

Wahpeton City Council
April 19, 2021
5:00 p.m.

Present: Lambrecht, Carlson, Goltz, Wateland, Dale, Bohn, Fobb, Woods II, and McNary

Absent: None

Also Present: Huwe, Hatting, Miranowski, Thorsteinson, Broadland, DeVries, Bakken (remotely), Johnson, Amos, and Johannessen

Planning Commission Present: DeVillers, Bertsch, Arenstein, and (Bohn)

Meeting called to order by Mayor Dale.

PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.

Joint Public Hearing with Planning Commission on the Rezone of 678 21st Ave. N. Ord. 1023

– DeVillers said the Planning Commission was reconvened and referred to Building Official Johnson who explained this hearing is for the rezoning of 678 21st Avenue North from B-3 to I-2. DeVillers asked if there was anyone present with questions, concerns or protests regarding this rezone of which there was none. When asked, Huwe said there have been no inquiries or protests, either written or in person, opposing the rezone. The Planning Commission was asked for their recommendation. **Motion by Bohn, seconded by Bertsch, to recommend to the City Council to approve the Rezoning of 678 21st Avenue North from Business B-3 Highway to Industrial I-2 Heavy. Motion carried with all voting ‘aye’.**

Council member Wateland offered the second reading of the following Ordinance:

ORDINANCE NO. 1023
AN ORDINANCE REZONING FROM
BUSINESS B-3 HIGHWAY TO INDUSTRIAL I-2 HEAVY
(All of Lot 2 and Part of Lot 3, Schuett Addition)

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Carlson. Motion carried with a roll call vote of 7-0. The Public Hearing was then concluded.

Motion by Bohn, seconded by Bertsch, to adjourn the Planning Commission meeting at 5:04 p.m. Motion carried with all voting ‘aye’. [Johnson exit meeting; Woods II enter meeting]

CONSENT AGENDA ITEMS (presented by the Mayor) –

Approval of minutes of regular meeting held April 5, 2021

Games of Chance Licenses, Site Authorizations & Special Permits:

Three Rivers Gymnastics – Site Authorization at Three Rivers Gymnastics

Three Rivers Gymnastics – Site Authorization at The Boiler Room

Three Rivers Gymnastics – Site Authorization at Prante’s Fine Dining

Kiwanis of Wahpeton-Breckenridge – Raffle Permit

Other Games of Chance and/or Special Permits:

Head of the Red Youth Activities Association – Site Authorization at Bois de Sioux Grille Room
(April 19, 2021 to June 30, 2021 Amendment to add Blackjack)

Head of the Red Youth Activities Association – Site Authorization at Bois de Sioux Grille Room
(July 31, 2021 to June 30, 2022)

Red River Human Services Foundation – Site Authorization at City Brew Hall

Wahpeton Music Department (High School) – Raffle Permit

Presentation/Approval of Reports

March 2021 Financial Statements

March 2021 Bill Pay Report – see below

Spring Clean-Up Week May 17-21

Mayor Dale asked if there were any items to be removed from the consent agenda and there were none. **Motion by McNary, seconded by Woods II, to approve the Consent Agenda items as presented. Motion carried with all voting ‘aye’.**

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

2022-2026 Capital Improvements Plan – Huwe said the Capital Improvements Plan contains all of the City’s individual capital projects, their intended timing, and funding sources. Each spring staff will prepare a draft 5 year capital improvements plan for the Council to review, a public hearing will be scheduled, and the plan adopted at the second Council meeting in May. When the draft plan is ready in the next few days it will be sent to the Council members for review and discussion at either the committee meetings or at a special meeting if needed.

2021-2023 Sales Tax Collection Contract with State Tax Commissioner – Huwe explained the City contracts with the ND State Tax Commissioners Office for the collection of all local sales, use, and gross receipts taxes. Sales and use tax permit holders can remit state and local sales tax in a single filing report for local sales tax, lodging tax, and restaurant tax. The City has contracted with the state since 1991. The fees are the lesser of 3% of all taxes collected or \$35 per permit holder. There are currently 207 sales and use tax permit holders in the city of Wahpeton resulting in an annual fee of \$7,236 or \$14,472 for the biennium. She requested a motion to approve renewal of the sales tax collection contract with the ND State Tax Commissioner. **Motion by Bohn, seconded by Lambrecht, to approve renewal of the 2021-2023 Sales Tax Collection Contract with the ND State Tax Commissioner. Motion carried with a roll call vote of 8-0.**

400 Block Requests for Proposals – request referral to Finance Cmt. – Huwe said proposals for the 400 Block property are due Wednesday, April 21st at 4:00 pm. Anyone needing additional information can visit the City’s website or contact City Hall. She requested the 400 Block Request for Proposals be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

67th Legislative Session Update – Huwe reported today is Legislative Day 69. Today included a committee hearing on SB 2046, a hog-housed bill pertaining to the NDPERS Retirement Plan. The discussion was scheduled to continue this afternoon but was cancelled pending more information. This will be one to watch. The Session is projected to adjourn early the week of April 26th. It is anticipated they will reserve 3 to 5 days to reconvene this summer to address additional topics. Discussion held.

ATTORNEY

Small Cell 5G Ordinance – request referral to PW Cmt. – Hatting requested referral of the Small Cell 5G Ordinance to the Public Works Committee. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

COMMUNITY DEVELOPMENT DIRECTOR

Community Development Report – DeVries requested the proposed purchase a portion of the 32 acres in the north industrial park be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

Request approval of amendments to SVEDA By-laws – DeVries explained the need to change the Southern Valley Economic Development Authority’s (SVEDA) by-laws to allow them to work with housing as it relates to the FM Diversion settlement dollars. Discussion held. **Motion by Lambrecht, seconded by Goltz, to approve Amendments to the Southern Valley Economic Development Authority (SVEDA) By-laws and/or Joint Powers Agreement to include housing as part of their purpose statement as it pertains to the FM Diversion Settlement funds. Motion carried with all voting ‘aye’.**

DeVries then presented a request to make SVEDA the fiscal agent for the funding of the proposed projects for the FM Diversion Settlement funds. **Motion by McNary, seconded by Carlson, to approve the Southern Valley Economic Development Authority (SVEDA) as the fiscal agent of the Richland/Wilkin Joint Powers Authority for the FM Diversion Settlement funds.** Discussion held. **Motion carried with a vote of 7-1, with McNary, Lambrecht, Carlson, Goltz, Bohn, Fobb, and Woods II voting ‘aye’; and Wateland voting ‘nay’.**

Recommendation from WCDC – Homestead Special Assessment District Resolutions – A map of the area was provided and Hatting presented the following resolutions for adoption.

Council member Bohn offered the following and moved its adoption:

RESOLUTION NO. 3787
RESOLUTION CREATING
STREET AND UTILITIES IMPROVEMENT DISTRICT
(Homestead Addition Project ST21-263)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Carlson. Motion carried with a roll call vote 8-0.

Council member Bohn offered the following and moved its adoption:

RESOLUTION NO. 3788
RESOLUTION OF THE CITY OF WAHPETON RELATING TO
THE ISSUANCE OF BONDS AND THE REIMBURSEMENT OF CERTAIN
EXPENDITURES FOR STREET AND UTILITIES IMPROVEMENT DISTRICT
(Homestead Addition Project No. ST21-263)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Carlson. Motion carried with a roll call vote 8-0.

Council member Bohn offered the following and moved its adoption:

RESOLUTION NO. 3789
RESOLUTION DIRECTING PREPARATION OF
ENGINEER'S REPORT FOR THE IMPROVEMENT IN
STREET AND UTILITIES IMPROVEMENT DISTRICT
(Homestead Addition Project No. ST21-263)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Carlson. Motion carried with a roll call vote 8-0.

DeVries reported at the Planning Commission meeting they voted to recommend first reading of an ordinance for the Prairie Flats planned unit development.

Council member Bohn offered the first reading of the following Ordinance:

ORDINANCE NO. 1025
AN ORDINANCE AMENDING SECTION 46 ZONING
ARTICLE III – ZONING DISTRICTS DIVISION 5 OTHER DISTRICTS
(CREATING PLANNED UNIT DEVELOPMENT ZONING FOR
LOTS 1 - 12 BLOCK 1 AND LOTS 3 - 13 BLOCK 2
OF PRAIRIE FLATS ADDITION)

DeVries then reported the City will once again partner with Gate City Bank for the Home Improvement Partnership Program (HIPP) and reviewed some of its highlights. The loans can be for between \$10,000 to \$75,000 for home improvements. Applications must be received by the City by October 31, 2021. Discussion held regarding assistance for the appraisals for the loans.

LIBRARY DIRECTOR

Library Report – Bakken reported the library is preparing for the Summer Reading Program ‘Tails & Tales’. Tomorrow and Wednesday the library will be offering Springtime Take & Make Craft Kits. Last Thursday the library had a booth at the Week of the Young Child event with about 45 people visiting the booth. Friends of the Library will meet Wednesday, April 21st at 10:00 am. The Library Board will meet Thursday, April 22nd at 4:00 pm.

POLICE CHIEF

Blue Goose Days Parade Street Closure Request – Thorsteinson said the Wahpeton Breckenridge Chamber of Commerce, the Twin Town Business Partners Committee, and the Chahinkapa Zoo have requested the street closure of Dakota Avenue on Saturday, June 5th at 10:00 am for the Blue Goose Days Parade. The route depends on Breckenridge’s participation. **Motion by Bohn, seconded by Wateland, to approve the street closure of Dakota Avenue on June 5th at 10:00 am for a parade in conjunction with Blue Goose Days with the route determined by Breckenridge’s participation. Motion carried with all voting ‘aye’.**

Thorsteinson presented a request from the same group for the closure of 4th Street North from Dakota Avenue to 2nd Avenue from 10:00 am to 3:00 pm to display emergency vehicles after the parade and do an interactive event. **Motion by Bohn, seconded by Wateland, to approve the street closure of 4th Street North from Dakota Avenue to 2nd Avenue North from 10:00 am to 3:00 pm for an interactive display of emergency vehicles in conjunction with Blue Goose Days. Motion carried with all voting ‘aye’.**

PUBLIC WORKS DIRECTOR

Dakota Ave. Side Street Proj. ST20-255 Appraisal Proposal – Miranowski explained an appraisal is needed for right of way land on 11th Street North as part of the Dakota Avenue Side Street Project. Low bid was JP in the amount of \$5,000. **Motion by Bohn, seconded by McNary, to approve the Appraisal Proposal from Jorge Pagan Appraisal Consulting for a strip of land on 11th Street North for the Dakota Avenue Side Street Project ST20-255 in the amount of \$5,000. Motion carried with a roll call vote of 8-0.**

Miranowski requested approval of an additional \$40,000 for the City Hall geothermal system replacement, with \$20,000 for a conversion to an off-peak electric system, \$15,000 to add a transfer switch to the electrical box should a generator ever be added, and a \$5,000 contingency. Savings from rebates from Otter Tail Power would be \$12,600 and a yearly savings for off-peak of \$5,500. **Motion by Lambrecht, seconded by Goltz, to approve up to an additional \$40,000 from the Capital Improvements Fund to replace the HVAC system at City Hall. Motion carried with a roll call vote of 8-0.**

Clearing of Trees West Side of Pond #1 – request referral to PW Cmt. – Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Safe Routes to School 11th St. N. Proj. ST19-252 – request referral to PW Cmt. – Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Dakota Ave. Sidewalk Repairs Contract Change Order – request referral to PW Cmt. – Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Dakota Ave. Electrical Box Repairs Contract Change Order – request referral to PW Cmt. – Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Homestead Dev. Proj. ST21-263 Professional Services Agreement with Interstate Engineering – request referral to PW Cmt. – Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Homestead Dev. Proj. ST21-263 Professional Services Agreement with Lowry Engineering – request referral to PW Cmt. – Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Bois de Sioux Golf Club House Repairs – request referral to PW Cmt. – Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Review and Approval of Geotech Proposals for Homestead Development.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Mayor Dale referred the **Waste Water Ponds Operations Manual** to the Public Works & Public Safety Committee.

Miranowski then provided an update on some operation items that the public works department is currently working on.

REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS

Finance, Personnel & Economic Development Committee Report

Lambrecht said the Finance, Personnel & Economic Development Committee met at 5:00 p.m. on April 12th.

Buxton Consumer Intelligence Technology – discussion

Art Project Funding – motion to approve \$10,000 from Restaurant Tax Fund – **Motion by Lambrecht, seconded by Fobb, to approve \$10,000 from the 1% Restaurant Tax to create an iconic Tree Sculpture in the Chahinkapa Sculpture Garden. Motion carried with a roll call vote of 8-0.**

Music Trailer Purchase – motion to approve \$3,000 from Restaurant Tax Fund – **Motion by Lambrecht, seconded by McNary, to approve the purchase of an Event Trailer from the City of Great Bend, ND in the amount of \$3,000 from the 1% Restaurant Tax.** Discussion held regarding storing the trailer. **Motion carried with a roll call vote of 8-0.**

John Randall Field Renovation Project – discussion

Prairie Flats Addition Development Agmnt. – motion to approve upon acceptance of both parties – **Motion by Lambrecht, seconded by Goltz, to approve the Prairie Flats Addition Development Agreement upon acceptance of each performance item by both the City and Developer. Motion carried with all voting ‘aye’.**

Richland County Housing Summit – motion to approve partnership funding request – **Motion by Lambrecht, seconded by Goltz, to approve the Partnership with Richland County for funding an additional \$1,520,000 to incent the construction, rehabilitation, and investment in single family homes in Wahpeton. Motion carried with a roll call vote of 8-0.**

Red River Communications Request for Franchise Agreement – motion to draft agmnt. – **Motion by Lambrecht, seconded by McNary, to approve the City Attorney draft a Cable Television Franchise Agreement with Red River Communications. Motion carried with all voting ‘aye’.**

Ord. 1021 Business Licensing – discussion

Public Works & Public Safety Committee Report

Bohn said the Public Works & Public Safety Committee met at 5:15 p.m. on April 13th.

Woodland Dr. Mill & Overlay Proj. ST20-257 – motion to approve bid from Riley Bros. Construction \$311,006.60 Resolution No. 3790 – **Motion by Bohn, seconded by Woods II, to approve awarding the bid for the Woodland Drive Mill and Overlay Project ST20-257 to Riley Bros. Construction, Inc. at a cost of \$311,006.60. Motion carried with a roll call vote of 8-0.**

Council member Bohn offered the following and moved its adoption:

RESOLUTION NO. 3790
RESOLUTION AWARDING CONTRACT
FOR CONSTRUCTION OF AN IMPROVEMENT IN
STREET IMPROVEMENT DISTRICT PROJ. NO. ST20-257
(Woodland Drive Mill and Overlay)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Woods II. Motion carried with a roll call vote 8-0.

Front Yard Parking Request at 526 3rd St. S. – discussion

Request for Drive-Thru Lane at 530 11th St. N. – discussion

Police Dept. Staffing – motion to hire a full-time officer to replace retired officer. **Motion** to hire a full-time officer to replace officer during National Guard deployment – **Motion by Bohn, seconded by Woods II, to approve hiring a Full-time Police Officer to replace an officer that retired. Motion carried with a roll call vote of 8-0.**

Motion by Bohn, seconded by Carlson, to approve hiring an additional Full-time Police Officer for coverage during deployment of an officer in 2021-2022 to be re-evaluated during budget. Motion carried with a roll call vote of 8-0.

ND Dept. of Transportation Roundabouts on Hwy 210 – discussion

Storm Water Pump Station #3 – discussion

Yard Junk/Clutter Updates

Building Official Updates – discussion

Referrals – see PW Director Report

March 2021 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$259,338.18	\$66,848.73	\$326,186.91
201 WATER OPERATING FUND	\$58,622.89	\$44,449.44	\$103,072.33
202 SANITARY SEWER OPERATING FUND	\$38,162.09	\$28,313.92	\$66,476.01
203 WASTE REMOVAL OPERATING FUND	\$30,967.07	\$1,094.88	\$32,061.95
204 WASTE REDUCTION FUND	\$431.67		\$431.67
205 VECTOR CONTROL FUND	\$6,224.36	\$1,324.56	\$7,548.92
206 STREET LIGHTING	\$14,961.24		\$14,961.24
209 LIBRARY LEVY FUND	\$6,063.08	\$13,935.09	\$19,998.17
216 AIRPORT 4-MILL LEVY FUND		\$717.66	\$717.66
226 EMPLOYEE SAFETY COMMITTEE	\$535.98		\$535.98
227 ANNUAL RESERVE WH FUND		-\$1,942.58	-\$1,942.58
231 FD BLDG & EQUIP LEVY FUND	\$10,000.00		\$10,000.00
234 SPECIAL STREET MAINT FUND	\$2,995.80		\$2,995.80
236 LEVEE MAINTENANCE	\$5,494.19	\$9,187.26	\$14,681.45
253 METER DEPOSITS TRUST FUND	\$28.39		\$28.39
271 ECONOMIC DEVEL DEPT FUND	\$1,507.84	\$11,500.18	\$13,008.02
303 MISCELLANEOUS FUND	\$10,489.48		\$10,489.48
315 TAX INCREMENT FUND	\$1,250.00		\$1,250.00
317 JOB DEVELOPMENT LEVY FUND	\$6,516.98		\$6,516.98
319 LODGING TAX FUND	\$419.71		\$419.71
320 SALES TAX OPERATING FUND	\$252,914.09		\$252,914.09
321 SALES TAX RESERVE FUND	\$10,380.00		\$10,380.00
323 SALES TAX DEVELOPERS AGMNT RES	\$937.00		\$937.00
326 REVOLVING LOAN FUND	\$416.67		\$416.67
365 PD SPEC EQUIP SINKING FUND	\$2,238.25		\$2,238.25
390 CLUBHOUSE MAINTENANCE	\$50.15		\$50.15
393 1% RESTAURANT TAX FUND	\$3,981.56		\$3,981.56
395 CERT	\$28.83		\$28.83
570 SALES TAX FOR INFRASTRUCTURE	\$159,430.00		\$159,430.00
572 SALES TAX FOR FLOOD FUND	\$46,266.64		\$46,266.64
574 5-2-97 (FLOOD PHASE II)	\$1,500.00		\$1,500.00
665 E. SAN. SEWER PH B SS18-243	\$80.00		\$80.00
674 SRTS 11TH ST N PROJ ST19-252	\$380.00		\$380.00
675 WELL FIELD RECLO PROJ W19-251	\$780.00		\$780.00
678 WOODLAND DR MILL & OLAY ST20-257	\$220.00		\$220.00
679 W.WATER FACILITY PLAN	\$7,919.27		\$7,919.27
TOTAL	\$941,531.41	\$175,429.14	\$1,116,960.55

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Committee April 26th, 5:00 PM
- b. Public Works Committee April 27th, 5:00 PM

ADJOURNMENT

Motion by Wateland, seconded by Lambrecht, to adjourn at 6:15 p.m. Motion carried.

Mayor Dale

Lynelle Amos, Finance Assistant