

**Wahpeton City Council**

**May 5, 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, Amos, and Gutzmer

Meeting called to order by Mayor Sturdevant.

**PUBLIC HEARINGS/CITIZENS CONCERN/ETC.**

**Joint Public Hearing with the Planning Commission on Ordinance No. 960 Amendment to Hobby Time Acres PUD**

ó This public hearing was held jointly with the Planning Commission. Mayor Sturdevant asked Huwe if there were any written or oral 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 reconvened their meeting and referred to Attorney Lies for explanation of Ordinance No. 960 and the proposed amendments. Lies explained the two changes. **Motion by Allen Larson, seconded by Daryl Eberhardt, to recommend to the City Council to allow modification of Ordinance No. 960. Motion carried with all voting ‘aye’.**

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

**ORDINANCE NO. 960**

**AN ORDINANCE AMENDING SECTION 16-1501 AND AMENDING  
PLANNED UNIT DEVELOPMENT ZONING FOR HOBBY TIME ACRES**

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

**Motion by Allen Larson, second by Daryl Eberhardt, to adjourn the Planning Commission meeting. Motion carried with all voting ‘aye’.**

**CONSENT AGENDA ITEMS** (presented by the Mayor) ó 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 21, 2014**

**Games of Chance Licenses, Site Authorizations & Special Permits**

United Way with Cargill Inc. Match ó Raffle Permit

Other Games of Chance and/or Special Permits:

Hakuna Matata Relay for Life ó Raffle Permit

Wahpeton Parks & Recreation ó Raffle Permit

**Presentation/Approval of Reports**

Letter from Community Homes to the Wahpeton Police Dept.

Spring Clean-Up Week May 12 ó 16

**Motion by Bohn, seconded by DeVries, 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**

**Development Agreement – request referral to Finance Cmt.**

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.

**Equipment Capital Lease Proposals – request referral to Finance Cmt.**

Mayor Sturdevant will refer this item to Finance, Economic Development & Personnel Committee.

**Campaign Finance Report Due by Friday May 9<sup>th</sup>** ó Huwe gave a reminder that the Campaign Finance Report is due by Friday, May 9<sup>th</sup>. She said in the past these reports have been more informal but the rules have now changed and even those running for local office who have done no fundraising are required to file a report indicating that. The reports need to be filed between May 2<sup>nd</sup> and May 9<sup>th</sup>. She said this is the pre-primary report and closer to election there will be another one, and also a year-end report that is required.

**NDLC Regional Meeting May 8<sup>th</sup> in Jamestown** ó Huwe said she and one Council member are registered to attend, and anyone else interested in attending should contact her.

**ATTORNEY**

**Resolutions for Revised Special Assessment District No. 12-02-06 16<sup>th</sup> Ave. N. Reconstruction ND Hwy 210 to 11<sup>th</sup> St. N.**- Lies explained that there are resolutions to amend the current resolutions. He said the first was the resolution creating the district boundaries which is being proposed to be enlarged to cross the bypass to the west as are looking at including the shared use path in this area as part of the project.

Council member Bertsch offered the following and moved its adoption:

**RESOLUTION NO. 3540**  
**RESOLUTION AMENDING RESOLUTION NO. 3491**  
**RESOLUTION CREATING STREET AND UTILITIES IMPROVEMENT**  
**DISTRICT 12-02-06**  
**(16<sup>th</sup> Avenue North Reconstruction, ND 210 to 11<sup>th</sup> Street, Project No. ST12-187)**  
**(Enlarging the boundaries thereof)**

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

Lies said the second resolution to be amended is directing the engineer's report to encompass the added area, as well as the sidewalk and path language being added to a part of the project.

Council member Bohn offered the following and moved its adoption:

**RESOLUTION NO. 3541**  
**RESOLUTION AMENDING RESOLUTION NO. 3493**  
**RESOLUTION DIRECTING PREPARATION OF ENGINEER'S REPORT**  
**FOR THE IMPROVEMENT IN**  
**STREET AND UTILITIES IMPROVEMENT DISTRICT 12-02-06**  
**(16<sup>th</sup> Avenue North Reconstruction, ND 210 to 11<sup>th</sup> Street, Project No. ST12-187)**  
**(Enlarging the boundaries thereof)**

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

Lies said the third resolution to be amended deals with the issuance of bonds and reimbursement of certain expenditures, which takes into account the enlarged boundaries as well as an additional \$300,000 potential cost.

Council member Hansey offered the following and moved its adoption:

**RESOLUTION NO. 3542**  
**RESOLUTION AMENDING RESOLUTION NO. 3492**  
**RESOLUTION OF THE CITY OF WAHPETON**  
**RELATING TO THE ISSUANCE OF BONDS AND**  
**THE REIMBURSEMENT OF CERTAIN EXPENDITURES**  
**FOR**  
**STREET AND UTILITIES IMPROVEMENT DISTRICT 12-02-06**  
**(16<sup>th</sup> Avenue North Reconstruction, ND 210 to 11<sup>th</sup> Street, Project No. ST12-187)**  
**(Enlarging the boundaries thereof)**

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

**Westgate Commons Area Street Vacations Recommendation from Planning Commission – request motion to set Public Hearing on June 16, 2014** ó Lies explained a motion is needed to schedule a hearing to vacate the westerly 40 feet of Wheatland Road that abuts the east side of the property running from 17<sup>th</sup> Avenue to where it abuts the Credit Union property, as well as vacating the alleyway that lies between Vision Ford and Lot 1-C. **Motion by Bajumpaa, seconded by Dale, to schedule a Joint Public Hearing with the Planning Commission and City Council for the Westgate Commons Area Street Vacations for 5:00p.m. on June 16, 2014. Motion carried with all voting ‘aye’.**

**Westgate Commons Addition Rezoning Recommendation from Planning Commission from B-2 Commercial to PUD Westgate Commons; first reading of Ord. No. 961** ó Lies explained. Council member Mitskog offered the first reading of the following Ordinance:

**ORDINANCE NO. 961**  
**AN ORDINANCE AMENDING SECTION 46 ZONING**  
**ARTICLE III – ZONING DISTRICTS DIVISION 5 OTHER DISTRICTS**  
**(CREATING PLANNED UNIT DEVELOPMENT WESTGATE COMMONS ZONING**  
**FOR LOTS 1-C AND PART OF 1-D OF VALLEY 1<sup>ST</sup> FIRST ADDITION)**

**ECONOMIC DEVELOPMENT DIRECTOR**

**Economic Development Report** ó Priebe reported that the Planning Commission, acting as the Renaissance Zone Authority, received a request for a name change from Susie Whitney to SK Whitney Properties. She said this project was previously approved on March 3<sup>rd</sup> as Susie Whitney, who will lease a portion of the building to house her freight brokering business (which was also approved for a RZ lease project) and would like to lease space to other businesses as well. Priebe said the estimated cost of rehab has also change, and is now \$80,000 as opposed to \$276,514. Whitney's plans include: new siding and windows as well as updated electrical and plumbing. Priebe said the \$80,000 does meet the test of 50% or more of true & full value of the property, which qualifies for a 5 year property tax exemption on the improvements. The applicant is a Taxpayer in Good Standing. The potential exists to include any tenants in the RZ program and qualify them as zone projects for a state income tax exemption when leases are ready to sign. Priebe said the RZA recommends the City Council approve SK Whitney Properties' purchase with rehabilitation Renaissance Zone project and that her application for a 5 year property tax exemption on the improvements be granted. **Motion by Bertsch, seconded by Hansey, to approve SK Whitney Properties Purchase with Rehabilitation Renaissance Zone Project at 116 4<sup>th</sup> Street South for a 5 year property tax exemption on the improvements only. Motion carried with all voting ‘aye’.**

Priebe said the Red River Corridor Fund Board, also known as the Carrington Consortium of Participating Municipalities of which there are 36, held a conference call meeting April 29<sup>th</sup>. She said

Mayor of Carrington, Don Frye, is the Chairman of the Board. Priebe explained that the funds are administered by RRCF through 2 approved programs, the Collateral Support Program and the Seed Capital Network Program. Priebe said a draft resolution was discussed to request the US Treasury a funding adjustment of up to 20% in either program. She said movement of dollars between the two programs allows for greater flexibility and shorter response time to the deals that are in various stages of development. Priebe said the final draft of the resolution will be ready by the next meeting. She also noted that the Annual Report and the first quarter 2014 report were approved as presented.

Priebe said, as reported at the last Council meeting, 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 and the individual developer approach. She said the overall goal is to learn about problems with local firms and work together to resolve them, and, at the same time, let the businesses know that the community appreciates their contributions to the local economy. Priebe noted there is also an opportunity to assist businesses in using programs aimed at helping them become more competitive. She commented that they are also learning that shortages in labor and the topic of affordable housing are common issues discussed during the visits. Priebe reported that interviews have been completed with 10 companies with 2 more scheduled for Wednesday. She said the initial goal was to have the information gathered by mid-May but with scheduling challenges may have to push back the delivery of information to early fall.

Priebe announced that Justin Nepl has been hired as the new Small Business Development Center business consultant replacing Dan Reilly. His employment began April 14<sup>th</sup> and his office is located in Horton Hall on NDSCS campus. She said she and Nepl are already working with 2 clients.

On behalf of her assistant, Shari Hetland, Priebe said volunteers are still needed for Marketplace for Kids which will be held Monday, May 19<sup>th</sup> at NDSCS from 9:00a.m. to 2:00p.m. Anyone interested and available to help as a Classroom Helper, Guide, or Project Reviewer should contact Hetland.

### **LIBRARY DIRECTOR**

**Mango Languages** ó Guck reported that there was a recent addition to the services available at the library. She said Mango Languages is a foreign language online learning program, free to those who hold a Leach Public Library card. Guck said the program is available on the library website at the bottom of the page. Also available is free streaming foreign films. She said on Thursday, May 22<sup>nd</sup> at 6:30p.m. the library will holding a demonstration for the program followed by French film at 7:00p.m.

### **PUBLIC WORKS DIRECTOR**

#### **PW Report**

Miranowski requested referral to PW/PS Committee of a **Supplemental Agreement with Interstate Engineering for Additional Construction Engineering Services on the South Side Drainage Improvement Project, Part B**. Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to PW/PS Committee of **Review of the Traffic Impact Study Received on the New Elementary School**. Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to PW/PS Committee of a **Potential Loy Avenue Reconstruct in Conjunction with the New School Construction**. Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

**Request Approval of Supplemental Agreement No. 1 with Interstate Engineering on Proj. 12-02-06 16<sup>th</sup> Ave. N. Reconstruction ND Hwy 210 to 11<sup>th</sup> St. N. for \$49,206 (motion recommended by**

**PW Cmt. on 3-17-14 and tabled pending additional Resolution**) ó Miranowski said this is a continuation of the amendments of resolutions heard earlier by Lies amending the district on the 16<sup>th</sup> Avenue reconstruct. He said this was done in an effort to include the proposed pathway from 11<sup>th</sup> Street to Commerce Street. He said now that the resolutions have been approved, the supplemental agreement for the design of the pathway in the amount of \$49,206 can now be approved. **Motion by Hansey, seconded by Schmidt, to Approve the Supplemental Agreement No. 1 with Interstate Engineering on Project 12-02-06 16<sup>th</sup> Avenue North Reconstruction ND Hwy 210 to 11<sup>th</sup> Street North in the amount of \$49,206.** Discussion held. **Motion carried with a roll call vote of 8-0.**

Miranowski then gave an update on the 11<sup>th</sup> Street North Reconstruction Project. He reminded residents that the walking/bike path along 11<sup>th</sup> Street North is closed in the construction area and should not be utilized during the construction process due to safety issues.

## **REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS**

### **Finance, Personnel & Economic Development Committee Report**

Bohn said the Finance, Personnel & Economic Development Committee met at noon on April 28<sup>th</sup>. **Fireworks Licenses – discussion to maintain the number of licenses available in the ordinance**

**Refunding Improvement Bond Sale Planning – discussion**

**Pay Study Proposals – continuing discussion**

### **Public Works Public Safety Committee Report**

Hansey said the Public Works Public Safety Committee met at 5:00pm on April 29<sup>th</sup>.

**Well #2 Review – motion** to recommend approval of the service agreement with Otter Tail Power as presented for \$5,500 ó **Motion by Hansey, seconded by Schmidt, to approve the Service Agreement for Well #2 with Otter Tail Power as presented in the amount of \$5,500.** **Motion carried with a roll call vote of 8-0.**

**Public Works Equipment Replacement Plan Review – motion** to recommend approval of the plan presented ó **Motion by Hansey, seconded by DeVries, to approve the Public Works Equipment Replacement Plan as presented.** Discussion held. **Motion carried with all voting ‘aye’.**

**Tenco Blower & 1988 Ford LT 8000 Tandem Replacements – motion** to recommend acquisition of a new SnoGo Blower from Wausau Equipment (to be acquired via capital lease) ó **Motion by Hansey, seconded by Schmidt, to approve the acquisition of a new SnoGo Blower from Wausau Equipment (to be acquired via capital lease).** Discussion held. **Motion carried (7-1) with Hansey, Bertsch, Mitskog, DeVries, Bajumpaa, Bohn, and Schmidt voting ‘aye’; and Dale voting ‘nay’.**

## **SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Franchise Committee May 5<sup>th</sup>, immediately following Council (postponed to May 19<sup>th</sup>)
- b. Finance Committee May 12<sup>th</sup>, 12:00 Noon
- c. Public Works Committee May 13<sup>th</sup>, 12:00 Noon
- d. Planning Commission May 15<sup>th</sup>, 4:00 p.m.

**Motion by Mitskog, seconded by Bertsch, to adjourn at 5:45pm.**

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Mayor Sturdevant

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Lynelle Amos, Finance Assistant