

**Wahpeton City Council**  
**April 3, 2023**  
**5:00 p.m.**

**Present:** Schillinger, Perdue, Lambrecht, Bohn, McNary, Fobb, and Unruh

**Absent:** Goltz and Woods

**Also Present:** Huwe, Hatting, Miranowski, Broadland, Bakken, Anderson, Appell, Amos, and O'Meara

**CALL TO ORDER**

Meeting called to order by Mayor Lambrecht. The pledge of allegiance was then recited.

**PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.**

**Proclamation – Sexual Assault Awareness Month** – Bohn read a proclamation recognizing Sexual Assault Awareness Month – April 2023 in the City of Wahpeton.

**CONSENT AGENDA ITEMS (presented by the Mayor) –**

**Approval of minutes of regular meeting held March 20, 2023**

**Approval of minutes of public hearing/special meeting held March 27, 2023**

**Games of Chance Licenses, Site Authorizations & Special Permits:**

NDSCS Auction Committee – Raffle Permit

**Other Games of Chance and/or Special Permits:**

Wahpeton High School Baseball – Raffle Permit

**Presentation/Approval of Reports**

Job Service Employers Cmt. Event April 13, 2023

USDA Rural Disaster Grant Program

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

**REPORTS FROM CITY OFFICERS AND STAFF**

**FINANCE DIRECTOR**

**2023 Retail Fireworks Licenses** – Huwe said the City of Wahpeton may grant up to seven retail Fireworks licenses each year to allow merchants to sell fireworks from June 27<sup>th</sup> to July 5<sup>th</sup>. The license applicants for 2023 include four returning applicants: Little Unny’s, Jerry’s Fireworks, Sturdevant’s, and Wahpeton FFA. Patriot Place Fireworks at 1002 Dakota Avenue is a new applicant. Starr Fireworks did not submit an application by the April 1<sup>st</sup> deadline. **Motion by Perdue, seconded by McNary, to approve the 2023 Retail Fireworks Licenses for the five applicants as presented contingent upon satisfaction of all license requirements and site inspection. Motion carried with all voting ‘aye’.**

**Street Sweeper Capital Lease Res. 3864** – Huwe explained the Council approved the purchase via capital lease of a 2022 Elgin Pelican Street Sweeper on November 7, 2022 at a price of \$257,450. CapFirst Equipment Finance has prepared a 60-month capital lease at 4.75%. The annual payments are \$56,482. The lease documents and required financing resolution are consistent with previous equipment leases. She requested a motion to approve Resolution 3864 to enter into the capital lease with option to purchase for the 2022 Elgin Pelican street sweeper.

Council member Bohn offered the following and moved its adoption:

**RESOLUTION NO. 3864**  
**RESOLUTION RELATING TO LEASE WITH OPTION TO PURCHASE**  
**CAPFIRST EQUIPMENT FINANCING AGREEMENT NO. 40004828**  
**ELGIN STREET SWEEPER**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Perdue. Motion carried with a roll call vote 6-0.

**Gaming Site Authorization Amendment – Wahpeton Eagles Club** – Huwe explained non-profit organizations that have a State Gaming license are required to apply for a Site Authorization from the local government. The Attorney General’s Office has requested the City of Wahpeton specify the number of twenty-one tables allowable at each site. The Wahpeton Eagles Club is requesting amendment of their current site authorization to allow one Twenty-One table at their site. **Motion Bohn, seconded by Perdue, to approve amendment of the previously approved Gaming Site Authorization for the Wahpeton Eagles Club to allow one Twenty-One table at their site. Motion carried with all voting ‘aye’.**

**68<sup>th</sup> Legislative Session** – Huwe reported the 68<sup>th</sup> Legislative Assembly completed fifty-seven legislative days as of today. We are entering the 4<sup>th</sup> quarter of the session and some of the more challenging legislative issues are being forwarded for adoption. SB 2330 is a proposal to eliminate the Legacy Fund Loan Programs administered by the Bank of ND. The City has accessed funds for the Rosewood Mill & Overlay and Westdale 3<sup>rd</sup> Addition from this source of money. There are 77 loans outstanding throughout the state with pending loan requests totaling over \$200 million in the next biennium. The bill sponsors are asserting an obligation to earn as much interest income as possible for the Legacy Fund while the bill opponents assert lending money for large scale infrastructure projects is a meaningful investment in ND beyond the basis points of return. This one will continue to be watched.

**City Hall Closed Friday, April 7<sup>th</sup> Good Friday**

**ASSESSOR/BUILDING CODES**

**City Board of Equalization Meeting Tuesday, April 11<sup>th</sup> at 5:00 p.m.** – Broadland gave a reminder of this City Board of Equalization meeting Tuesday, April 11<sup>th</sup> beginning at 5:00 p.m. and asked any Council members who are unable to attend to contact her office.

**ATTORNEY**

Hatting requested the Potential Assignment of the Valley Fiber Land Purchase Option in the Northside Industrial Park be referred to Public Works Committee. Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

She also requested that the Right-of-Way License Request on Fargo Avenue (adjacent to Taco John’s) be referred to Public Works Committee. Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

**LIBRARY DIRECTOR**

**Library Report** – Bakken reported the Week of the Young Child event of which the library participates has been postponed to April 18<sup>th</sup>. The Red River Valley Kids Read author visit was canceled due to weather however the author offered to send signed stickers for the books. She announced the library will celebrate 99 years in its building on April 8<sup>th</sup>. National Library Week is April 23-29 with upcoming events planned. The library will be closed this Friday and Saturday.

## **POLICE CHIEF**

**Police Dept. Report** – Police Chief Anderson reported the snow removal ordinance has been lifted but with the impending snowfall urged residents to not park on the streets so as not to impede snow removal efforts. He said Deputy Police Chief Appell applied for a grant through the North Dakota Soybean Council and the Wahpeton Police Department was selected to receive up to \$1,000 for a rebate on tires made from soybeans. Regarding the security camera registration program, Investigator Sergeant Teberg is working with PW Technician Josh Meyer through ARC GIS to get their paperwork uploaded on there then residents will be able to register either through the police department’s Facebook page or the City’s webpage.

## **PUBLIC WORKS DIRECTOR**

### **Public Works Report** –

**Wastewater Facility Plan Res. 3863 Loan Application CWA-SDWA** – Miranowski said after the hearing held last week regarding the wastewater facility plan a resolution needs to be passed authorizing filing of an application with the NDDEQ for a loan under the Clean Water Act and/or Safe Drinking Water Act.

Council member Unruh offered the following and moved its adoption:

### **RESOLUTION NO. 3863**

#### **RESOLUTION AUTHORIZING FILING OF APPLICATION WITH THE NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR A LOAN UNDER THE CLEAN WATER ACT AND/OR THE SAFE DRINKING WATER ACT**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Fobb. Motion carried with a roll call vote 6-0.

**Soil Borings for Vector Control Building – referral to PW Cmt.** – Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

**2023 Sealcoat Project Bid Summary – referral to PW Cmt.** – Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **to approve the Construction Engineering Agreement with Interstate Engineering for the 8<sup>th</sup> Avenue Reconstruction Project.** Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

Miranowski reported on the Public Works/Street Department tasks/activities in the past few weeks that have been completed or that are being worked on.

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

Lambrecht reported on flood preparedness and efforts that will be taken to be prepared in the case flooding should occur, which includes pre-filling some trucks with sand bags once the weather breaks, National Guard volunteers, and sand bags available for residents.

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

McNary said the Public Works & Public Safety Committee met on March 27 at 4:39 p.m.

#### **Spring Flood Outlook & Preparations**

**Tractor Rental/Lease Options – motion** to approve up to \$180,000 for purchase – **Motion by McNary, seconded by Perdue, to approve up to \$180,000 to purchase a tractor. Motion carried with a roll call vote of 6-0.**

**Animal Impoundment Ch. 4-72 & 4-73 Ordinance 1051**

**Hydrant Meter Policy**

**Fire Hydrants Located on Private Property – discussion**

**Building Official Updates – discussion**

**Referrals – see PW Director Report**

**REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS**

**Finance, Personnel & Economic Development Committee Report**

Bohn said Finance, Personal & Economic Development met on March 27 at 5:15 p.m.

**Spring Flood Outlook & Preparations**

**Prisoner Board Contract – motion to approve – Motion by Bohn, seconded by Unruh, to approve proceeding with the Richland County – City of Wahpeton City Prisoner Boarding Service Agreement with the amended rate of \$42 per day and changes to Section 4 language as suggested by City Attorney Hatting contingent on approval by Richland County. Motion carried with a roll call vote of 6-0.**

**Recreation Wellness Ctr. Planning JLG Contract – discussion**

**Homestead Development Update – discussion**

**Heritage Square Parking Lot – discussion**

**2% Sales Tax Ord. 1052 – motion to offer first reading –**

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

**ORDINANCE NO. 1052**

**AN ORDINANCE ENACTING A SALES, USE & GROSS RECEIPTS TAX PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF WAHPETON**

**SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Public Works Committee April 10<sup>th</sup> 4:00 p.m.
- b. Finance Committee April 10<sup>th</sup> 5:00 p.m.
- c. Board of Equalization April 11<sup>th</sup> 5:00 p.m.

**Motion by Perdue, seconded by Schillinger, to adjourn at 5:38 p.m. Motion carried.**

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Mayor Brett Lambrecht

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Lynelle Amos, Finance Assistant