

**Wahpeton City Council**  
**November 18, 2013**  
**5:00 p.m.**

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

**Absent:** Bertsch and DeVries

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

Meeting called to order by Mayor Sturdevant.

**PUBLIC HEARINGS / ETC.**

**Proclamation – Wahpeton Huskies Football Team** – Mayor Sturdevant read the proclamation declaring “Wahpeton Huskies Football North Dakota Class AA State Finalist Day November 18, 2013”. The proclamation congratulated the Wahpeton Huskies Football Team for their hard work, dedication, and success in achieving a winning season of 10-2 and earning the title of North Dakota State Class AA Finalist, commended Wahpeton High School for excellence in athletics and academics and their contribution to a thriving, vibrant community, and urged each individual in the community to take time on this day to join in congratulating the team on their great season and wishing them continued success in future years. Coach Brian Dokken and senior players Jack Christensen, Brock Lingen, Michael Dassenko, and Jacob Grueneich were present to accept the proclamation certificate on behalf of the football team.

**Carolyn Goerger, President Richland-Wilkin Humane Society** – Carolyn Goerger, current Vice-President of the Richland-Wilkin Humane Society, said it had been brought to her attention some concerns regarding the current ordinances which she noted were last updated in 1996 which is ten years before the Humane Society was formed. She said some wordage changes are needed to include the Humane Society. She said it has also become knowledge that the local and area law enforcement agencies have a very limited budget so sometimes animals aren’t always brought in as they should be which she felt she may have a solution for. Goerger stated that there is a lot of work ahead and this is just the start. Sturdevant said it’s the Richland-Wilkin Humane Society so wondered if the same request was going to be made of Wilkin County and the City of Breckenridge, which Goerger answered that they would. Discussion held regarding whether it would be possible for Wahpeton/Richland to work with Breckenridge/Wilkin so similar ordinances can be done. Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

**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 November 4, 2013**

**Approval of minutes of the closed session held November 4, 2013**

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

Wahpeton Baseball/American Legion Baseball Raffle Permit

South East Fraternal Order of Police Raffle Permit

Diane (Bernard) Anderson Benefit Raffle Permit

Other Games of Chance and/or Special Permits

**Presentation/Approval of Reports**

October 2013 Financials

October 2013 Bill Pay Report (\$1,288,383.95 – see below)

Dilapidated Properties Report

ND Growth EDND Fall Conference Report  
GNDC Policy Kickoff Meeting 12/5/13  
Lake Agassiz Regional Council CDBG Program Public Hearing Notice  
Notice of the Annual Holiday Party

**Motion by Hansey, seconded by Schmidt, 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**

**City License Renewal Information** – Huwe gave a reminder that the annual City license renewal process has begun with the license applications due back to City Hall by November 26<sup>th</sup>. She said these include liquor, tobacco, amusement, waste haulers, and recycling. Huwe said at the December 2<sup>nd</sup> City Council meeting a list will be presented for approval.

**City Election Calendar** – Huwe said the North Dakota Secretary of State is responsible for elections and just recently published the 2014 North Dakota election calendar which shows the deadlines. She said the earliest day to begin circulating petitions for city elections will be Wednesday, January 1, 2014, and can start turning completed petitions in on Thursday, January 2, 2014. Huwe said election packets will be available on the city website starting January 1<sup>st</sup>. Petitions will be due at City Hall by 4:00pm on Monday, April 7, 2014.

**Old City Hall – request referral to PW Cmt.** - Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

**City Hall Closed Thursday, Nov. 28<sup>th</sup> in observation of Thanksgiving**

**ATTORNEY**

**Rosewood Reserve Lots – refer to Finance Cmt.** - Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

**Resolutions for 11<sup>th</sup> St. N. Project** – Lies explained the need for the following resolutions. Council member Bohn offered the following and moved its adoption:

**RESOLUTION NO. 3533**  
**RESOLUTION RECEIVING AND APPROVING ENGINEER'S REPORT  
IN STREET AND STORM SEWER IMPROVEMENT DISTRICT 12-01-06  
(11<sup>th</sup> Street North - Reconstruction)  
(Avenue B to 16<sup>th</sup> Avenue North)  
(11<sup>th</sup> Street North to Highway 210 Bypass – Storm Sewer)  
(Project No. ST12-187)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Dale. Motion carried with a roll call vote 6-0.

Council member Bohn offered the following and moved its adoption:

**RESOLUTION NO. 3534**  
**RESOLUTION DIRECTING PREPARATION OF PLANS  
AND SPECIFICATIONS AND ESTIMATE OF COST FOR THE**

**IMPROVEMENT DISTRICT 12-01-06**  
**(11<sup>th</sup> Street North - Reconstruction)**  
**(Avenue B to 16<sup>th</sup> Avenue North)**  
**(11<sup>th</sup> Street North to Highway 210 Bypass – Storm Sewer)**  
**(Project No. ST12-187)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Dale. Motion carried with a roll call vote 6-0.

Council member Bohn offered the following and moved its adoption:

**RESOLUTION NO. 3535**  
**RESOLUTION APPROVING PLANS AND SPECIFICATIONS**  
**AND ESTIMATE OF COST FOR THE IMPROVEMENT IN**  
**STREET AND STORM SEWER IMPROVEMENT DISTRICT 12-01-06**  
**(11<sup>th</sup> Street North - Reconstruction)**  
**(Avenue B to 16<sup>th</sup> Avenue North)**  
**(11<sup>th</sup> Street North to Highway 210 Bypass – Storm Sewer)**  
**(Project No. ST12-187)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Dale. Motion carried with a roll call vote 6-0.

Council member Bohn offered the following and moved its adoption:

**RESOLUTION NO. 3536**  
**RESOLUTION DECLARING WORK NECESSARY FOR AN**  
**IMPROVEMENT IN**  
**STREET AND STORM SEWER IMPROVEMENT DISTRICT 12-01-06**  
**(11<sup>th</sup> Street North - Reconstruction)**  
**(Avenue B to 16<sup>th</sup> Avenue North)**  
**(11<sup>th</sup> Street North to Highway 210 Bypass – Storm Sewer)**  
**(Project No. ST12-187)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Dale. Motion carried with a roll call vote 6-0. Lies explained that this resolution of necessity needs to be published two times with the ad run for 30 days prior to a public hearing, and in order to do this public hearing in a timely matter it needs to be scheduled for slightly over 30 days in the future to get it done this calendar year requiring a Special City Council meeting on December 23<sup>rd</sup> at noon prior to the Finance Committee meeting.

Lies then addressed an item that was not on the agenda. He requested that review of the City's DUI ordinance be referred to the Public Works Committee. Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

**ECONOMIC DEVELOPMENT DIRECTOR**

**Economic Development Report** Priebe said a Planning Commission/Renaissance Zone Authority meeting was held just prior to this meeting. She then reviewed the recommendation from the RZA. Priebe said the RZA reviewed a request for a Lease Project. She said Two Ladies Crafting, LLC is starting a business in the back part of the building where Classic Hair Design and Vern's Barber Shop are located. The address is 516 Dakota Avenue, and access to the business is from the alley or 1<sup>st</sup> Avenue North. Priebe said this structure has been designated as a Renaissance Zone Project and

current and new tenants may apply for a 5 year state income tax exemption if they choose to go through the application process. She said this business is opening an arts and crafts store and owners Peggy Durkee and Tracy Kohlgraf plan to offer stamping, scrapbooking, yarn, crochet thread, art painting supplies, looms, etc. within a 2,000 SF space. Priebe noted they have applied for a Mini-Match Grant and qualified for a FLEX Loan from the City. **Motion by Mitskog, seconded by Bohn, to approve the application from Two Ladies Crafting, LLC as a Renaissance Zone Lease Project. Motion carried with all voting 'aye'.**

Priebe said the Community Development Corporation Board met last week and toured Heartland Precision. She said in addition to the threading and plating processes that make up the majority of operations in that building, Heartland and ComDel also have a 3M paint gun line, they manufacture streamline IV poles, and they also have contracts with Feed Logic. She said they will likely be expanding their space in the near future as more products are brought online. Priebe said there are now about 200 employees between their two buildings.

Priebe then talked about the North Dakota Growth document from the North Dakota Department of Commerce that had been provided. She said there were some interesting facts and figures within the document and that it's always a topic of conversation of how well North Dakota is doing.

Priebe said that an invitation from the Economic Development Commission for a Holiday Social was also distributed. She said it will be held Wednesday, December 18<sup>th</sup> from 5:00-7:00pm at the Red Door Art Gallery. Priebe said this will be an open meeting for idea sharing and looking into the future.

Regarding the Greater North Dakota Chamber 2013 Policy Development Session, Priebe said the one scheduled for Wahpeton will be held Thursday, December 5<sup>th</sup> from 8:00-9:15am at the ND State College of Science Technology Center.

### **PUBLIC WORKS DIRECTOR**

Miranowski said he received a Change Order #3 for the Town Centre Square Plaza renovation last Friday and the final pay request for that project, and asked for suspension of the rules to address this matter. **Motion by Dale, seconded by Bohn, to suspend the rules. Motion carried with all voting 'aye'.** Miranowski said the Change Order net amount is \$1,837.92, and is basically for finalling out the project. He said when you tally up the quantities for the project this amount is reached. He said there was 70' of additional pipe that was found in the ground that needed to be removed, there was 26 linear feet of storm sewer that wasn't needed so was deducted, 244 square feet of 4 inch concrete sidewalk was added, and 42 square feet less of colored concrete that was deducted, and after doing the calculations it totals the \$1,837.92. **Motion by Mitskog, seconded by Hansey, to approve Change Order #3 for the Town Centre Square Plaza Renovation in the amount of \$1,837.92. Motion carried with a roll call vote of 6-0.**

Miranowski then gave an update on the condition of Red River Court. He said they have been in contact with the contractor and will hold a meeting with him to discuss the fix. Miranowski said last week the contractor was at the site and fixed the tripping hazards that had been present but will need to figure out a final fix for that project.

### **COMMUNICATIONS FROM THE MAYOR & COUNCIL**

**Southside Industrial Area – request referral to PW Cmt. (Councilmember Dale)** – Dale requested that the clean up of the Southside Industrial Area be referred to the Public Works Committee. Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

Mayor Sturdevant shared an invitation to meet and listen to the new interim Chancellor of North Dakota University Systems, Dr. Larry Skogen, which will be held Friday, November 22<sup>nd</sup> at 2:15pm at the Bremer Bank Theatre on the NDSCS campus.

**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 November 12<sup>th</sup>.

**City Owned Property Disposition – motion** to recommend additional wording pertaining to development agreement. **Motion** to recommend approval of the requests for proposals – **Motion by Bohn, seconded by Mitskog, to approve the additional wording pertaining to a development agreement under Section C. Required Development of the Special Conditions of Contract for Wahpeton Public Land Adjacent to 1900 4<sup>th</sup> St N. Motion carried with all voting ‘aye’.**  
**Motion by Bohn, seconded by Mitskog, to approve the Advertisement for Proposals, Special Conditions of Contract, and Purchase Agreement for City of Wahpeton Surplus Property Adjacent to 1900 4<sup>th</sup> Street North. Motion carried with all voting ‘aye’.**

**NRG Data Backup Services – motion** to recommend approval – **Motion by Bohn, seconded by Bajumpaa, to approve the NRG Data Backup Services Contract as proposed. Motion carried with a roll call vote of 6-0.**

**Golf Course Operations - discussion**

**400 Block Status Report – discussion**

**Building Official Job Description – (discussion pending)**

**Public Works & Public Safety Committee Report**

Hansey said the Public Works Public Safety Committee met at noon on November 13<sup>th</sup>.

**Dilapidated Properties Update – discussion – Motion by Hansey, seconded by Schmidt, to approve publishing a notice in the newspaper for the dilapidated property located at 716 7<sup>th</sup> St North. Discussion held. Motion carried with all voting ‘aye’.**

**Adoption of 2012 I Codes – continuing discussion**

**400 Block Update – discussion**

**Building Official Job Description – (discussion pending)**

October 2013 Bill Pay Report

| <b>DISBURSEMENTS FUND</b>          | <b>ACCOUNTS PAYABLE</b> | <b>PAYROLL &amp; GL</b> | <b>TOTAL</b> |
|------------------------------------|-------------------------|-------------------------|--------------|
| 101 GENERAL FUND                   | \$291,517.96            | \$28,821.43             | \$320,339.39 |
| 201 WATER OPERATING FUND           | \$37,449.92             | \$33,585.35             | \$71,035.27  |
| 202 SANITARY SEWER OPERATING FUND  | \$43,644.85             | \$21,110.07             | \$64,754.92  |
| 203 WASTE REMOVAL OPERATING FUND   | \$21,933.03             | \$725.30                | \$22,658.33  |
| 205 VECTOR CONTROL FUND            | \$15.43                 | \$1,427.12              | \$1,442.55   |
| 206 STREET LIGHTING                | \$8,168.08              |                         | \$8,168.08   |
| 209 LIBRARY LEVY FUND              | \$11,558.84             | \$13,935.41             | \$25,494.25  |
| 213 ADVERTISING LEVY FUND          | \$1,662.52              |                         | \$1,662.52   |
| 216 AIRPORT 4-MILL LEVY FUND       |                         | \$449.98                | \$449.98     |
| 217 PLANN COMMISSION LEVY FUND     | \$892.80                | \$1,125.48              | \$2,018.28   |
| 227 ANNUAL RESERVE WH FUND         |                         | -\$2,246.50             | -\$2,246.50  |
| 233 REAL ESTATE LEVY FUND          | \$347.26                |                         | \$347.26     |
| 236 LEVEE MAINTENANCE              | \$574.98                | \$6,362.43              | \$6,937.41   |
| 261 UNEMPLOYMENT COMP RESERVE FUND | \$7,041.11              |                         | \$7,041.11   |
| 271 ECONOMIC DEVEL DEPT FUND       | \$2,968.87              | \$11,258.72             | \$14,227.59  |
| 303 MISCELLANEOUS FUND             | \$124.80                |                         | \$124.80     |
| 318 WEED MAINT LEVY FUND           | \$1,650.50              |                         | \$1,650.50   |

|                                     |                       |                     |                       |
|-------------------------------------|-----------------------|---------------------|-----------------------|
| 319 LODGING TAX FUND                | \$765.06              |                     | \$765.06              |
| 320 SALES TAX OPERATING FUND        | \$26,945.23           |                     | \$26,945.23           |
| 321 SALES TAX RESERVE FUND          | \$10,000.00           | \$33,475.00         | \$43,475.00           |
| 322 SALES TAX DEFAULTS RES FUND     | \$5,233.80            |                     | \$5,233.80            |
| 325 SALES TAX H.E.L.P. HOUSING FUND | \$80.00               |                     | \$80.00               |
| 326 REVOLVING LOAN FUND             | \$58,988.38           | -\$33,475.00        | \$25,513.38           |
| 361 GASOLINE,OIL,ETC                | \$11,868.00           | -\$4,540.69         | \$7,327.31            |
| 393 DOWNTOWN CARE & MTC FUND        | \$2,504.40            |                     | \$2,504.40            |
| 453 R/I #10708 WESTSIDE TIF         | \$27,341.50           |                     | \$27,341.50           |
| 454 R/I #10809 REFI 5 ISSUES        | \$18,548.00           |                     | \$18,548.00           |
| 455 R/I #10910 SERIES 2010          | \$60,060.87           |                     | \$60,060.87           |
| 456 R/I #11011 SERIES 2011          | \$7,868.25            |                     | \$7,868.25            |
| 457 R/I #11111 SERIES B 2011        | \$34,432.25           |                     | \$34,432.25           |
| 574 5-2-97 (FLOOD PHASE II)         | \$40,471.34           |                     | \$40,471.34           |
| 615 CUL DE SAC IMPROVEMENTS         | \$328,492.84          |                     | \$328,492.84          |
| 620 TOWN CENTRE SQUARE              | \$93,389.42           |                     | \$93,389.42           |
| 629 66TH ST S SHARED USE PATH       | \$1,801.06            |                     | \$1,801.06            |
| 634 COMMERCIAL STREET REHAB         | \$103.50              |                     | \$103.50              |
| 639 E. SANITARY SEWER 13-02-02      | \$17,925.00           |                     | \$17,925.00           |
| <b>TOTAL</b>                        | <b>\$1,176,369.85</b> | <b>\$112,014.10</b> | <b>\$1,288,383.95</b> |

### **SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Finance Committee November 25<sup>th</sup>, 12:00 Noon
- b. PW/PS Committee November 26<sup>th</sup>, 5:00 P.M.(This meeting will be held at Noon instead)

**Motion by Mitskog, seconded by Hansey, to adjourn at 5:40 p.m.**

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Mayor Sturdevant

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Lynelle Amos, Finance Assistant