

Wahpeton City Council
February 7, 2011

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

Absent: Hansey and Bajumpaa

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

Meeting called to order by Mayor Sturdevant.

Mayor's request to Council to approve a trial use of a consent agenda for this evening's meeting
Motion by Bohn, second by DeVries to approve a trial use of a Consent Agenda for this evening's meeting. Motion carried with Bertsch, Mitskog, DeVries, Dale and Bohn voting 'aye', and Hartman voting 'nay'.

Emergency Declaration Lies read the resolution of emergency declaration for the City of Wahpeton on this date of February 7, 2011.

Council member Hartman offered the following and moved its adoption:

RESOLUTION NO. 3449
EMERGENCY DECLARATION OF
FEBRUARY 7, 2011

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

PUBLIC HEARINGS/ETC.

Final Plat Approval Town Centre Square Property This public hearing was held jointly with the Planning Commission. Nelson was asked to describe the final replat of the property. He shared a map of the current property boundaries which included the vacation of 5th Street right-of-way. He said the plaza has been maintained by the City, and that the property will now be a single parcel/building which includes a public access easement for the corridor through the building from the parking lot to the plaza area and the inside corridor to the east that connects to the 400 Block area and the hallway as a public access easement which the building owner will maintain for the benefit of the public. Mayor Sturdevant asked Huwe if there were any written protests received of which there were none. Sturdevant then asked if there was anyone present to protest and there was none. **Motion by Allen Larson, second by Liz Mumm, to approve the final plat for the Town Centre Square property. Motion carried.**

Council member Bertsch offered the following and moved its adoption:

RESOLUTION NO. 3450
RESOLUTION APPROVING THE REPLAT OF
TOWN CENTRE SQUARE ADDITION
AND REQUESTING THAT IT BE RECORDED WITHOUT AUDITOR'S CERTIFICATE

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

**Motion by Allen Larson, second by Liz Mumm, to adjourn the Planning Commission meeting.
Motion carried.**

Flood Insurance Overview – Jeff Kleven, Bank of the West Insurance Jeff Kleven distributed and reviewed flood insurance information. Kleven explained that it is a federal program, and information provided included a description of what a flood is, what is covered and what is not covered - including basements, waiting period, costs, and deductibles. Kleven was thanked for the information.

Consent Agenda Items (trial use to be presented by the Mayor)

Approval of minutes of regular meeting held January 18, 2011

Games of Chance Licenses, Site Authorizations & Special Permits

Game of Chance Permit for NDSCS Auto Tech Club

Game of Chance Permit for Minn-Dak Carving

Game of Chance Permit for Humane Society of Richland/Wilkin

Game of Chance Permit for Relay for Life

Presentation/Approval of Reports

2011-13 Biennium Recommended General Fund Appropriations

ND Academic & ND Career & Technical Education Scholarships Progress Overview as of Jan. 5, 2011

Local Foods Conference

Wahpeton Breckenridge Chamber of Commerce Newsletter 2/11

Flood Preparedness Meeting March 2nd

**Motion by Bertsch, second by Mitskog, to approve the Consent Agenda items as presented.
Motion Carried.**

ITEMS REQUESTED MOVED FROM THE CONSENT AGENDA None.

REPORTS

FINANCE DIRECTOR/AUDITOR

City Government Week Feb. 7-11th Huwe said Wahpeton usually has 'Mayor for the Day' however 3rd graders were chosen by the State as participants this year and the invitation was provided to local schools but there was no participation. A better response is hoped for next year.

Postage Meter Contract – request approval, Huwe explained that City has a current equipment lease contract with Dakota Mailing and is requesting a continuation of the contract at a lesser rate due to the aging of the equipment. **Motion by Bohn, second by DeVries, to approve renewal of the postage meter contract for 48 months at \$117 per month. Motion carried roll call vote 6-0.**

Old City Hall – request referral to Finance Cmt. Mayor Sturdevant will refer this item to Finance & Personnel Committee.

Updated Organizational Chart – request referral to Finance Cmt. Mayor Sturdevant will refer this item to Finance & Personnel Committee.

Legislative Update conference calls on Fridays at 2:00 p.m. All are welcome to participate.

Coffee with the Legislators February 19th 10 a.m. Redwood Room at NDSCS

ATTORNEY

Lies said there is a potential conflict of interest related to the development agreement with Phoenix Housing in their purchase of Town Centre Square (which is an Urban Renewal project). He read the portion of the agreement restricting any City officials from having any personal interest in the project, then stated that the purchaser of TCS has been good about using local contractors and vendors in their remodeling project and a Council member and his business has been approached about furnishing supplies for the project. Lies said a waiver would be needed as it relates to this Council member and he would no longer be participating on any voting matters relating to TCS while it's an Urban Renewal project. Lies said it is the Council's decision whether or not to allow this Council member to provide merchandise/material to Phoenix for this project. **Motion by Mitskog, second by Bertsch, to grant a waiver to the conflict of interest clause in the Town Centre Square Development Agreement to Steve Dale/Dakota Cabinetry, Inc. Motion carried with Bertsch, Hartman, Mitskog, DeVries, and Bohn voting 'aye', and Dale abstaining from voting.**

ECONOMIC DEVELOPMENT DIRECTOR

Priebe said the Comprehensive Plan update visioning sessions were held with summaries of these and previous sessions available on the web. She said the next steps are writing the plan update, community review meetings and then the last phase of agreeing to move forward.

Priebe announced that Absolute Marketing entered the Wahpeton Welcome campaign into the American Advertising Federation of ND competition and won at least one ADDY award. Councilman DeVries will be representing the city at a ceremony to be held February 25th in Fargo.

Priebe informed the group that the SBDC office (Dan Reilly) has moved to Horton Hall Room 228 at NDSCS. Priebe said the ED monthly reporting activities will include the SBDC office information.

Priebe noted that an EDC meeting will be held this Wednesday, February 9th, at noon at City Hall.

Priebe said that a purchase agreement has been received from an individual for the NSP house at 211 5th Avenue North through Hammer Realty. She said more interest was shown after amending the income guidelines.

Priebe announced that notification was received that the City of Wahpeton Economic Development office will be hosting the 2011 Summer Conference for the Economic Development Association of ND which will be held in June.

Priebe requested referrals for 3 items: A proposed pay off for a delinquent RLF loan - Mayor Sturdevant will refer this item to Finance & Personnel Committee. Application fees – review of the amount being charged for servicing loans and other related fees - Mayor Sturdevant will refer this item to Finance & Personnel Committee. Review of zoning in NorthPark Addition to allow twin home development – Mayor Sturdevant will refer this item to Finance & Personnel Committee.

Priebe then gave a reminder of the 2011 DREAMS auction to be held Friday, April 8th.

POLICE CHIEF

Chief Thorsteinson requested referral to Public Works for the **2011 Squad Car Bids**. Mayor Sturdevant will refer this item to PWPS Committee.

PUBLIC WORKS DIRECTOR NELSON

PW Report

Nelson asked to refer **Change Order No. 5 (Final) for Southside Drainage Improvements, Project No. DR09-150 with Kueckle Underground, Inc.** Mayor Sturdevant will refer this item to PWPS Committee.

Nelson then asked for referral for a **Request for Reimbursement to Property Owner for Dakota Avenue Sidewalk Repairs.** Mayor Sturdevant will refer this item to PWPS Committee.

Nelson also asked for referral of a **Professional Services Agreement with Interstate Engineering, Inc. for Safe Route to School, Project No. SW11-174.** Mayor Sturdevant will refer this item to PWPS Committee.

Nelson then gave a short follow-up on flood preparations, which the previously heard emergency declaration and advice on flood insurance are a part of. He said the City is currently operating and maintaining the flood protection system and continue to realize benefits from that. Nelson also talked about internal flooding. On staff level, Nelson said preparations are being made, plans from prior years are being reviewed for implementation. Mayor Sturdevant said the public should be aware that the operational plan is in place and staff is working on potential flood issues.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Finance Committee Report

Bohn said the Finance Committee met at noon on January 24th.

NDPERS Health Insurance contract plan status was discussed. Notification was received from NDPERS regarding federal legislation called the Affordable Care Act, and the City is currently considered a grandfathered plan and will continue to look at what that means to the City of Wahpeton. This was an informational item only.

Elmwood Senior Housing interest rate buy-down request – Motion by Bohn, second by Mitskog to approve an additional \$54,000 (1%) interest rate buy down for the Elmwood Senior living development from the Developers Agreement Set-aside Fund. Motion carried roll call vote 6-0.

Library Board request for title change – Motion by Bohn, second by DeVries, to approve support of the title change from Head Librarian to Library Director as the Library Board decides. Motion carried.

Consent Agenda – The Committee made the decision to try on a trial basis and the Council approved its use earlier tonight.

Request for Proposals on City owned properties – ongoing discussion.

Public Works Public Safety Committee Report

DeVries said the Publics Works Public Safety Committee met at noon on January 25th.

Citizen request for parking restrictions on 12th St N – Motion by DeVries, second by Dale, to approve moving the no parking restriction from the west to the east side of 12th Street North. Discussion held. **Motion carried.**

Dilapidated Properties Report was reviewed.

Maintenance Certification for Urban Federal Aid Projects – Motion by DeVries, second by Hartman, to approve the Maintenance Certification for Urban Federal Aid Projects. Motion carried.

Ordinance No. 937 Prohibiting Compression Brakes – After reviewing the ordinances that Richland County and the City of Breckenridge have, Lies recommended removing the word “un-muffled” from the wording.

Council member DeVries offered the second reading and moved its adoption:

ORDINANCE NO. 937
AN ORDINANCE PROHIBITING
COMPRESSION BRAKES

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Dale. Discussion held. **Motion carried roll call vote 6-0.**

Preliminary Design Report for 3rd Avenue North reconstruction – DeVries reported Randy Pope of Interstate Engineering and Nelson gave an overview of the project and much discussion was held. This item will be kept on the agenda.

DeVries said the Consent Agenda was also discussed.

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Committee February 14th, 12:00 Noon
- b. PW/PS Committee February 15th, 5:00 P.M.
- c. Planning Commission February 17th, 4:00 P.M.
- d. Flood Committee February 18th, 7:00 A.M.

Motion by Mitskog, seconded by Hartman, to adjourn.

Mayor Sturdevant

Lynelle Amos, Finance Assistant

