

Wahpeton City Council

April 5, 2021

5:00 p.m.

Present: Lambrecht, Carlson, Wateland, Dale, Bohn, Woods II, Fobb (via teleconference), and McNary

Absent: Goltz

Also Present: Huwe, Hatting, Miranowski, Broadland, DeVries, Bakken, Amos, Johannessen, and O'Meara

CALL TO ORDER

Meeting called to order by Mayor Dale.

PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.

Joint Public Hearing with Planning Commission on the Replat of Block 10 OT Res. 3776 –

Miranowski explained this hearing is for the final plat for the old Central School Site. A public alley was added that runs down the middle. There is a 30' right-of-way with the alley set to the south side of the ROW to leave room on the north side for all of the utilities. There are drainage easements between the lots with 5' on either side, and 10' in front and back. DeVillers said the Planning Commission was reconvened and asked if there was anyone present to speak about the project of which there was none. When asked, Huwe said there have been no inquiries or protests, either written or in person, opposing the replat of Block 10. The Planning Commission was asked for their recommendation. **Motion by Bohn, seconded by Cook, to recommend to the City Council to approve the Replat of Block 10 OT. Motion carried with all voting 'aye'.**

Council member Bohn offered the following and moved its adoption:

RESOLUTION NO. 3776
RESOLUTION APPROVING
THE REPLAT OF BLOCK 10 ORIGINAL TOWNSITE 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 McNary. Motion carried with a roll call vote 7-0. The Public Hearing was then concluded.

Motion by Cook, seconded by Bohn, to adjourn the Planning Commission meeting at 5:05 p.m.

Motion carried with all voting 'aye'.

Sexual Assault Awareness Month Proclamation – DeVries read a Proclamation recognizing Sexual Assault Awareness Month – April 2021.

CONSENT AGENDA ITEMS (presented by the Mayor) –

Approval of minutes of regular meeting held March 15, 2021

Games of Chance Licenses, Site Authorizations & Special Permits:

- Red River Bandits – Raffle Permit
- Mallie Ann Breuer Foundation – Raffle Permit
- Tri-State Safety Assoc. – Raffle Permit
- Wahpeton Dollars For Scholars – Raffle Permit
- Bois De Sioux Golf Course – Raffle Permit

Other Games of Chance and/or Special Permits:

- Colfax Park Board – Raffle Permit

Presentation/Approval of Reports

Minn-Dak Farmers Coop Tare Land Application Notification

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 Lambrecht, seconded by Carlson, to approve the Consent Agenda items as presented.

Motion carried with all voting ‘aye’.

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

2021 Fireworks License Applications – request motion to approve with contingencies – Huwe said the City of Wahpeton may grant up to seven retail Fireworks Licenses each year to allow merchants to sell fireworks from June 27th to July 5th. The license applicants for 2021 were all license holders in 2020, and she requested a motion to approve the following Fireworks Licenses on the condition all terms of licensing are met: Little Unny’s, Jerry’s Fireworks, Sturdevant’s, Wahpeton FFA, and Starr Fireworks. **Motion by McNary, seconded by Woods II, to approve the following 2021 Fireworks Licenses on the condition all terms of licensing are met: Cory Unruh - Little Unny’s, Joshua Herman - Jerry’s Fireworks, Jim Sturdevant - Sturdevant Properties, Wahpeton FFA Alumni Chapter - Ace Hardware, and Dino Alexakos - Starr Fireworks. Motion carried with all voting ‘aye’.**

American Rescue Plan Spending Guidelines – Huwe explained on March 11, 2021, The American Rescue Plan Act of 2021 was signed into law. The legislation includes \$350 billion in additional funding for state and local governments with approximately \$195 billion allocated to states according to a formula based on unemployment rates. Cities and counties are each allocated \$65 billion which will be distributed on a modified Community Development Block Grant formula. Wahpeton is expected to receive approximately \$1.1 million with the first half payment disbursed in June 2021 and the balance in June 2022. Restrictions on uses include prohibitions on state funds being used as tax offsets and any of the funds are prohibited from being deposited into any pension fund. All stimulus monies must be expended by December 31, 2024. Additional information will be provided as it becomes available.

Prairie Flats Addition Development Agreement – request referral to Finance Cmt. – Huwe said the Planning Commission was presented with a petition for annexation of an area abutting city limits on the SW border near 13th Street South. The land use plan includes creation of a residential subdivision. The developer would like to partner with the City for the construction and dedication of public infrastructure in the area. She requested Prairie Flats Development Agreement be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

Richland County Housing Summit – request referral to Finance Cmt. – Huwe said Richland County Commissioner Nathan Berseth hosted a Richland County Housing Summit on March 18, 2021. Discussions included the importance of housing in population growth, school district funding, and workforce attraction. Commissioner Berseth explained funding mechanisms via the FM Diversion Settlement Agreement. Berseth suggested communities present ideas for consideration to increase housing in Richland County. Huwe requested Richland County Housing Summit be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

Request for Front Yard Parking 526 3rd St. S. – request referral to PW Cmt. – Huwe said she was contacted by a resident seeking to appeal a decision of the Building Official on the enforcement of the front yard parking ordinance. She requested the Front Yard Parking Ordinance Appeal be referred to the Public Works Committee. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

67th Legislative Session Update – Huwe reported today is Legislative Day 58. 241 bills have been signed into law as of April 1st. 315 bills have failed to date, 592 have passed one or both houses, and 29 have been withdrawn. The North Dakota League of Cities estimates the session will adjourn early on April 23rd reserving 7 days in the event the Legislature should need to reconvene.

Discussion held regarding how the CARES Act funds will be allocated.

ASSESSOR/BUILDING CODES

Board of Equalization Meeting April 13th at 5:00 pm – Assessor Broadland gave a reminder that a Board of Equalization meeting is scheduled to be held Tuesday, April 13th at 5:00 p.m. She asked that Council members let her know who is able to attend as a quorum is needed.

ATTORNEY

Planning Commission Rec. Ord. 1023 Rezone Schuett Addtn. – Public Hearing April 19th at 5:00 pm – Hatting explained this request.

Council member Watland offered the first 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)

Motion by Watland, seconded by Bohn, to schedule a Joint Public Hearing with the Planning Commission on April 19th at 5:00 pm regarding a rezone from B-3 to I-2 in Schuett Addition. Motion carried with all voting ‘aye’.

Planning Commission Rec. Ord. 1024 Annexation – Public Hearing May 3rd at 5:00 pm – Hatting explained this is an ordinance annexing land into the City of Wahpeton.

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

ORDINANCE NO. 1024
AN ORDINANCE ANNEXING LANDS
TO THE CITY OF WAHPETON, NORTH DAKOTA
(PART OF THE BEG 1320' W & 470' N SECR NE1/4 7 132 47 W1383.3' N1427' TO GN
RW, SE TO PT N/BG, S/BEG EXC 1.99A DRN CYNTHIA KRAUSE ETAL)

Motion by McNary, seconded by Carlson, to schedule a Joint Public Hearing with the Planning Commission on May 3rd at 5:00 pm regarding the annexation of land into the City of Wahpeton. Motion carried with all voting ‘aye’.

Project Resolutions Central School Site Redevelopment Proj. ST20-256

Council member Watland offered the following and moved its adoption:

RESOLUTION NO. 3777
RESOLUTION OF THE CITY OF WAHPETON RELATING TO
THE ISSUANCE OF BONDS AND THE REIMBURSEMENT OF CERTAIN
EXPENDITURES FOR STREET AND UTILITIES IMPROVEMENT DISTRICT
(Central School Site Redevelopment Project No. ST20-256)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Woods II. Motion carried with a roll call vote 7-0.

Council member Wateland offered the following and moved its adoption:

RESOLUTION NO. 3778
**RESOLUTION DIRECTING PREPARATION OF
ENGINEER'S REPORT FOR THE IMPROVEMENT IN
STREET AND UTILITIES IMPROVEMENT DISTRICT
(Central School Site Redevelopment Project No. ST20-256)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Woods II. Motion carried with a roll call vote 7-0.

Council member Wateland offered the following and moved its adoption:

RESOLUTION NO. 3779
**RESOLUTION RECEIVING AND APPROVING ENGINEER'S REPORT IN
STREET AND UTILITIES IMPROVEMENT DISTRICT
(Central School Site Redevelopment Project No. ST20-256)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Woods II. Motion carried with a roll call vote 7-0.

Council member Wateland offered the following and moved its adoption:

RESOLUTION NO. 3780
**RESOLUTION DIRECTING PREPARATION FOR PLANS
AND SPECIFICATIONS AND ESTIMATE OF COSTS FOR IMPROVEMENT
IN STREET AND UTILITIES IMPROVEMENT DISTRICT
(Central School Site Redevelopment Project No. ST20-256)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Woods II. Motion carried with a roll call vote 7-0.

Council member Wateland offered the following and moved its adoption:

RESOLUTION NO. 3781
**RESOLUTION APPROVING PLANS AND SPECIFICATIONS
FOR IMPROVEMENT IN STREET AND UTILITIES IMPROVEMENT DISTRICT
(Central School Site Redevelopment Project No. ST20-256)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Woods II. Motion carried with a roll call vote 7-0.

Council member Wateland offered the following and moved its adoption:

RESOLUTION NO. 3782
**RESOLUTION DIRECTING PUBLICATION OF ADVERTISEMENT
FOR BIDS FOR CONSTRUCTION OF AN IMPROVEMENT IN
STREET AND UTILITIES IMPROVEMENT DISTRICT
(Central School Site Redevelopment Project No. ST20-256)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Woods II. Motion carried with a roll call vote 7-0.

Council member Wateland offered the following and moved its adoption:

RESOLUTION NO. 3783
**RESOLUTION DETERMINING WRITTEN PETITION
SIGNED BY OWNERS OF THE MAJORITY OF PROPERTY,
REQUESTING WAIVER OF PUBLIC HEARING OF NECESSITY FOR
IMPROVEMENT DISTRICT KNOWN AS
STREET AND UTILITIES IMPROVEMENT DISTRICT
(Central School Site Redevelopment Project No. ST20-256)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Woods II. Motion carried with a roll call vote 7-0.

Project Resolutions JRF Parking Lot & Part of RJ and Laura Hughes Dr. ST-19-245 – Hatting explained the continued project resolutions.

Council member McNary offered the following and moved its adoption:

RESOLUTION NO. 3784
**RESOLUTION APPROVING REVISED PLANS AND SPECIFICATIONS
AND REVISED ESTIMATE OF COST FOR
PART A & B OF IMPROVEMENT DISTRICT PROJECT NO. ST19-245
(John Randall Field Parking Lot and
Part of R. J. Hughes Drive and Laura Hughes Drive)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Bohn. Motion carried with a roll call vote 7-0.

Council member McNary offered the following and moved its adoption:

RESOLUTION NO. 3785
**RESOLUTION DETERMINING WRITTEN PETITION
SIGNED BY OWNERS OF THE MAJORITY OF PROPERTY,
REQUESTING WAIVER OF PUBLIC HEARING OF NECESSITY FOR
PART A & B OF IMPROVEMENT DISTRICT PROJECT NO. ST19-245
(John Randall Field Parking Lot and
Part of R. J. Hughes Drive and Laura Hughes Drive)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Bohn. Motion carried with a roll call vote 7-0.

Council member McNary offered the following and moved its adoption:

RESOLUTION NO. 3786
**RESOLUTION DIRECTING PUBLICATION OF ADVERTISEMENT
FOR BIDS FOR CONSTRUCTION OF PART A & B OF
IMPROVEMENT DISTRICT PROJECT NO. ST19-245
(John Randall Field Parking Lot and
Part of R. J. Hughes Drive and Laura Hughes Drive)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Bohn. Motion carried with a roll call vote 7-0.

COMMUNITY DEVELOPMENT DIRECTOR

Community Director Report – Request appointment to Mayor’s Ad-Hoc Rec Center Committee –

DeVries requested appointment of Jason Butts to the Mayor’s Ad-Hoc Rec Center Committee, and it was noted it would be as an ex-officio member. **Motion by Wateland, seconded by Lambrecht, to approve appointing Jason Butts to the Mayor’s Ad-Hoc Recreation Center Committee as an Ex-officio member.** It was noted Butts is on the Breckenridge City Council and it was felt he will be an asset to the committee. **Motion carried with all voting ‘aye’.**

Street Closure Requests for Downtown Alive and Music Fest – DeVries requested street closure of the 400 and 500 Blocks of Dakota Avenue from 8:00 a.m. to 1:00 p.m. on May 15th for a Downtown Alive event. Since Police Chief Thorsteinson was not present it was felt the request could be approved contingent on his approval. **Motion by Bohn, seconded by Woods II, to approve the street closure of the 400 and 500 Blocks of Dakota Avenue from 8:00a.m. to 1:00p.m. on May 15th for a Downtown Alive event contingent on approval by the Police Chief. Motion carried with all voting ‘aye’.**

DeVries then presented a request from the Headwaters Music Festival Committee for the street closure of 4th Street from Dakota Avenue to 2nd Avenue from 4:00 p.m. to midnight on July 30th for the Headwaters Music Festival event. He noted this was done last year and the Police Chief had no issues with it. **Motion by McNary, seconded by Bohn, to approve the street closure of 4th Street from Dakota Avenue to 2nd Avenue from 4:00 p.m. to Midnight on July 30th for the Headwaters Music Festival event. Motion carried with all voting ‘aye’.**

Buxton -request referral to Finance Cmt. – Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

Art Project Funding – request referral to Finance Cmt. – Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

Music Trailer Purchase – request referral to Finance Cmt. – Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

Recapitalization of Mini-Match Fund – request referral to Finance Cmt. – DeVries explained the Mini-Match+ Program is a matching grant to help businesses with store fronts such as signage and improvement projects, and dilapidated properties may also be candidates. The grant can be up to \$15,000 which would be matched. The grant funds are low and there have been a few inquiries into the program. DeVries requested \$75,000 from Sales Tax for Economic Development to replenish the Mini-Match+ Grant Program. **Motion by Lambrecht, seconded by McNary, to approve Recapitalizing the Mini-Match+ Grant Program Fund with \$75,000 from Sales Tax for Economic Development.** Discussion regarding availability of the funding source. **Motion carried with a roll call vote of 7-0.**

DeVries then provided an update on the Mayor’s Ad-Hoc Rec Center Committee. A public survey was conducted with over 1,500 responses. Rec Centers in other communities will be toured to get some ideas. More information will be provided as it becomes available.

LIBRARY DIRECTOR

Library Report – Bakken reported yesterday started National Library Week 2021. This year’s theme is “Welcome to Your Library”. Citizens were invited to stop by the library and see their tax dollars at work, and become familiar with the services offered. Tuesday, April 6th is National Library Workers Day, and Bakken recognized the Leach Library staff. April 7th is National Library Outreach Day. April 8th is Leach Library’s 97th anniversary. Kercher will be representing the library at the Week of the Young Child event at the Wahpeton Community Center on April 13th. The library received a \$720 Vision Grant from the ND State Library and ND Library Board to help with costs for the Summer Reading Program. Library hours are now Monday 9am-7pm, Tuesday, Wednesday and Thursday 9am-6pm, and Friday 9am-4pm.

[Lambrech exit at 5:43pm]

POLICE CHIEF

Police Department Staffing – request referral to PW Cmt. – In Police Chief Thorsteinson absence, Huwe requested referral of this item to the Public Works Committee. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

PUBLIC WORKS DIRECTOR

Public Works Report –

Bid Review Woodland Dr. Mill & Overlay Proj. ST20-257 – 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 Upgrades to Storm Pump #3.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of ND DOT recommendation to consider Roundabouts at Hwy 210 and 14th Avenue and Hwy 210 and Westmore Avenue.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Request from property owner at 530 11th Street North for a Drive-Through Coffee Shop.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

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

Issues with RJ Hughes Drive road by the golf course club house were then discussed.

REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS

Finance, Personnel & Economic Development Committee Report

Wateland said the Finance, Personnel & Economic Development Committee met at 5:00 p.m. on March 22nd.

John Randall Field Renovation Project Update – continue discussion

Red River Communications Request for Franchise Agreement – continue discussion

Ord. 1021 Business Licensing – discussion

Public Works & Public Safety Committee Report

Bohn said the Public Works & Public Safety Committee met at 5:00 p.m. on March 23rd.

Red River Communications Request for Franchise Agreement

Lime Pond Cleaning at Water Treatment Plant

ND DOT Grant for Dakota Ave. Side Streets Phase B – motion to accept – Motion by Bohn, seconded by McNary, to approve accepting the Urban Grant Award for the Dakota Avenue Side Streets Phase B Project. Motion carried with a roll call vote of 6-0.

Rentable Scooters

Yard Junk/Clutter Updates

Building Official Updates – discussion

Referrals – see PW Director Report

NEW BUSINESS

Mayor's Minute Update – Mayor Dale provided a brief update on frequently asked questions. The East Side Sanitary Sewer Project Phase B has had equipment delivered and trees taken down. This project will help minimize odors at Lift Station #1 and get waste water to Pond #1 in better condition. RJ Hughes Drive will be closed for a period of time to put a temporary access in there. The fire danger is something to be aware of. With the different COVID strains and numbers increasing, people were asked to be careful and considerate of others. Clean Up Week is approaching and it is hoped to be proactive in encouraging those in need to take advantage of it. The High School signal box art is on track. Westdale II has 3 houses which have had material delivered, the foundation for the Vo-tech house is done, and dirt work for the Brookstone lots should start next week. Recently there were 16 lots bought and sold by the City, with 14 new homes expected to be built, possibly 18, this year.

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Committee April 12th, 5:00 PM
- b. Council Meets as Board of Equalization April 13th, 5:00 PM
- c. Public Works Committee April 13th, 5:15 PM

Adjournment

Motion by Wateland, seconded by McNary, to adjourn at 6:06 p.m. Motion carried.

Mayor Steve Dale

Lynelle Amos, Finance Assistant