

**Wahpeton City Council
September 20, 2010**

Present: 4:00 – Hansey, Hartman, Sturdevant, DeVries, Dale, Bohn, **5:00 added** – Bertsch and Mitskog.

Absent: Bajumpaa

Also Present: 4:00 – Huwe, Lies, Broadland, Priebe, MacIver, Steve Griesert, Amos, and Gutzmer, **5:00 added** – Nelson and Thorsteinson.

Meeting called to order by Mayor Sturdevant.

Motion by Bohn, seconded by DeVries, to approve the Council Minutes from September 7, 2010. Motion Carried.

PUBLIC HEARINGS

Housing Study Presentation by Steve Griesert Community Partners

Griesert reviewed the final document of the Breckenridge/Wahpeton Comprehensive Housing Study. The document included demographic and housing data information regarding area population, households, income data, existing housing, home sales, housing conditions, and travel time to work. Griesert then reviewed his finding and recommendations for the City of Wahpeton. He suggested the City prioritize the recommendations and decide who will act on them. He also felt a housing fair with both Breckenridge and Wahpeton would be good. Griesert was then thanked for his efforts in completing this study. **Motion by DeVries, seconded by Bohn, to accept the Breckenridge/Wahpeton Comprehensive Housing Study, to express appreciation to the Wahpeton/Breckenridge Housing Study Oversight Committee and to de-commission that committee. Motion Carried.**

Heartland Precision Plating CDLF Loan Public Hearing

Mayor Sturdevant asked if there is anyone present to protest; hearing none Mayor asked Huwe if any written protests had been received there are none. Priebe reviewed a summary of the Heartland Precision LLC Community Development Loan Fund application whose purpose is to assist in funding equipment and installation for a production zinc plating line. She said the total cost of the project is \$230,000 of which the CDLF loan is \$100,000 and its terms were reviewed. Priebe said also participating is UDSA Rural Development IRP for \$100,000 of which \$25,031.86 is a Wahpeton JDA match amount. Priebe said the EDC acting as the JDA approved this match and is being reported tonight as a courtesy. She commented there is also \$30,000 of equity in this project funding total.

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:

Three Rivers Arts Council

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

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

Home Builders Association (HBA) Club – NDSCS

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

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

NDSCS Dental Club

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

Request Approval of ND Forest Service Cooperative Fire Programs Assistant matching grant to FD for bunker gear replacement

Huwe explained this request was from Fire Chief Dale Rubish for \$12,000 in matching funds. **Motion Hartman, second Mitskog, to approve \$12,000 in matching funds from the Fire Department Levy to match Cooperative Fire Programs Assistance Cost-Share Funds for 12-sets of complete bunker gear. Motion Carried with roll call vote 7-0.**

Diagonal Parking on 6th St. N. – request referral to PW Cmt.

Huwe is requesting referral to the Public Works Public Safety Committee with regard to citizen's request for further discussion about diagonal parking on 6th St N. Mayor Sturdevant will refer this item to the Public Works Public Safety Committee.

2011 Budget – second reading of budget Ordinance No. 932.

Huwe said first reading of Ordinance #932 was done on September 7th.

Councilmember Bertsch offered second reading of the following Ordinance and moved for adoption:

ORDINANCE NO. 932

AN ORDINANCE MAKING AN APPROPRIATION FOR THE CITY OF WAHPETON, NORTH DAKOTA FOR THE YEAR 2011

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Bohn, and upon vote being taken thereon, the following voted in favor thereof: Bertsch, Mitskog, DeVries, Dale, and Bohn; and the following voted against the same: Hansey and Hartman (5-2). Whereupon said Ordinance was declared duly passed and adopted, was signed by the Mayor, and attested to by the City Auditor.

Hartman questioned the payroll/wage scale for City employees and how employees advance on that scale. **Motion by Hartman for the City Council to create an employee comprehensive pay plan by June 2011.** Lies stated that the motion as it stands is out of order as it does not refer to the budget ordinance. Bertsch suggested approving the budget as presented and referring Hartman's recommendation to the Finance or Budget Committee for next year. **Hartman rescinded the motion just made. Motion by Hartman to amend the 2011 budget to withdraw one new employee changing the number of new employees from 2 to 1.** Hearing no second after being asked for three times by Mayor Sturdevant, the motion failed due to lack of a second. Further comments were heard by other Council members present regarding the addition of City employees. Mayor said Hartman's motion will be moved to New Business.

NDLC Annual Conference in Bismarck Sept. 23-25th

Huwe said several City staff will be attending this conference and commented to Council members that exceptional training is offered and if they are able to attend it is well worth the time.

Bertsch then talked about the **Three Rivers Arts Council Fundraiser** to be held Friday, September 24th at the Community Center. All are invited to attend and tickets are still available. She said original art pieces from local artists will be on display.

ECONOMIC DEVELOPMENT DIRECTOR PRIEBE

Convention & Visitors Bureau Appointment Request

Priebe reported that Paul Sjurseth of the Americ Inn and Hospitality Inn is interested in being a member of the Wahpeton CVB. **Mayor Sturdevant appointed Paul Sjurseth to the Wahpeton Convention & Visitors Bureau.**

Economic Development Report

Priebe reported that the NSP house is back on the market (listed with Hammer Realty), and reviewed the HUD income guidelines for any potential buyers. She announced that Dr. John Richman will be the keynote speaker for the Marketplace of Ideas on September 28th at the Fargodome. She talked about current advertising being done by Wahpeton Economic Development. She announced that 40 applications have been received for the Economic Development Assistant position.

PUBLIC WORKS DIRECTOR NELSON

Nelson requested suspension of the rules to set a hearing for resolution of necessity for an alley improvements project. **Motion Hansey, second Mitskog, to suspend the rules to set a hearing for resolution of necessity. Motion Carried.** Nelson reviewed a map of the project areas and asked to set a hearing for the resolution of necessity for the areas within the district for November 1st at 5:00pm.

Councilmember Mitskog offered the following and moved its adoption:

RESOLUTION NO. 3439

RESOLUTION DECLARING WORK NECESSARY FOR AN IMPROVEMENT IN STREET IMPROVEMENT DISTRICT 10-03-04 (Alley Improvements, Various Locations, Project No. ST10-162)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Hartman. Discussion was held regarding the affected areas (A,B,C,D&E) and those that have protested out of the project (D&E). Motion Carried.

Hartman then presented some street and mowing maintenance issues that have been brought to his attention. Nelson said he would check into the areas of concern.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Finance Committee Report

Bohn gave the Finance/Personnel Committee report from the meeting held on September 13, 2010. Bohn reported that a **Developer's Agreement with Roger Tedrow** to construct 8 twin home units (2 in Rosewood and 6 on Western Road) was reviewed. **Motion by Bohn, seconded by Bertsch, to approve the Development Agreement between the City of Wahpeton and Roger Tedrow with the clawback for the first 2 units to be completed by March 31, 2011, and all remaining units to be completed within 36 months from that date contingent on approval by his legal counsel and/or financial company. Motion Carried.**

Regarding the **Comprehensive Plan Contract/Professional Services Agreement Proposal from Hoisington Koegler Group, Inc.**, Bohn said questions about the importance of this document to the

City and whether previous studies have been used were answered. The work plan for the update was reviewed and will be completed in four phases. The update's total cost of \$51,400 will be funded with \$40,000 from Sales Tax for Economic Development and \$11,400 from the Planning Commission levy. **Motion by Bohn, seconded by Bertsch, to approve the Comprehensive Plan Contract/Professional Services Agreement Proposal from Hoisington Koeigler Group, Inc. at the cost of \$51,400 with \$40,000 from Sales Tax for Economic Development and \$11,400 from the Planning Commission levy fund. Motion Carried with roll call vote 7-0.**

Bohn reported the **Contractor License Renewal Process** will remain on the Finance Committee Agenda.

Bohn reported the **2011 Budget** was reviewed.

Town Centre Square will remain on the Finance Committee Agenda.

NDSCS Building Construction Technology Spec Home will remain on the Finance Committee Agenda.

It was also noted that **Liquor Licenses Review** will remain on the Finance Committee Agenda.

Public Works Public Safety Committee Report

DeVries gave the Public Works Public Safety Committee report from the meeting held on September 14, 2010.

DeVries said **Prime Board Site Property Maintenance Issues** were discussed as potential fire safety hazards rodent problems with the bales stored there. DeVries will instigate communications with Prime Board to address these issues.

DeVries reported the **Bois de Sioux Clubhouse request to create office area** was reviewed. The Golf Board will decide where the office is located but joint powers agreement states that City approval is needed for any changes. **Motion by DeVries, seconded by Hartman, to approve Niblick's/Golf Board request to construct interior walls at the entrance of the clubhouse subject to approval by the Bois de Sioux Golf Board to be funded by the Golf Club maintenance fund. Motion carried.**

DeVries reported **2011 Budget** was handled earlier in the meeting.

Regarding the **Cost Participation and Maintenance Agreement with ND DOT Hwy 127 from Jct. 11 to RR tracks**, DeVries said the City's share is \$15,303. **Motion by DeVries, seconded by Hartman, to approve the Cost Participation and Maintenance Agreement with ND DOT for Highway 127 from Junction 11 to the Railroad Tracks in Wahpeton at the cost of \$15,303 with funding from Sales Tax for Infrastructure and/or Special Street Maintenance. Motion carried with roll call vote 7-0.**

Regarding the **Street Lighting Services Maintenance Contract**, DeVries said the City Attorney and Otter Tail Power Company will make the revisions identified in the contract and bring back to the Council.

DeVries reported the **Policy for Design & Placement of Residential Driveways** was reviewed. **Motion by DeVries, seconded by Hartman, to revise residential driveway standards to a width of 30' for a 3-stall garage and to have a means for residents to apply for special exceptions.** Discussion was held regarding whether or not driveways that did not meet the current requirements prior to this revision would be able to apply for the exception. **Motion Carried.**

NEW BUSINESS

Hartman re-entertained the motion for the City Council to re-establish the pay schedule for the City employees by June 1, 2011. With no second being made after being asked for three times by Mayor Sturdevant, motion failed due to lack of a second.

PRESENTATION OF COMMUNICATION/REPORTS

- a. *ND DOT Special Road Funds Announcement*
- b. *ND DOT Safe Routes to School Funding Announcement*
- c. *ND DOT TE Project Funding Announcement*

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

| DISBURSEMENTS FUND | ACCTS PAYBL | PAYROLL&GL | TOTAL |
|-------------------------------------|-----------------------|-----------------------|-----------------------|
| 101 GENERAL FUND | \$162,873.18 | \$36,557.60 | \$199,430.78 |
| 201 WATER OPERATING FUND | \$201,733.12 | \$26,143.31 | \$227,876.43 |
| 202 SANITARY SEWER OPERATING FUND | \$62,382.55 | \$14,941.93 | \$77,324.48 |
| 203 WASTE REMOVAL OPERATING FUND | \$18,715.83 | \$688.08 | \$19,403.91 |
| 205 VECTOR CONTROL FUND | \$2.07 | \$1,786.14 | \$1,788.21 |
| 206 STREET LIGHTING | \$8,808.68 | | \$8,808.68 |
| 209 LIBRARY LEVY FUND | \$4,121.50 | \$11,263.14 | \$15,384.64 |
| 213 ADVERTISING LEVY FUND | \$379.88 | | \$379.88 |
| 216 AIRPORT 4-MILL LEVY FUND | | \$449.96 | \$449.96 |
| 217 PLANN COMMISSION LEVY FUND | \$1,907.34 | \$653.22 | \$2,560.56 |
| 227 ANNUAL RESERVE WH FUND | | -\$1,018.00 | -\$1,018.00 |
| 229 CAPITAL IMPROVEMENTS FUND | \$4,351.33 | | \$4,351.33 |
| 231 FD BLDG & EQUIP LEVY FUND | \$4,466.00 | | \$4,466.00 |
| 233 REAL ESTATE LEVY FUND | \$287.50 | | \$287.50 |
| 234 SPECIAL STREET MAINT FUND | \$18,775.00 | | \$18,775.00 |
| 236 LEVEE MAINTENANCE | \$1,088.22 | \$5,222.40 | \$6,310.62 |
| 253 METER DEPOSITS TRUST FUND | \$153.52 | | \$153.52 |
| 271 ECONOMIC DEVEL DEPT FUND | \$2,675.80 | \$10,072.34 | \$12,748.14 |
| 305 VECTOR CONTROL DIST LEVY FUND | \$10.65 | \$570.98 | \$581.63 |
| 316 1% LODGING TAX (ADDTL 1/1/08) | \$465.00 | | \$465.00 |
| 318 WEED MAINT LEVY FUND | \$945.00 | | \$945.00 |
| 319 LODGING TAX FUND | \$944.36 | | \$944.36 |
| 320 SALES TAX OPERATING FUND | \$21,854.31 | -\$54.79 | \$21,799.52 |
| 324 SALES TAX MINI MATCH RSRV FUND | \$1,889.59 | | \$1,889.59 |
| 325 SALES TAX H.E.L.P. HOUSING FUND | \$260.00 | | \$260.00 |
| 326 REVOLVING LOAN FUND | \$52,471.60 | \$54.79 | \$52,526.39 |
| 361 GASOLINE,OIL,ETC | | -\$3,290.57 | -\$3,290.57 |
| 363 SAFE COMMUNITIES COALITION | \$90.00 | | \$90.00 |
| 574 5-2-97 (FLOOD PHASE II) | \$1,018.16 | | \$1,018.16 |
| 605 8-1-06 DAKOTA AVE | \$475,957.70 | | \$475,957.70 |
| 608 08-02-03 SOUTHSIDE STORM SEWER | \$179,420.08 | | \$179,420.08 |
| 610 SAFE ROUTES TO SCHOOL | \$86,449.00 | | \$86,449.00 |
| 612 DAKOTA AVE ALLEYS | \$6,925.00 | | \$6,925.00 |
| 613 LIFT STATIONS #6 & #8 CTRLS | \$949.60 | | \$949.60 |
| TOTAL | \$1,322,371.57 | \$104,040.53 | \$1,426,412.10 |

Motion by Bohn, seconded by Bertsch to approve disbursements totaling \$1,426,412.10. Motion Carried 7-0.

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Committee September 27th, 12:00 Noon
- b. Flood Committee September 28th, 12:00 Noon
- c. PW/PS Committee September 28th, 5:00 p.m.
- d. Planning Commission October 4th, 4:00 p.m.

Regarding the Comprehensive Plan that was approved, Lies said he had an issue with the indemnification Paragraph J which included negligence and misconduct language that is very restrictive on what they would be liable for and asked for an amendment to the motion previously made. **Motion by Bohn, second by Bertsch, to amend the motion for the approved Comprehensive Plan update to revise the indemnification Paragraph J as describe by Attorney Lies. Motion Carried.**

Motion by Mitskog, seconded by Bertsch to adjourn.

Mayor Sturdevant

Lynelle Amos, Finance Assistant