee has the option of terminating the entire lease due to the economic feasibility of farming the smaller tract of that year and/or the balance of the term of the lease.

Priebe reviewed a draft Summary Report of Economic Development Activity for 2011. From this report, she said a special 20th anniversary edition of the sales tax fund will be developed.

Priebe announced that the Chamber of Commerce Annual Meeting will be held March 20th from 5-6:30pm at the Eagles.

Priebe said the Community Development Corporation Board of Directors is scheduled to meet March 21st at noon at City Hall.

Regarding the 2012 DREAMS Auction, Priebe said the event is quickly approaching and scheduled for April 13th at the Blikre Activities Center. Ticket prices are \$50 per person. This is the 17th year for the auction and there will be at least \$80,000 worth of items for the Silent and Live Auctions and wonderful prizes for the different games and raffles throughout the night. Priebe said this is a great evening for a good cause and encouraged attendance.

PUBLIC WORKS DIRECTOR NELSON

PW Report Nelson said he needed a motion to suspend the rules for consideration of three items, one regarding a Professional Services Agreement for Digital Orthophotography and the other two related to Assessment District 08-02-03 Southside Drainage Improvements. **Motion by Mitskog, seconded by Hansey, to suspend the rules. Motion Carried.** Nelson said the first item is related to an item listed under the Public Works Committee report regarding a funding authorization increase in the ceiling amount. He said Digital Orthophotography and Topographic Mapping funding was discussed at the PW Committee meeting but at the time did not have a final consultant selection. Since then a selection committee determined that the proposal submitted by Fugro EarthData Incorporated was the best value for the City. The proposed project funding is to be provided: 50% Sales Tax for Economic Development; 25% Sales Tax for Flood Protection/Levy Maintenance; and 25% from Capital Improvement Fund/General Fund. The request is for approval of a Professional Services Agreement for Digital Orthophotography and Topographic Mapping with Fugro EarthData Incorporated of Rapid City, SD in an amount not to exceed \$85,000 contingent upon the City Attorney's review and approval of the agreement. **Motion by Hansey, seconded by Mitskog, to approve a Professional Services Agreement for Digital Orthophotography and Topographic Mapping with Fugro EarthData Incorporated of Rapid City, SD in an amount not to exceed \$85,000 contingent upon the City Attorney's review and approval of the agreement.** Discussion held. **Roll call vote 7-0. Motion Carried.**

Nelson said the next two items were resolutions related to Assessment Improvement District 08-02-03 Southside Storm Sewer District, Project No. DR12-191 Southside Drainage Improvements Phase C.

Council member Mitskog offered the following and moved its adoption:

RESOLUTION NO. 3471
**RESOLUTION APPROVING PLANS AND SPECIFICATIONS
AND ESTIMATE OF COST FOR THE IMPROVEMENTS IN
IMPROVEMENT DISTRICT 08-02-03 – PROJECT NO. DR12-191
(SOUTHSIDE STORM SEWER DISTRICT)
(PHASE C – 6TH STREET SOUTH AND 7TH AVENUE SOUTH)**

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

Council member Hansey offered the following and moved its adoption:

RESOLUTION NO. 3472

**RESOLUTION DIRECTING PUBLICATION OF ADVERTISEMENT
FOR BIDS FOR CONSTRUCTION OF AN IMPROVEMENT IN
IMPROVEMENT DISTRICT 08-02-03 – PROJECT NO. DR12-191
(SOUTHSIDE STORM SEWER DISTRICT)
(PHASE C – 6TH STREET SOUTH AND 7TH AVENUE SOUTH)**

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

Nelson then talked about the ND Dept. of Health Safe Drinking Water Act Certificate of Compliance bringing to attention that in the document it lists a number of rules the City needs to comply with related to drinking water and that the Dept of Health points out that in 2011 Leo Murr and staff successfully complied with all requirements for our public water system, and wanted to bring that to the public's attention.

Nelson then reported that the seasonal load limits are in place in all alleys as of today, March 19th. Garbage collection is now taking place on streets and avenues. This will be in place until further notice.

Nelson then reported that NDSU Extension Services is hosting a tree trimming workshop on Wednesday, April 4th starting at 6:30pm at Hughes Shelter and is open to the public.

COMMUNICATIONS FROM THE MAYOR & COUNCIL

Bertsch gave a reminder that the Grand Opening and Ribbon Cutting Ceremony for the Red Door Art Gallery and Museum will be held Saturday, March 24th at 9am in front of the gallery located at 418 Dakota Avenue. A muffin and coffee reception will follow along with a chance to visit with featured artist Barb Benda Nagle. If interested in attending the reception for the artists on Friday evening from 7-9pm all you need to do is become a member at the cost of \$25 and can be done at the door.

Mayor Sturdevant then announced the Corps of Engineers is holding a meeting tonight at NDSCS in the Student Center at 7pm regarding the Fargo Diversion for those interested in attending.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Finance, Personnel & Economic Development Committee Report

Bohn said the Finance Committee met at noon on March 12th.

Liquor License Refund Request – motion to recommend approval of a refund of \$588.57 of the 2012 Class C Liquor License Fee to Mrs. J's Sweet Treats – **Motion by Bohn, seconded by Bajumpaa, to approve a refund of \$588.57 of the 2012 Class C Liquor License Fee to Melissa Jaskowski/Mrs. J's Sweet Treats. Motion Carried.**

Safety Committee Workforce Safety Insurance Review – motion to recommend approval of a transfer of \$5,000 (2012 WSI premium discount) from General Fund to the Employee Safety Fund – **Motion by Bohn, seconded by Bertsch, to approve the transfer of \$5,000 of the 2012 WSI premium discount from the General Fund to the Employee Safety Fund. Motion Carried.**

Development Agreement Review – discussion

CVB Welcome to Wahpeton Sign Lease Agreement - discussion

Funding Dakota Ave. Care & Mtc. – ongoing discussion

Public Works Public Safety Committee Report

Hansey said the Publics Works Public Safety Committee met at noon on March 13th.

Dilapidated Properties Report

Authorization to Request Proposals for Professional Engineering Services for Town Centre Square Plaza Rehabilitation – motion to recommend proceeding to request proposals – **Motion by Hansey, seconded by Dale, to approve Authorizing a Request for Proposals for Professional Engineering Services for Town Centre Square Plaza Rehabilitation. Motion Carried.**

Professional Services Agreement for Digital Orthophotography & Topographic Mapping – motion to recommend proceeding with funding up to \$90,000 – Hansey said this item was covered earlier in the meeting by PW Director Nelson.

Agreement with NDSCS for City Utilities – ongoing discussion

Henry Behl IV Right of Way Permit – motion to recommend extension of ROW Permit to April 1st with conditions – **Motion by Hansey, seconded by Hartman, to approve an extension of Right-of-Way Permit at 314 Dakota Avenue to April 1st, 2012, with conditions allowing the City Engineer to make the determination of when the scaffolding comes down and assessing a \$1,000/day fine and 30 days in jail if not down by that date.** Discussion held. **Motion Carried.**

February 2012 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$227,322.23	\$32,506.80	\$259,829.03
201 WATER OPERATING FUND	\$68,496.49	\$32,062.68	\$100,559.17
202 SANITARY SEWER OPERATING FUND	\$40,138.79	\$20,201.95	\$60,340.74
203 WASTE REMOVAL OPERATING FUND	\$18,748.74	\$692.52	\$19,441.26
204 WASTE REDUCTION FUND	\$2,856.31		\$2,856.31
205 VECTOR CONTROL FUND		\$1,278.31	\$1,278.31
206 STREET LIGHTING	\$10,087.51		\$10,087.51
209 LIBRARY LEVY FUND	\$6,029.11	\$12,578.20	\$18,607.31
213 ADVERTISING LEVY FUND	\$347.15		\$347.15
216 AIRPORT 4-MILL LEVY FUND		\$449.96	\$449.96
217 PLANN COMMISSION LEVY FUND	\$553.00	\$992.76	\$1,545.76
219 BAND LEVY FUND	\$10,171.46		\$10,171.46
226 EMPLOYEE SAFETY COMMITTEE	\$125.00		\$125.00
227 ANNUAL RESERVE WH FUND		-\$3,014.00	-\$3,014.00
229 CAPITAL IMPROVEMENTS FUND	\$2,808.59		\$2,808.59
231 FD BLDG & EQUIP LEVY FUND	\$12,487.00		\$12,487.00
233 REAL ESTATE LEVY FUND	\$244,163.67		\$244,163.67
235 SNOW/FLOOD EMERG LEVY FUND	\$1,423.75		\$1,423.75
236 LEVEE MAINTENANCE	\$20,084.88	\$5,935.64	\$26,020.52
237 CITY SHARE OF SPECIALS FUND	\$42,633.08		\$42,633.08
261 UNEMPLOYMENT COMP RESERVE FUND	\$87.99		\$87.99
271 ECONOMIC DEVEL DEPT FUND	\$1,710.09	\$10,880.42	\$12,590.51
318 WEED MAINT LEVY FUND	\$166.42	\$387.54	\$553.96
319 LODGING TAX FUND	\$7,605.12		\$7,605.12
320 SALES TAX OPERATING FUND	\$70,753.77		\$70,753.77
321 SALES TAX RESERVE FUND	\$11,508.64		\$11,508.64
322 SALES TAX DEFAULTS RES FUND	\$1,262.01		\$1,262.01
325 SALES TAX H.E.L.P. HOUSING FUND		\$258.36	\$258.36
361 GASOLINE,OIL,ETC		-\$3,417.54	-\$3,417.54
363 SAFE COMMUNITIES COALITION	\$120.00		\$120.00
393 DOWNTOWN CARE & MTC FUND	\$1,030.00		\$1,030.00
457 R/I #11111 SERIES B 2011	\$5,877.00		\$5,877.00
574 5-2-97 (FLOOD PHASE II)	\$69,184.25		\$69,184.25
605 8-1-06 DAKOTA AVE	\$3,693.50		\$3,693.50
608 08-02-03 SSIDE STORM SEWER	\$57.50		\$57.50

610 SAFE ROUTES TO SCHOOL	\$8,468.49		\$8,468.49
617 ALLEY IMP VARIOUS LOC.	\$12,290.50		\$12,290.50
620 TOWN CENTRE SQUARE	\$92.00		\$92.00
624 WTP ENERGY EFF IMP.	\$61,766.70		\$61,766.70
630 WESTSIDE NATURAL DRAIN PROJ.	\$115.00		\$115.00
631 11TH ST. N. AVE B TO 16TH AVE	\$13,202.55		\$13,202.55
TOTAL	\$977,468.29	\$111,793.60	\$1,089,261.89

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Committee March 26th, 12:00 Noon
- b. PW/PS Committee March 27th, 5:00 P.M.
- c. Planning Commission April 2nd, 4:00 P.M.

Motion by Mitskog, seconded by Hartman, to adjourn.

Mayor Sturdevant

Lynelle Amos, Finance Assistant