

Wahpeton City Council
January 18, 2011

Present: Hartman, Mitskog, Sturdevant, DeVries, Dale, and Bohn

Absent: Bertsch, Hansey, and Bajumpaa

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

Meeting called to order by Mayor Sturdevant.

Motion by Dale, second by Bohn, to approve the Council Minutes from January 3, 2011. Motion Carried.

Motion by Mitskog, second by Hartman, to approve the Special Council Minutes from January 7, 2011. Motion Carried.

PUBLIC HEARINGS/ETC.

Vacation of 5th St. N. Right of Way Mayor Sturdevant asked Huwe if any written or oral protests had been received, there are none. Lies noted that there were two Planning Commission members present regarding this issue. He explained that as part of the purchase agreement with Phoenix Housing LLC a replat of the Town Centre Square property was required so that the buildings are in one unit instead of multiple lots, and as a part of that the street has been included. Lies shared a diagram depicting the property as one lot with its own block which would include and encompass the street underneath. He then described where the boundaries would be located in vacating the street. An easement will be needed for the courtyard in front to allow the City to maintain that area. Lies stated that Resolution 3448 calls for vacating from the northerly corners of the old properties to 92 ½ feet south. Council member DeVries offered the first reading of the following Resolution:

RESOLUTION NO. 3448
RESOLUTION VACATING STREET
(PART OF 5TH STREET NORTH)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Dale. Discussion was held. Motion Carried.

Catholic Schools Week Proclamation Mayor Sturdevant read the Proclamation declaring January 30th through February 5th, 2011 as Catholic Schools Week in North Dakota.

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:

Wahpeton Wrestling Club

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

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

Woody Keeble VFW Aux. #4324

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

2010 Budget Amendments Huwe explained that to make the recommended 2010 budget amendments the end of year transfers as recommended by the Finance Committee need to be incorporated into that. **Motion by Bohn, second by Mitskog, to approve the proposed year end transfers as recommended by the Finance Committee of \$50,000 to Capital Improvement Fund from the General Fund surplus and \$5,000 to Street Lights Fund from the General Fund surplus in addition to the \$60,000 to the Snow Emergency Fund previously approved by Council on January 7th. Motion carried.** Regarding the year end budget amendments, Huwe explained that government accounting standards require that the budget be amended. She reviewed the recommended budget amendments. She noted the General Fund did have revenue in excess of expense, and suggested the major funds be amended to match the actual dollar amounts. Huwe then reviewed the requested amendments as follows: General Fund expense amended \$41,187.60; Capital Improvements Fund expense amended up \$45,452; Sales Tax Fund expenses \$290,062.91 less than anticipated; Sales Tax Reserve for Rec expenses \$211,040.21 less than anticipated; Revolving Loan Fund expenses were \$274,812.50 higher; Debt Service Funds \$85,279.54 (FYI only); and all Capital Projects expended \$4,471,683.55 more than anticipated. Huwe said that overall she is pleased with the recommended amendments and overall financials and operations. **Motion by Mitskog, second by Bohn, to approve the 2010 Budget amendments as presented. Motion carried.**

Additional Year end Transfer request on S. Side Drainage Project Huwe explained that this was regarding Phase A, Part 1 of the southside storm sewer improvements project, which meets the criteria for funds from sales tax set aside for flood/infrastructure but the transfer of funds was never formally approved by Council. Now that the project has been bonded and was in the calculation for special assessments, Huwe is requesting Council approval of the transfer of \$258,805 from the sales tax for infrastructure fund to the southside storm sewer project fund to buy down the project fund as was modeled in the special assessment estimates. **Motion by Dale, second by DeVries, to approve the transfer of \$258,805 from Sales Tax for Infrastructure Fund to the Southside Storm Sewer Project Fund. Motion carried.**

Designation of Depositories & Approval of Pledges of Assets Huwe explained that these are Council actions required under the ND Century Code. She reviewed a memo with a listing of pledged assets by each financial institution designated for deposit of City funds. The funds on deposit as of 12/31/2010 total \$8,054,237.23. FDIC insurance and additional collateralization pledged total \$12,186,219.00. She said Century Code requires public monies be pledged at 110% of their face value. Huwe explained that presently 2 of the depositories are a little out of compliance, but will be corrected in 2011. **Motion by Bohn, second by Mitskog to approve the designation of depositories which includes all banks chartering the City of Wahpeton, and to approve financial institution's pledge of assets noting that the City acknowledges that 2 banks are underpledged. Motion carried.**

ND PERS health insurance contract status – request referral to Finance Cmt. Huwe said this was in regard to a contract amendment notification. Mayor Sturdevant will refer this item to Finance & Personnel Committee.

Elmwood Senior Housing Interest Rate Buydown – request referral to Finance Cmt. Huwe explained that Legacy IV Properties is requesting an interest rate buydown. Mayor Sturdevant will refer this item to Finance & Personnel Committee.

Library Board Request for Title Change – request referral to Finance Cmt. Mayor Sturdevant will refer this item to Finance & Personnel Committee.

City Government Week Feb. 7-11th Huwe said that essays will be submitted by 3rd graders this year.

Legislative Update conference calls on Fridays at 2:00p.m. Anyone interested my sit in on these conference calls at City Hall.

Coffee with the Legislators Jan. 22nd 10AM Redwood Room at NDSCS All are invited to attend.

PUBLIC WORKS DIRECTOR

In Public Works Director Nelson's absence, Huwe delivered the report. **Maintenance Certification for Urban Federal Aid Projects – request referral to PW Cmt.** Mayor Sturdevant will refer this item to Public Works/Public Safety Committee.

Huwe requested referral of the preliminary design report for the 3rd Avenue North reconstruction project to PW Committee. Mayor Sturdevant will refer this item to Public Works/Public Safety Committee. Huwe reminded those present that the Flood Committee is scheduled to meet Friday, January 21st at 7:00a.m.

ASSESSOR/BUILDING CODES

Homestead Credit Assessor Broadland reviewed the requirements to qualify for the Homestead Tax Credit. She reported that 32 qualified for the exemption in 2010 at the value of \$1.8 million, which she explained that the exempted value is re-imbursed back to the City from the State. She said any questions regarding this program can be directed to the City Assessing Office.

ATTORNEY

Town Centre Square Update Lies reported that it is hoped to have the final plat approved by the Council at the February 7th, 2011 meeting.

ECONOMIC DEVELOPMENT DIRECTOR

Priebe announced that the CDC Annual Meeting will be held Monday, January 31st, 2011, at NDSCS. Jim Albrecht of ComDel will be the guest speaker. A review of 2010 and election of officers will also take place.

Priebe said changes in the RLF guidelines to allow for business purchases. After formal approval the revision will be made to the guidelines.

Priebe reported that the guidelines for the NSP house have been revised to below 120% of area median income and she reviewed those new numbers.

Regarding the Planning Commission, Priebe said vision sessions will be held on Monday and Tuesday of next week.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Finance Committee Report

Bohn gave the Finance Committee report from the meeting held January 11, 2011. She said **Fiscal Year End Transfers** had already been reviewed by Huwe earlier in the meeting.

Change in Revolving Loan Fund Guidelines for Business Acquisition Loans – motion to recommend approval of amended policy to include business purchase as an eligible use. **Motion by Bohn, second by Mitskog to approve the amended policy to the Revolving Loan Fund Guidelines to include Business Acquisition as an eligible use. Motion carried.**

Utility Rates – informational only no action required. Bohn said discrepancies in the street light fund were reviewed as information only.

Consent Agenda – motion to recommend adoption of a consent agenda for recurrent Council agenda items. **Motion by Bohn, second by Mitskog, to adopt the consent agenda on a trial basis.** Hartman disagreed with approving the consent agenda as he felt the information needed to continue to be included in the agenda. Mitskog said those same concerns were also considered by the Finance Committee and suggestion was made to still read the agenda items but condense the motion. Mayor Sturdevant said the consent agenda was also being considered by the Public Works Committee who had made no official motion. **Bohn rescinded her motion until the Public Works Committee can further review the consent agenda.**

Requests for Proposals on City owned properties – ongoing discussion. Bohn said this item will remain on the agenda.

Public Works Public Safety Committee Report

DeVries gave the Publics Works report from the meeting held January 11th, 2011. **Citizen request for parking restrictions on 12th St N.** – discussion held. DeVries reported this concerns semis parking on 12th Street block during the lunch hour. Representatives of Smith Motors were present however no one from McDonald’s was present. This item will be kept on the agenda – no action taken.

Change Order No. 1(Final) with Central Specialties, Inc. for Misc. Street Repairs 2009, Project No. ST09-157 in the amount of \$14,709.01 – motion to recommend approval. **Motion DeVries, second by Dale, to approve Change Order No. 1(Final) with Central Specialties, Inc. for Misc. Street Repairs 2009, Project No. ST09-157 in the amount of \$14,709.01. Motion carried roll call vote 5-0.**

Ordinance No. 937 Prohibiting Un-Muffled Compression Brakes – ongoing discussion. DeVries said a first reading was done but because of questions from the PW committee that Lies is researching the second reading has been postponed.

Regarding the **Consent Agenda**, DeVries said discussion was held but no official action was taken.

PRESENTATION OF COMMUNICATION/REPORTS

- a. *RSVP Southern Valley Winter Newsletter www.RSVPNorthDakota.org*

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

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$214,349.58	-\$73,015.65	\$141,333.93
201 WATER OPERATING FUND	\$516,091.96	\$24,840.01	\$540,931.97
202 SANITARY SEWER OPERATING FND	\$62,488.97	\$15,604.42	\$78,093.39
203 WASTE REMOVAL OPERATING FND	\$18,652.67	\$687.78	\$19,340.45
204 WASTE REDUCTION FUND	\$6,561.64		\$6,561.64

205 VECTOR CONTROL FUND	\$1,000.00	\$1,397.13	\$2,397.13
206 STREET LIGHTING	\$9,661.32		\$9,661.32
207 ARMORY OPERATING FUND		-\$924.01	-\$924.01
209 LIBRARY LEVY FUND	\$20,294.87	\$11,213.90	\$31,508.77
213 ADVERTISING LEVY FUND	\$6,179.75		\$6,179.75
216 AIRPORT 4-MILL LEVY FUND		\$449.96	\$449.96
217 PLANN COMMISSION LEVY FUND	\$3,295.29	\$653.22	\$3,948.51
222 SOCIAL SECURITY LEVY FUND	\$21,731.86		\$21,731.86
224 RETIREMENT FUND	\$18,787.68		\$18,787.68
227 ANNUAL RESERVE WH FUND		-\$2,415.00	-\$2,415.00
229 CAPITAL IMPROVEMENTS FUND	\$2,728.09		\$2,728.09
231 FD BLDG & EQUIP LEVY FUND	\$24,466.00		\$24,466.00
233 REAL ESTATE LEVY FUND	\$20,034.50	\$20,000.00	\$40,034.50
235 SNOW/FLOOD EMERG LEVY FUND	\$3,524.45		\$3,524.45
236 LEVEE MAINTENANCE	\$4,150.43	\$6,924.63	\$11,075.06
240 SPECIAL TRANSPORTATION FUND	\$8,030.00		\$8,030.00
271 ECONOMIC DEVEL DEPT FUND	\$5,999.97	\$10,041.54	\$16,041.51
272 PROFESSIONAL DEVELOPMT PLAN	\$6,824.84		\$6,824.84
303 MISCELLANEOUS FUND	\$103.20	-\$116.59	-\$13.39
313 SPL ASSESSMENT DEFICIENCY FUND	\$190,000.00		\$190,000.00
315 TAX INCREMENT FUND	\$374,816.00		\$374,816.00
316 1% LODGING TAX (ADDTL 1/1/08)	\$1,914.50		\$1,914.50
318 WEED MAINT LEVY FUND	\$3,142.19		\$3,142.19
319 LODGING TAX FUND	\$1,088.56		\$1,088.56
320 SALES TAX OPERATING FUND	\$522,675.17		\$522,675.17
321 SALES TAX RESERVE FUND	\$330,000.00	\$27,127.23	\$357,127.23
322 SALES TAX DEFAULTS RES FUND	\$1,162.82		\$1,162.82
323 SALES TAX DEVELOPERS AGMNT R	\$300,000.00		\$300,000.00
324 SALES TAX MINI MATCH RSRV FND	\$2,572.43		\$2,572.43
326 REVOLVING LOAN FUND	\$5,197.71		\$5,197.71
361 GASOLINE,OIL,ETC		-\$3,449.01	-\$3,449.01
390 CLUBHOUSE MAINTENANCE	\$20,000.00	-20,000.00	\$0.00
393 DOWNTOWN CLEANUP FUND	\$47.25		\$47.25
395 CERT	\$25.15		\$25.15
449 R/I #10303 SERIES 2003D	\$400,000.00		\$400,000.00
454 R/I #10809 REFI 5 ISSUES	\$700,000.00		\$700,000.00
572 ½ SALES TAX FUND	\$23,533.01		\$23,533.01
574 5-2-97 (FLOOD PHASE II)	\$6,545.96		\$6,545.96
576 SPRING FLOODING 2010	\$3,506.91	-\$2,536.67	\$970.24
605 8-1-06 DAKOTA AVE	\$847,125.12	\$64,871.25	\$911,996.37
606 11 TH ST SHARED USE PATH		-\$26,203.22	-\$26,203.22
608 08-02-03 SOUTHSIDE STORM SWER	\$876.88	\$19,309.50	\$20,186.38
609 09-01-04 URBAN ROADS MTC	\$13,525.79		\$13,525.79
612 DAKOTA AVE ALLEYS	\$623.65	\$6,148.74	\$6,772.39
613 LIFT STATIONS #6 & #8 CTRLS		-\$234.00	-\$234.00
614 NSP GRANT PROJECT	\$3.61		\$3.61
616 N CENTRAL AREA ST IMP PROJ	\$325,538.25	\$41,429.43	\$366,967.68
618 NDDOT HWY 127 FROM JCT 11	\$16,094.20		\$16,094.20
620 TOWN CENTRE SQUARE	\$4,998.20		\$4,998.20
TOTAL	\$5,069,970.43	\$121,804.59	\$5,191,775.20

Motion by Bohn, seconded by Mitskog, to approve disbursements totaling \$5,191,775.02. Motion Carried 5-0.

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Planning Commission January 20th, 4:00 P.M.
- b. Flood Committee January 21st, 7:00 A.M.
- c. Finance Committee January 24th, 12:00 P.M. Noon
- d. PW/PS Committee January 25th, 12:00 P.M. Noon

Motion by Mitskog, seconded by Hartman, to adjourn.

Mayor Sturdevant

Lynelle Amos, Finance Assistant