

**Wahpeton City Council  
September 7, 2010**

**Present:** Mitskog, DeVries, Dale, Bohn, Bajumpaa, Hansey, and Hartman.

**Absent:** Mayor Sturdevant and Bertsch.

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

Meeting called to order by Council President Mitskog.

**Motion by DeVries, seconded by Bajumpaa to approve the Council Minutes from August 16, 2010. Motion Carried.**

**Motion by Bohn, seconded by Bajumpaa to approve the Special Council Minutes from August 23, 2010. Motion Carried.**

**REPORTS**

**FINANCE DIRECTOR/AUDITOR HUWE**-Huwe asked for approval for any site authorizations or games of chance permits presented.

Council member Bohn offered the following game of chance permit and moved its adoption:

**Dave & Kathy Langenwalter Benefit**

The motion for the adoption of the foregoing Resolution was duly seconded by DeVries.

Council member Bajumpaa offered the following game of chance permit and moved its adoption:

**Chahinkapa Zoo Association**

The motion for the adoption of the foregoing Resolution was duly seconded by Bohn.

Council member Dale offered the following game of chance permit and moved its adoption:

**Red River Jr. Wildlife Club**

The motion for the adoption of the foregoing Resolution was duly seconded by Hartman.

**Equipment Lease Proposal from Red River Telephone**

Huwe reported this new lease would mean an estimated savings of about \$2,421.60 over 5 years, and said quotes received from 3 other providers. **Motion Bohn, second DeVries, to approve a 36 month lease to own agreement with Red River Telephone at the cost of \$221.75 per month for a total of \$7,983.00 over 36 mos.** Discussion was held regarding budgeted costs. **Motion Carried with roll call vote 7-0.**

**Prime Board Site Concerns**

Huwe is requesting referral to the Public Works Public Safety Committee with regard to public concerns for this site. Council President Mitskog will refer this item to the Public Works Public Safety Committee.

**Golf Clubhouse Building Change Request**

Huwe is requesting referral to the Public Works Public Safety Committee for review of proposed changes to the building. Council President Mitskog will refer this item to the Public Works Public Safety Committee.

**License Request – Niblick’s**

Huwe explained the different license applications being requested by Niblick’s. **Motion Bohn, second Bajumpaa, to approve the C-6B license, Cabaret II License, and Amusement Device License for Niblick’s.** Discussion was then held regarding snow removal in the area around the restaurant in the park/golf course, and as Golf Board secretary Broadland assured those present that the manager of Niblick’s has been made aware of what the City will maintain and what is the restaurant’s responsibility. **Motion Carried.**

**Proposed Developer’s Agreement**

Huwe is requesting referral to Finance Committee for review. Council President Mitskog will refer this item to the Finance Committee.

**2011 Budget**

Huwe reported the budget is now available on the City’s website or a hard copy is available for review at City Hall, and will be published in the local newspaper this week. She asked for offering of first reading of budget ordinance, offered by Hartman:

**ORDINANCE NO. 932**  
**AN ORDINANCE MAKING AN APPROPRIATION FOR THE CITY OF WAHPETON, NORTH DAKOTA FOR THE YEAR 2011**

**ATTORNEY LIES**

**Dakota Avenue Resolution**

Lies explained this is a resolution of necessity for the Dakota Avenue project, and asked to set hearing for October 18<sup>th</sup> at 5:00pm. Councilmember Dale offered the following and moved its adoption:

**RESOLUTION NO. 3437**  
**RESOLUTION DECLARING WORK NECESSARY FOR AN IMPROVEMENT IN IMPROVEMENT DISTRICT 08-01-06 (CENTRAL BUSINESS DISTRICT) (SECTION 1 – ND 13 (DAKOTA AVE.)) (SECTION 2 – MUNICIPAL UTILITIES UNDER ND 13 (DAKOTA AVE.)) (SECTION 3 – STREETS ADJACENT TO ND 13 (DAKOTA AVE.))**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Hansey, Motion Carried.

Lies asked for a motion to suspend the rules for final plat for Hobby Time Acres, which will need to be recorded to allow the owner to sell the lots. Resolution #3438 will need to be approved. **Motion Bohn, second Bajumpaa, to suspend the rules. Motion Carried.**

Councilmember Hartman offered the following and moved its adoption:

**RESOLUTION NO. 3438**  
**RESOLUTION APPROVING THE PLAT OF HOBBY TIME ACRES  
AND REQUESTING THAT IT BE RECORDED WITHOUT CITY AUDITOR'S  
CERTIFICATE**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Hansey, Motion Carried.

Lies also asked to suspend the rules for the owner of Vertin Munson Funeral Home and Willow Creek Chapel to rezone land adjacent to both sites and to vacate an alley to allow for future projects. Public hearings are required for all 3 matters. **Motion Hartman, second Bohn, to suspend the rules to consider the 3 Planning Commission requests and set public hearing dates. Motion Carried.**

**Motion Hansey, second Hartman, to set joint hearings with the Planning Commission for the following requests:**

**October 4<sup>th</sup>, 2010 at 5pm**

Rezoning of Willow Creek Chapel north vacant lot at 920 3<sup>rd</sup> Ave. N. from R-2 to RB-4

**November 1<sup>st</sup>, 2010 at 5pm**

Rezoning of Vertin Munson Funeral Home property at 503 3<sup>rd</sup> Ave. N., 224 6<sup>th</sup> St. N. and 218 6<sup>th</sup> St. N from R-2 to B-2

Alley Vacation request for alleyway in the 200 block between 5<sup>th</sup> St. N. and 6<sup>th</sup> St. North

**Motion Carried.**

**ECONOMIC DEVELOPMENT DIRECTOR PRIEBE**

Priebe reported that the Comprehensive Plan Selection Committee presented their selection of Hoisington-Koegler Group, Inc. to the Planning Commission at their last meeting. She said the contract was revised to \$51,400 and that \$40,000 had been budgeted through Sales Tax for Economic Development. Mitskog commented that the selection committee vote was 3-2 in favor of these consultants and questions were raised regarding the costs so requested referral to the Finance Committee for further review and then will bring a recommendation back to the City Council.

Regarding the NSP house, Priebe said that an offer had been accepted pending final approval from ND Housing Finance Agency, a certificate of completion of Homebuyer Education class, and compliance with HUD guidelines. If all requirements are met closing is anticipated within 90 days.

Priebe gave an update on the surveys on Dakota Avenue saying they have been conducted and thank you letters sent to those who participated. The information gathered from the surveys will be analyzed and presented prior to December 1<sup>st</sup>.

Priebe requested a public hearing be set for a Heartland Precision CDLF loan for their plating project, which Tracey Anderson would like set for the next council meeting on September 20<sup>th</sup> at 5pm. **Motion Hansey, second Hartman, to set a public hearing for the Heartland Precision CDLF loan for September 20<sup>th</sup> at 5pm. Motion Carried.**

Regarding the Dakota Avenue reconstruction project, Priebe reported the decorative lighting should be going up in the next few weeks. She also noted a change in parking from diagonal to parallel along 6<sup>th</sup> Street north of Dakota Avenue.

### **LIBRARIAN MACIVER**

MacIver reported that the library received a \$15,000 matching grant from the ND State Historical Society to assist with waterproofing the library, and also a \$5,000 grant from the ND Library Coordinating Council to purchase materials. A grant was also received from the Gates Foundation, which will be the last to be received from them, and is a matching grant of \$7,800 for public access computers. She reported over \$57,000 has been received from the Gate Foundation over the years. MacIver also reported receiving a DVD grant of 54 Veggie Tales DVD's. MacIver stated that July and August have had the largest circulation check-out and computer use in several years. It was then announced that Chocolate Chocolate is scheduled for October 14<sup>th</sup>.

### **POLICE CHIEF THORSTEINSON**

Thorsteinson presented the annual request for the NDSCS Homecoming parade on October 2<sup>nd</sup>. **Motion DeVries, second Dale, to approve the annual request for the NDSCS Homecoming Parade on October 2<sup>nd</sup>, 2010. Motion Carried.**

Thorsteinson then announced that Matt Anderson has written several successful grants and has just obtained a grant for \$10,000 from the DOT for saturation patrol. He felt this campaign has been very successful. He also talked about grants applied for and received to purchase video cameras for the police cars thanks to Anderson. Kudos was expressed for Matt Anderson's grant writing efforts, as well as all departments that have had success with grants.

### **PUBLIC WORKS DIRECTOR NELSON**

Nelson requested referral of **Cost Participation and Maintenance Agreement with NDDOT for Highway 127 Portion within City Limits** to the Public Works Public Safety Committee. Council President Mitskog will refer this item to the PWPS Committee.

Nelson announced that **Fall Cleanup Week** has been set for October 4-8, 2010 and items need to be delivered to Waste Management at no cost – there will be no curbside pickup.

### **Construction Updates**

Regarding the Dakota Avenue construction project, Nelson said concentration of work is now on the west end with closure of 11<sup>th</sup> Street for underground work and a detour on 12<sup>th</sup> Street. He said by the end of next week it is anticipated that the last segment of Dakota Avenue will be open, weather permitting. Street lights will be installed with signal lights to follow.

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

DeVries gave an update on the **Dakota Avenue Grand Opening Celebration** which is scheduled to be held October 14<sup>th</sup>. He said a lot of good ideas are being discussed, and emphasized that free food will be available. DeVries said if anyone has any suggestions or ideas they should contact City Hall. A meeting of the Dakota Avenue Dedication committee was set for Friday, September 10<sup>th</sup> at 7am.

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

#### **Finance Committee Report**

Bohn asked the Boy Scout present to introduce himself (Isaac Samuels) and share which troop he belonged to and what badge he was working on.

Bohn gave the Finance/Personnel Committee report from the meeting held on August 30, 2010. Bohn reported that the amendment to the **C-1 Liquor License Ordinance #931** would change the occupancy from 150 to 50. She said a current license holder/business owner's concerns were heard regarding this change. Recommendation from Finance Committee is to amend Ordinance 931 to change the occupancy from 50 to 125. Hartman disagreed with this decision and requested further discussion. Mitskog said in order to keep the process moving forward the occupancy will revert back to 125 then can be discussed again in the future.

Council member Bohn offered second reading of the following Ordinance:

**ORDINANCE NO. 931**  
**AN ORDINANCE AMENDING SECTION 22-205 C-1(LIQUOR LICENSE**  
**CLASSIFICATIONS CLASS C-1) SEATING REQUIREMENT**

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Bajumpaa, and upon vote being taken thereon, the following voted in favor thereof: Mitskog, DeVries, Dale, Bohn, Bajumpaa, Hansey voting 'aye', and Hartman voting 'nay'. Whereupon said Ordinance was declared duly passed and adopted, was signed by the Mayor, and attested to by the City Auditor.

**Contractor license Renewal Process**, Bohn said the renewal process currently is to renew annually on the date the license was obtained but suggestion was heard to choose a date for all contractor's licenses to renew on. Recommendation was made to set a renewal date for spring prior to construction season. No motion was made as is for information purposes only.

Bohn reported that **Town Centre Square** will remain on the Finance Committee Agenda.

Bohn reported that the **NDESCS Building Construction Technology Spec Home** will remain on the Finance Committee Agenda.

Bohn reported that **2011 Budget** will remain on the Finance Committee Agenda.

Bohn requested **Liquor Licenses Review** be referred back to Finance Committee for further discussion regarding conditions that need to be met when issuing a new license and the conditions for transferring a license. Council President Mitskog will refer this item to the Finance Committee.

**Public Works Public Safety Committee Report**

Hansey gave the Public Works Public Safety Committee report from the meeting held on August 24, 2010.

**Motion by Hansey, seconded by Hartman, to approve the renewal extension of the Waste Management Contract to June 30, 2013 with the option at that time to extend to June 30, 2015.** Mitskog asked about the rates which Hansey said is a built-in increase of 3% each year. **Motion Carried.**

**Motion by Hansey, seconded by Hartman, to approve an exception to the Policy for Design & Placement of Residential Driveways to allow a current project in Prairiewood Court by Zach Construction. Motion Carried.**

**Motion by Hansey, seconded by Hartman, to draft a policy to allow qualified exemptions to the Policy for Design & Placement of Residential Driveways. Motion Carried.**

Hansey said other discussion items were the **Warning Sirens and Care and Maintenance Program for Dakota Avenue.**

## **PRESENTATION OF COMMUNICATION/REPORTS**

- a. *NDIRF Participator*
- b. *Bremer Nonprofit Connection*
- c. *ND League of Cities Nuts & Bolts for the Newly Elected*

**Motion by Hansey, seconded by Bohn, to approve the reports sent in the mail and in the correspondence book. Motion Carried.**

## **SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Dakota Avenue Dedication Committee September 10<sup>th</sup>, 7:00 a.m.
- b. Finance Committee September 13th, 12:00 p.m. Noon
- c. PW/PS Committee September 14th, 12:00 p.m. Noon
- d. Planning Commission September 16th, 4:00 p.m.

**Motion by Bajumpaa, seconded by Hansey to adjourn.**

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Mayor Sturdevant

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Lynelle Amos, Finance Assistant