

Wahpeton City Council
November 4, 2013
5:00 p.m.

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

Absent: Sturdevant

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

Meeting called to order by City Council President Mitskog.

CONSENT AGENDA ITEMS (presented by the City Council President) City Council President Mitskog 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 21, 2013

Games of Chance Licenses, Site Authorizations & Special Permits

NDSCS Electrical Club Raffle Permit

NDSCS Home Builders Assoc. Club Raffle Permit

Wahpeton Fire Dept. Raffle Permit

NDSCS Machinist Club Raffle Permit

Other Games of Chance and/or Special Permits

Presentation/Approval of Reports

ND State Water Commission Water Planning Process Meetings

Richland County Health Dept. Tobacco Prevention Coord. Correspondence

Q3 Lodging Tax Report

Motion by Bertsch, seconded by Hansey, 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

Interim Tax Committee Meeting Huwe said this item was informational only. She said the North Dakota Legislative Interim Tax Committee will meet Tuesday and Wednesday of this week, and have a very comprehensive agenda to review property taxes and local government funding. Huwe said there would not be any local representation participating, however Senator Dotzenrod is a sitting member of the interim committee. She felt they were making a concerted effort to educate themselves about how the property tax system works. Huwe said she will be providing a presentation of how the City of Wahpeton adopts their budget annually tomorrow at the State Capitol.

Request for Proposals – City Hall Property – request referral to Finance Cmt.

City Council President Mitskog will refer this item to Finance, Economic Development & Personnel Committee.

NRG Data Backup Services Contract – request referral to Finance Cmt.

City Council President Mitskog will refer this item to Finance, Economic Development & Personnel Committee.

City Hall Closed Monday, November 11th in observation of Veteran's Day

ASSESSOR/BUILDING CODES

Adoption of the 2012 I Codes – request referral to PW Cmt.

City Council President Mitskog will refer this item to the Public Works & Public Safety Committee.

ATTORNEY

Development Agreement City Attorney Lies said this was actually an Architectural Services Agreement and asked that it be moved to the end of the agenda as will need to go into closed session to discuss negotiations and strategies due to new information collected.

Second Reading of Ordinance No. 955 amending Sec. 44-52 Hydrants

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

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

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

ECONOMIC DEVELOPMENT DIRECTOR

Economic Development Report Priebe reported that the Planning Commission/RZA meeting scheduled for earlier today was postponed to Thursday, November 21st. She informed the Council that her office has received a pre-application for an RZA lease project at 516 ½ Dakota Avenue, Suite #3 for a start-up business known as Two Ladies Crafting, which is a craft and art supply store located behind Classic Hair Studio and Vern's Barbershop, with the entrance to the business being from the alley. The owners are anticipating a mid-November opening.

Economic Development Commission recommendations Priebe said the EDC met Monday, October 28th but due some communications since that time the information needs to be reviewed and need to strategize and negotiate some of the issues that were brought up by the architect regarding the 400 Block Project and also the developer. This will be addressed at the end of the meeting.

Development Team Report on the 400 Block Project – request referral to both cmts.

PUBLIC WORKS DIRECTOR

PW Report – Miranowski said that there have not been any changes on the projects taking place in the City. He reported that there was an issue regarding the cul-de-sac projects in Red River Court, as the work the contractor did in that area was unacceptable. Miranowski said he met with Interstate Engineering and a letter has been sent to the contractor indicating that the work is unacceptable, and unfortunately any corrections cannot take place until next spring. Affected residents have been sent letters informing them of the situation.

Miranowski also reported on the 3rd Avenue project. He said because of the amount of assessments needed for the project, and what's going to happen with Central School, he has talked with Interstate Engineering and decided to put the project on hold for now.

COMMUNICATIONS FROM THE MAYOR & COUNCIL

Councilmember DeVries DeVries made note of an event in Wahpeton. He said the Three Rivers Crisis Center is celebrating 20 years of providing services, and will be holding their celebration this

Friday, November 8th from 5:00-7:00pm at the Eagles Club with special guest speaker ND Senator Heidi Heitkamp. Questions can be directed to the Crisis Center at 701-642-2115.

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 October 30th.

City Owned Property Inquiry – motion to recommend requests for proposals contingent upon recommendation from PW Cmt. regarding disposition – **Motion by Bohn, seconded by Bertsch, to approve advertising for proposals for the property located North of Wahpeton City Hall with the exceptions indicated and contingent upon recommendation from Public Works Committee regarding disposition. Motion carried with all voting ‘aye’.**

Wells Fargo Ebill & Ebox proposal – discussion topic to be removed from agenda

Building Official Job Description – (discussion to revisit at 1st meeting in Nov.)

Public Works & Public Safety Committee Report

Hansey said the Public Works Public Safety Committee met at 5:00 pm on October 29th.

Contract Amendment with AE2S on East Side Sanitary Sewer Facility Plan Sanitary Sewer Imp. District 13-02-02 – motion to recommend approval of contract amendments as presented increasing contract from \$86,000 to \$116,500 – **Motion by Hansey, seconded by Schmidt, to approve the Contract Amendment with AE2S on East Side Sanitary Sewer Facility Plan Sanitary Sewer Imp. District 13-02-02 as presented increasing the contract from \$86,000 to \$116,500. Roll call vote 8-0. Motion carried.**

Change Order No. 1 with Central Specialties Inc. on Cul-de-sac Street Imp. District 10-02-04 Proj. No. ST10-161 – motion to recommend approval of CCO #1 in the amount of \$6,417.04 increasing the contract total to \$642,260.19 – **Motion by Hansey, seconded by Schmidt, to approve Change Order No. 1 with Central Specialties Inc. on Cul-de-sac Street Imp. District 10-02-04 Proj. No. ST10-161 in the amount of \$6,417.04 increasing the contract total to \$642,260.19. Roll call vote 8-0. Motion carried.**

City Owned Property Inquiry – motion to recommend disposition of the parcel as presented. Hansey reported that a motion had been made by the Public Works Committee to support the motion brought forward previously by Bohn from the Finance Committee.

Fireworks License Changes – no action taken to initiate change in the current ordinance

Chair Lift Replacement at the Library – discussion

Building Official Job Description – (discussion to revisit at 1st meeting in Nov.)

NEW BUSINESS

Priebe requested that the Golf Course operations discussion be referred to Finance Committee. City Council President Mitskog will refer this item to Finance, Economic Development & Personnel Committee.

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Committee November 12th, 12:00 Noon (please note this is a Tues. meeting)

- b. Public Works Committee November 13th, 12:00 Noon (please note this is a Wed. meeting)

Motion was made by Bohn, seconded by Bajumpaa, to close the meeting to go into executive session to consider strategic negotiations on the 400 Block, its combination development agreement/architectural services agreement. Motion carried with all voting ‘aye’. The next agenda item was confidential under NDCC §44-04-18.4 in that the reason for subject is to consider strategic negotiations on the 400 Block, its combination development agreement/architectural services agreement. The minutes will show that the executive session began at 5:22 pm o’clock and will reflect who was present for this executive session: Council Members Meryl Hansey, Marty Schmidt, Renelle Bertsch, Alisa Mitskog, Chris DeVries, Steve Dale, Don Bajumpaa, and Tiana Bohn, Finance Director Darcie Huwe, Public Works Director Dennis Miranowski, Economic Development Director Jane Priebe, Librarian Bonnie MacIver, City Attorney Steve Lies, and City Finance Assistant Lynelle Amos.

Motion by Hansey, seconded by Schmidt, to come out of closed session and re-open the meeting. Motion carried. The meeting re-opened at 6:04 p.m. Mitskog said having adjourned the closed session the meeting was now in open meeting.

Priebe said the Economic Development Commission’s recommendation has now been modified by the full City Council in a closed session. She explained that what has changed is that a study for the life safety issues on the 400 Block has been proposed to be reported on by Craig Helenske of Helenske Design Group and they propose a two-step process, each step costing \$25,000. The City Council just met and approved recommending up to \$25,000 for just step one of the Helenske proposal and formal approval in open session was needed. **Motion by Bohn, seconded by Bertsch, to approve up to \$25,000 from Sales Tax for Economic Development for Step 1 only of the Scope of Services outlined by Helenske Design Group proposal. Roll call vote 8-0. Motion carried.**

Priebe said the second part that needed approval from the full City Council was for an Architectural Services Agreement between Phoenix Housing, the City of Wahpeton and the 400 Block Partnership, which is a service agreement that is subject to changes which she described. **Motion by Bajumpaa, seconded by DeVries, to approve the Architectural Services Agreement between Phoenix Housing, the City of Wahpeton and the 400 Block Partnership subject to the following changes: Delete “any other...” paragraph language; Include a non-assignment clause; and Provide for a valid purchase agreement of sufficient duration of 120 days. Motion carried with all voting ‘aye’.**

Motion by Bertsch, seconded by Hansey, to adjourn at 6:10pm.

City Council President Mitskog

Lynelle Amos, Finance Assistant