

**Wahpeton City Council**  
**October 4, 2010**

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

**Absent:** None

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

Meeting called to order by Mayor Sturdevant.

**Motion by Mitskog, seconded by Bertsch, to approve the Council Minutes from September 20, 2010. Motion Carried.**

**PUBLIC HEARINGS**

**Request for Appeal to Contractor's License Administrative Hearing** Mayor Sturdevant announced would be held following the City Council meeting.

**Joint Hearing with the Planning Commission on Rezoning request at 920 3<sup>rd</sup> Ave. N. from R-2 to RB-4**

Planning Commission Vice President Roger Jensen called the Planning Commission Meeting to order. Mayor Sturdevant asked if there is anyone present to protest the Ordinance; hearing none Mayor asked Huwe if any written protests had been received, there are none. Lies explained the reason for the request to rezone this area. **Motion by Keogh, seconded by Larson, to recommend approval of Ordinance 933 Rezoning of Willow Creek Chapel north vacant lot at 920 3<sup>rd</sup> Ave. N. from R-2 to RB-4. Motion carried all voting aye.**

Mayor Sturdevant asked for offering of first reading of the rezoning ordinance, offered by Mitskog:

**ORDINANCE NO. 933**

**AN ORDINANCE FOR THE REZONING OF WILLOW CREEK CHAPEL NORTH VACANT LOT AT 920 3<sup>RD</sup> AVENUE NORTH FROM R-2 TO RB-4**

**Motion by Larson, seconded by Mumm to adjourn the Planning Commission meeting. Motion carried with all voting aye.**

**Midcontinent Communications Grant Award to Wahpeton CERT Program**

Huwe announced that CERT (Community Emergency Response Teams) received a community grant from Midcontinent for \$1,000, which Midcontinent representative Craig Clem presented to Linda Alfson, CERT coordinator, who explained the grant is awarded to non-profit organizations and would be used to purchase first aid kits for class participants, training materials, and recruitment.

**REPORTS**

**FINANCE DIRECTOR/AUDITOR HUWE-**Huwe said there were no site authorizations or games of chance permit requests.

**City Council Retreat** Huwe requested this item be referred to the Finance Committee. Mayor Sturdevant will refer this item to the Finance Committee.

### **Town Centre Square Repurchase**

Huwe said TCS located at 500 Dakota Avenue was subject to tax forfeiture and the taxes on the property remain unpaid. She said this has been a recurring agenda item for both the City Council and Finance Committee. This is a complex issue that affects both residential and commercial tenants and is very time sensitive. Options have been evaluated by the Finance Committee. It was asked that consideration be given to repurchase of the property for back taxes and using funds on hand through the Revolving Loan Fund, then to resell the property through request for proposal (RFP) process for private ownership. Lies then explained the methods the City can use to repurchase the property prior to it going to up for public auction in November. Five years of back taxes will need to be paid. Lies believed that all liens will be extinguished. A timeline was then discussed. A special Finance Committee meeting would be required, and Lies said staff opinion is to move very quickly on this so that buildings are maintained. Further discussion was held regarding liens and easements. **Motion Hartman, second Mitskog, to approve an amount up to \$225,000 from the City's Revolving Loan Fund for the repurchase of Town Centre Square complex including Buildings 1, 2, and 3 and the initial cost of maintenance, and to refer the details for new ownership to the Finance Committee.** Discussion was held regarding insurance, and also what would happen if not purchased by the City. **Motion Carried with roll call vote 8-0.** Huwe talked about developing a list of things that need to be done and that the matter would need to be referred to Finance Committee to review guidelines and the RFP. A Finance Committee meeting was scheduled for Wednesday, October 6<sup>th</sup> at 5pm.

### **Request Amendment to Tedrow Developer's Agreement extending first date of completion from March 31, 2011 to June 30, 2011**

Huwe explained that Tedrow has experienced time delays in obtaining easements and acquisition of the property resulting in a request for an extension. **Motion Bohn, seconded by Bajumpaa, to approve a request for Amendment to Tedrow's Developer's Agreement extending first date of completion from March 31, 2011 to June 30, 2011. Motion Carried.**

### **Request Amendment to Legacy III Properties Lindenwood Developer's Agreement extending first date of completion from December 31, 2010 to May 1, 2011.**

Huwe said this developer had experienced delays due to weather and has also requested an extension. **Motion Bertsch, seconded by Hartman, to approve a request for Amendment to Legacy III Properties Lindenwood Developer's Agreement extending first date of completion from December 31, 2010 to May 1, 2011. Motion Carried.**

### **ATTORNEY**

#### **Fire Dept. Constitution Amendment regarding retirement**

Lies explained that this amendment would add the condition for the ability to retire after 25 years of service and still be a life member of the Fire Dept. **Motion Hartman, seconded by Hansey, to approve Amendment of the Fire Department Constitution to add the condition to allow for the ability to retire after 25 years of service and still be a life member of the Fire Department. Motion Carried.**

### **ECONOMIC DEVELOPMENT DIRECTOR PRIEBE**

#### **Economic Development Report**

Priebe reported that she would be meeting with Brad Scheib and Jeff Miller of **Hoisington-Koegler Group** this week to start the process of updating the Comprehensive Plan. Numerous meeting will be held from October through December to conduct research and analysis.

Priebe announced that **Marketplace of Ideas/Marketplace for Kids** was held last week and among the Award Winners announced was Jim Albrecht/ComDel Innovation as the Entrepreneur of the Year in Manufacturing.

Priebe provided a summary of a survey taken in September of the economic development community in ND and NDSU county agent's perspective of what small businesses need. This information will be compared to the results of the Dakota Avenue post street construction project survey.

Priebe said the **Facebook Ad** "Thriving Industry & Jobs", part of the Wahpeton Welcome campaign, has had several hits so far this month.

Priebe announced that Business After Hours will be held Tuesday, October 26<sup>th</sup> and has a sign up sheet available for those interested in attending.

## **LIBRARIAN**

### **Library Update**

MacIver announced that Chocolate Chocolate Day will be held on Thursday, October 14<sup>th</sup> from 12:30pm-5:00pm and delivery is available. She also announced that a special author from New Zealand, Kyle Mewburn, will be visiting the library on Wednesday, October 13<sup>th</sup>. This author received a grant to travel to North Dakota to receive an award and will be visiting libraries throughout the state.

## **PUBLIC WORKS DIRECTOR NELSON**

### **PW Report**

Nelson requested referral of an **annual service contract with Sweeney Controls Company for pump station control system annual maintenance** to Public Works Public Safety Committee. Mayor Sturdevant will refer this item to PWPS Committee.

Nelson requested referral of **Change Order #4 to a construction contract with Queekley Underground Inc. for the Southside Storm Sewer Phase A Part 1** to the Public Works Public Safety Committee. Mayor Sturdevant will refer this item to the PWPS Committee.

Nelson then requested suspension of the rules to request purchase of a plow truck from the ND State bid list for 2010. **Motion Mitskog, second Bertsch, to suspend the rules to request purchase of a plow truck from the ND State bid list for 2010. Motion Carried.** Nelson explained the City had obtained a State clean diesel grant through the ND Dept of Health which would provide up to 25% not to exceed \$40,000 for a qualifying piece of equipment to be replaced, and that the grant was written for a 1972 Ford snowplow truck with a deadline of January 3<sup>rd</sup>, 2011 for the new piece of equipment to be placed into service and the old one needs to be scrapped. Nelson said in the past the City has purchased their snowplow trucks via the State bid list and this year for a single axel truck 38,000 gross vehicle weight Nelson Leasing Inc. from Wilmar, MN is the low bidder at \$75,531. At 25% the grant would provide \$18,883 with the local share being \$56,648. Nelson said normally it would be referred to Public Works Committee for further discussion but due to time constraints would like approval tonight. Nelson explained that it will require budget amendment. Huwe stated that the capital improvements fund has sufficient reserve available for the grant match, and that the budget amendment will be cleaned up at the end of the year. **Motion Mitskog, second by Hansey, to approve using the State clean diesel grant received by the City to purchase a snowplow truck at the cost of \$75,531. Motion Carried with roll call vote 8-0.**

Nelson explained that additional equipment (not included in the grant which for the truck only) will be needed to be mounted on the truck such as the box, hydraulics, plow, lights, etc. costing an additional \$65,000-\$70,000. Nelson then requested permission to advertise for bids or investigate purchase for equipment for the plow truck and that those cost amounts can later be presented to the Public Works Committee. **Motion Hansey, second by Hartman to give permission to advertise for bids or investigate purchase of equipment for the plow truck with those costs to be presented to the Public Works Public Safety Committee. Motion Carried.**

Nelson announced that this is fall clean-up week and items can be delivered to the Waste Management transfer station at no charge with the exception of certain items. He also said that smoke testing of the sanitary sewer will be conducted this week weather permitting. He reported on mosquito control and said the counts continue to be monitored.

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

#### **Dakota Ave. Dedication Thursday, October 14<sup>th</sup> at 5:00-8:00pm**

Mayor Sturdevant said this event will be held between the 400 and 500 block of Dakota Avenue with music being provided along with a classic car show, food and other activities, with the Governor planning to be in attendance as well as representatives from the DOT. Flyers will be placed around town advertising this event. If inclement weather the event will be moved to the Community Center.

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

**Finance Committee Report** – No report tonight.

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

Hansey gave the Public Works Public Safety Committee report from the meeting held on September 28, 2010.

Hansey said the **Dilapidated Properties Report** was discussed and recommendation made. **Motion Hansey, second by Hartman, to approve to extend the deadline for demolition at 719 3<sup>rd</sup> Avenue North from October 1, 2010 to December 1, 2010. Motion Carried.**

Hansey said discussion was held regarding **Parking on 6<sup>th</sup> Street North** and was referred back to the Public Works Director and Police Department to draft a solution.

Hansey reported that discussion is ongoing for the following agenda items: **Street Lighting Services Maintenance Contract; Policy for Design & Replacement of Residential Driveways; Westside Drainage Status Report; and Care and Maintenance Program for Dakota Avenue.**

Bertsch announced that **Meet the Candidates** would be held Monday, October 11<sup>th</sup> at 7:00pm at City Hall sponsored by the AAUW.

### **PRESENTATION OF COMMUNICATION/REPORTS**

- a. *NDLC Local Government Homeland Security Training & Exercise Program*
- b. *Bremer Q2 Quarterly Report*
- c. *The Source AE2S Utility Enterprise Mgmt. Newsletter*

**Motion by Bohn, seconded by Dale, 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. Finance Committee October 6<sup>th</sup>, 5:00 p.m.
- b. Finance Committee October 11<sup>th</sup>, 12:00 Noon
- c. PW/PS Committee October 12<sup>th</sup>, 12:00 Noon
- d. Dakota Avenue Dedication October 8, 8:00 a.m.
- e. Dakota Avenue Dedication October 14<sup>th</sup> 5:00 p.m.

**Motion by Mitskog, seconded by Bertsch to adjourn.**

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Mayor Sturdevant

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Lynelle Amos, Finance Assistant