

**Wahpeton City Council**  
**October 21, 2013**  
**5:00 p.m.**

**Present:** Schmidt, Hansey, Bertsch, Mitskog, Sturdevant, DeVries, Dale, Bajumpaa, and Bohn

**Absent:** None

**Also Present:** Huwe, Lies, Miranowski, Priebe, MacIver, Amos, and Gutzmer

Meeting called to order by Mayor Sturdevant.

**PUBLIC HEARINGS / ETC.**

**Proclamation “Extra Mile Day” November 1<sup>st</sup>** Sturdevant read the proclamation declaring November 1, 2013 to be “Extra Mile Day”. He urged individuals in the community to take time on this day to not only “go the extra mile” in his/her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

**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 October 7, 2013**

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

Richland County 4-H Raffle Permit

NDSCS Building Construction Technology Club Raffle Permit

Other Games of Chance and/or Special Permits

**Presentation/Approval of Reports**

September 2013 Financials

September 2013 Bill Pay Report (\$929,634.84 – see below)

Dilapidated Properties Report

Letter from Simone Sandberg to Freedom Resource Ctr.

**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**

**Request for Proposals – Award Recommendation for 316 17<sup>th</sup> Ave. Property** Huwe said this item had been referred to the Finance Committee who held some discussion and heard recommendation from staff regarding the surplus property disposal at 316 17<sup>th</sup> Ave N. Huwe explained that the City originally acquired this property in 2004 as part of their flood mitigation project, and during construction and final alignment of the levy it was not sure what its final disposition would be. She said it came to light that the property was able to be re-platted and resold. She said an advertisement for proposals was done and three proposals were received, of which one was for demolition of the house and construction of a new home on the site, and the other two proposals were both to renovate the structure extensively. A summary of the proposals was provided, along with the staff recommendation to accept the proposal submitted by Gerhardt Fick to remove the current home and construct a new home on the site. The new structure will be built in

compliance with the Flood Plain Management Ordinance, contribute to the property values of adjacent properties and return the greatest amount on the value of the property to the City. Huwe requested a motion from the Council approving acceptance of the proposal submitted by Gerhardt Fick in the amount of \$70,000.00 for the property at 316 17<sup>th</sup> Ave N. **Motion by Bajumpaa, seconded by Bohn, to approve acceptance of the proposal submitted by Gerhardt Fick in the amount of \$70,000.00 for the property located at 316 17<sup>th</sup> Avenue North.** Discussion held. **Motion carried with all voting ‘aye’.**

**Library Director Job Description – Request approval of description & proceed to advertise**

Huwe said Library Director MacIver previously announced her retirement effective December 31, 2013, and as part of the process to recruit for her position the Library Director job description was reviewed for accuracy and a draft was provided. Huwe requested a motion approving the Library Director job description so can proceed with advertising. **Motion by Bertsch, seconded by Mitskog, to approve the Library Director Job Description as presented, and to proceed with advertising for the Library Director position. Motion carried with all voting ‘aye’.**

**Social Media Policy – Request of approval of revised policy**

Huwe said this was previously referred to the Finance Committee, and the City Attorney had made a suggestion to add one line. When talking about the social medial policy, Huwe said it would be a policy that would be posted on the City website and would also apply to any Facebook posting and/or Twitter postings. She said Economic Development Director Priebe manages the City’s social media content and it would be beneficial to have some guidelines to follow when citizens make posts and also when the City makes posts. She said the amendment to the policy that was previously presented now includes the statement (any activity in support of or in opposition to a ballot measure or the election or nomination of a candidate to public office) as one of the prohibited actions, and copies of the revised policy were provided. She requested a motion to approve the policy as previously presented. **Motion by Mitskog, seconded by Bertsch, to approve the revised Social Media Policy as presented. Motion carried with all voting ‘aye’.**

**City Owned Property Inquiry – request referral to Finance Cmt. & PW Cmt.**

Mayor Sturdevant will refer this item to Finance, Economic Development & Personnel Committee, and also, to the Public Works & Public Safety Committee.

Huwe then introduced the new Municipal Clerk of Court Diane Poppen, who she said joined the City of Wahpeton the first week of October and then shared some of her background information. **Motion by Schmidt, seconded by Hansey, to suspend the rules. Motion carried with all voting ‘aye’.** **Motion by Mitskog, seconded by Bertsch, to approve Mayor Sturdevant’s confirmation of the appointment of Diane Poppen to the Municipal Clerk of Court position for the City of Wahpeton. Motion carried with all voting ‘aye’.**

**ATTORNEY**

**Addendum to Oakwood Ct. Development Agreement**

City Attorney Lies said the development agreement the City has with the developers in Oakwood addition, which is located off of Oakwood Avenue and proceeds south into the newly constructed cul-de-sac, calls for there to be 4 units built within 24 months. He said it was anticipated construction would be done sooner on the street and infrastructure and it has gotten so late in the construction season that an addendum to the contract is being requested that would start that 24 month period on May 1<sup>st</sup>. Lies said it could be referred to committee or action could be taken by Council at this time. **Motion by Dale, seconded by DeVries, to approve the Addendum to the Oakwood Court Development Agreement as presented by City Attorney Lies. Motion carried with all voting ‘aye’.**

Lies asked to address another item that was not on the agenda. He said the City had been waiting for a survey to be completed to acquire the property that the Council approved purchasing/donated by the Park Board that runs along the City levy in Briarwood on the east side and needed a legal description. Lies said there is a license for Don Seerup to allow a fence on City property. He said the Flood Committee has discussed this item but did not vote on it, so it can either be referred back to that committee or the Council could suspend the rules and take action tonight. **Motion by Bajumpaa, seconded by Dale, to suspend the rules. Motion carried with all voting 'aye'.** Lies then explained the difference between a license and an easement. **Motion by Dale, seconded by Bajumpaa, to approve a license for Don Seerup to allow a fence on City property on the east side of the Briarwood levy.** Discussion held. **Motion carried with all voting 'aye'.**

### **ECONOMIC DEVELOPMENT DIRECTOR**

**EDC Recommendations** Priebe said the Economic Development Commission met on October 9<sup>th</sup> and presented their recommendations. She said a request was heard from Chamber Executive Director Ron Rowland regarding a plan similar to last year's Holiday Promotion. Sales Tax funds would be used to help leverage dollars needed to promote holiday shopping in 2 areas: the "Poinsettia Promotion" and the "Shop Local" campaign. There is a 3<sup>rd</sup> leg of the program that is supported by local chamber businesses called "Dash for Cash". Each of these segments incent shoppers to spend their dollars in the community. The total amount requested is \$10,000. There is a \$2,000 administrative fee that is being covered by the City of Breckenridge. The grant would be disbursed on a reimbursement basis. The EDC unanimously recommended the approval of this request as presented. **Motion by Bertsch, seconded by Mitskog, to approve \$10,000 from the Sales Tax for Economic Development Fund for the 2013 Chamber Holiday Promotion program as presented. Motion carried with a roll call vote of 8-0.**

Priebe said the EDC also received an application for grant funding from the Three Rivers Arts Council. The source of funds is the Rec Set-Aside and the request is for \$56,235. Part of the grant will go to write off the balance of the zero interest Non-Profit RLF loan approved in 2009, the current balance of which is \$33,475 [original amount of \$39,000 and TRAC (Three Rivers Arts Council) has made 17 months of payments of \$325]. This leaves \$22,760 for repairs to the basement of the Gallery located at 418 Dakota Avenue. An application and supporting documentation along with eight testimonials was presented to the EDC. TRAC owns the facility and the Red Door Art Gallery manages the operations. Several members of the Three Rivers Arts Council and Red Door Art Gallery were present to show their support and were also recognized. Priebe said the EDC recommends approval of the grant request. **Motion by Bertsch, seconded by Mitskog, to approve a \$56,235 grant from the Recreation Set-Aside fund to the Three Rivers Arts Council to make repairs to the Red Door Art Gallery basement and to use the funds to pay the balance owed on the Revolving Loan Fund loan.** Discussion held regarding the notable improvements to the Art Gallery. **Motion carried with a roll call vote of 8-0.**

Priebe then gave a courtesy report on the EDC acting as the Jobs Development Authority. She talked briefly about a JDA PACE interest buy-down which she said it was found out after working with the Bank of ND that the dollar amount that was approved needs to be adjusted, so will be reporting on again once the changes are made prior to the loan closing after November 1<sup>st</sup>.

**Economic Development Report** Priebe said she attended a Golf Board meeting and although they have had a very successful year they are still running at a loss so a request will be brought to the EDC by year's end. An exact dollar amount that they will be making the request for is not yet known.

Priebe said the Classy & Classic car show held October 8<sup>th</sup> was a success, and hopes the event will continue into the future. She also announced that a meeting of the CEO will be held Friday, October 25<sup>th</sup> at 8:00am. She then stated that she would be out of the office on Thursday, October 24<sup>th</sup> to attend a meeting of the Workforce Development Council, of which her term has been extended to June 2016.

### **LIBRARIAN**

**Library Update** Librarian MacIver reported that Chocolate Chocolate at the library was a great success grossing a little over \$3,000. She then reported that the day before this event the elevator/lift broke down again. She gave some history on past repairs made to the lift. She said the two panels that cover the pulleys for the lift have been damaged beyond repair, and provided a copy of the repair order from ThyssenKrupp. She said for the price of \$1,899.45 they will provide two new panels, with the work being done during their regular next service visit, which is about 4 weeks out, and will help to cut down on the amount of labor. She said in the meantime the library is without a lift. MacIver said she is checking into what a new lift would cost but had not received any numbers prior to tonight's meeting. **Motion by DeVries, seconded by Bohn, to suspend the rules. Motion carried with all voting 'aye'. Motion by DeVries, seconded by Schmidt, to approve the repair of the lift/elevator at the library at the cost of \$1,899.45 by ThyssenKrupp Elevator Corp. from the Library Fund.** Extensive discussion was held regarding the possible replacement of the lift. Once estimates for a new lift are received the Library Board will request referral of this matter to the Public Works Committee. **Motion carried with a roll call vote of 8-0.**

### **PUBLIC WORKS DIRECTOR**

Miranowski requested referral to PW/PS Committee for **an amendment with AE2S Engineering for the East Side Sanitary Sewer.** Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to PW/PS Committee for **a Change Order consideration to the Cul-de-Sac Street Improvements Project.** Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

Miranowski gave an update on some of the projects currently taking place in the City, which included the Cul-de-Sac Improvements Project, Red River Court, the 6<sup>th</sup> St South bike/walking path Project, the Briarwood Flood Protection Project, the Town Centre Square Project, the Commercial Streets Project, and the South Side Drainage Project. He also mentioned the city-wide hydrant flushing that will be taking place October 29, 30 and 31.

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

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

Bohn said the Finance, Personnel & Economic Development Committee did not have a quorum present at their October 14<sup>th</sup> meeting and was discussion only.

**Request for Proposals Recommendations on 316 17<sup>th</sup> Ave. N. Property – discussion**

**400 Block Update – discussion**

**Wells Fargo Ebill and Ebox Proposal – discussion**

**Economic Development by the Numbers – discussion**

**Social Media Policy – discussion**

**Retirement of Library Director – discussion**

**Building Official Job Description – (discussion to revisit at 1<sup>st</sup> meeting in November)**

**Public Works & Public Safety Committee Report**

Hansey said the Public Works Public Safety Committee met at noon on October 15<sup>th</sup>.

**ND DOT Cost Participation, Construction & Mtce. Agreement for 11<sup>th</sup> St. N. Project – motion to recommend approval – Motion by Hansey, seconded by Schmidt, to approve the ND DOT Cost Participation, Construction & Maintenance Agreement for the 11<sup>th</sup> Street North Project. Motion carried with all voting ‘aye’.**

**Tenco 2 Stage Snow Blower Purchase Request – discussion to be added to pending topics**

**Snow Blower Attachment for 6<sup>th</sup> St. S. Shared Use Path Mtce. – motion to recommend purchase – Motion by Hansey, seconded by Schmidt, to approve the purchase of a Snow Blower Attachment for the Bobcat for the 6<sup>th</sup> Street South Shared Use Path Maintenance at the cost of up to \$5,000. Motion carried with all voting ‘aye’.**

**Snow Removal Policy – motion to recommend approval of changes as indicated – Hansey reviewed the recommended changes. Motion by Hansey, seconded by DeVries, to approve the Snow Removal Policy with changes as indicated. Motion carried with all voting ‘aye’.**

**400 Block Update – discussion**

**Dilapidated Properties Update – motion to recommend acquisition of 104 2<sup>nd</sup> Ave. N. - Motion by Hansey, seconded by Schmidt, to approve the acquisition of 104 2<sup>nd</sup> Avenue North for \$1.00. Motion carried with all voting ‘aye’.**

**Fireworks License Changes – discussion**

**Hydrant Policy – motion to recommend approval of revised policy as presented – Lies explained the resolution to be adopted and corresponding ordinance regarding the hydrant policy. Council member Hansey offered the following and moved its adoption:**

**RESOLUTION NO. 3532**  
**RESOLUTION APPROVING AND ADOPTING**  
**PUBLIC WORKS DEPARTMENT POLICY**  
**FOR USE OF FIRE HYDRANTS**  
**FOR CONSTRUCTION RELATED PURPOSES**

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

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

**ORDINANCE NO. 955**  
**AN ORDINANCE AMENDING**  
**SECTION 44-52 HYDRANTS**

**Building Official Job Description – (discussion to revisit at 1<sup>st</sup> meeting in November)**

## Disposition of City Owned Lots – ongoing discussion

September 2013 Bill Pay Report

<b>DISBURSEMENTS FUND</b>	<b>ACCOUNTS PAYABLE</b>	<b>PAYROLL &amp; GL</b>	<b>TOTAL</b>
101 GENERAL FUND	\$195,224.54	\$19,279.26	\$214,503.80
201 WATER OPERATING FUND	\$100,072.63	\$60,191.80	\$160,264.43
202 SANITARY SEWER OPERATING FUND	\$27,416.70	\$19,605.50	\$47,022.20
203 WASTE REMOVAL OPERATING FUND	\$21,136.50	\$725.30	\$21,861.80
205 VECTOR CONTROL FUND	\$7,053.66	\$1,463.44	\$8,517.10
206 STREET LIGHTING	\$7,986.23		\$7,986.23
209 LIBRARY LEVY FUND	\$3,832.69	\$13,599.29	\$17,431.98
213 ADVERTISING LEVY FUND	\$746.56		\$746.56
216 AIRPORT 4-MILL LEVY FUND		\$449.98	\$449.98
217 PLANN COMMISSION LEVY FUND	\$1,640.40	\$1,125.48	\$2,765.88
222 SOCIAL SECURITY LEVY FUND	\$23,751.15		\$23,751.15
224 RETIREMENT FUND	\$25,945.96		\$25,945.96
227 ANNUAL RESERVE WH FUND		-\$3,109.00	-\$3,109.00
229 CAPITAL IMPROVEMENTS FUND	\$2,297.90		\$2,297.90
233 REAL ESTATE LEVY FUND	\$120.96		\$120.96
236 LEVEE MAINTENANCE	\$880.74	\$6,065.55	\$6,946.29
240 SPECIAL TRANSPORTATION FUNDING	\$2,250.00		\$2,250.00
253 METER DEPOSITS TRUST FUND	\$153.68		\$153.68
261 UNEMPLOYMENT COMP RESERVE FUND	\$239.98		\$239.98
271 ECONOMIC DEVEL DEPT FUND	\$1,968.05	\$11,258.72	\$13,226.77
305 VECTOR CONTROL DIST LEVY FUND		\$54.49	\$54.49
315 TAX INCREMENT FUND		\$3,750.00	\$3,750.00
316 1% LODGING TAX (ADDTL 1/1/08)	\$3,000.00		\$3,000.00
318 WEED MAINT LEVY FUND	\$5,638.50		\$5,638.50
319 LODGING TAX FUND	\$608.50		\$608.50
320 SALES TAX OPERATING FUND	\$36,322.09		\$36,322.09
323 SALES TAX DEVELOPERS AGMNT RES	\$23,456.00		\$23,456.00
325 SALES TAX H.E.L.P. HOUSING FUND	\$175.00		\$175.00
326 REVOLVING LOAN FUND	\$34,287.82		\$34,287.82
361 GASOLINE,OIL,ETC		-\$4,158.21	-\$4,158.21
390 CLUBHOUSE MAINTENANCE	\$1,622.18		\$1,622.18
393 DOWNTOWN CARE & MTC FUND	\$183.30		\$183.30
572 SALES TAX FOR FLOOD FUND	\$27,381.36		\$27,381.36
574 5-2-97 (FLOOD PHASE II)	\$1,637.32		\$1,637.32
608 08-02-03 SSIDE STORM SEWER	\$156.92		\$156.92
611 S SIDE DRAINAGE IMP DR09-150	\$210,438.77		\$210,438.77
615 CUL DE SAC IMPROVEMENTS	\$7,894.30		\$7,894.30
620 TOWN CENTRE SQUARE	\$5,630.10		\$5,630.10
629 66TH ST S SHARED USE PATH	\$10,000.00		\$10,000.00
634 COMMERCIAL STREET REHAB	\$7,630.00		\$7,630.00
635 LIFT STATION NO. 5 SS12-192	\$552.75		\$552.75
<b>TOTAL</b>	<b>\$799,333.24</b>	<b>\$130,301.60</b>	<b>\$929,634.84</b>

## SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Committee October 28<sup>th</sup>, 12:00 Noon
- b. PW/PS Committee October 29<sup>th</sup>, 5:00 P.M. (please note this is a 5:00 meeting)
- c. Planning Commission November 4<sup>th</sup>, 4:00 P.M.

**Motion by Mitskog, seconded by Bertsch, to adjourn at 5:50 p.m.**

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Mayor Sturdevant

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Lynelle Amos, Finance Assistant