

**Wahpeton City Council**  
**August 16, 2021**  
**5:00 p.m.**

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

**Absent:** None

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

**CALL TO ORDER**

Meeting called to order by Mayor Dale.

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

**Joint Public Hearing with Planning Commission – Planned Unit Development Block 10 Original Townsite Lots 1-14 Ord. 1026** – DeVillers said the Planning Commission was reconvened and referred to Hatting who explained the proposed Planned Unit Development was for the old Central School Site, Lots 1-14 Block 10 of the Original Townsite. She noted the request was brought forward by the landowner and reviewed by the Planning Commission. She also noted a minor change that was made to Ordinance 1026 was on Page 2, Section 46-219(c) (1) where it says “the top of all foundations shall be 24 inches” which has been amended to 18 inches. It was asked if there was anyone present to speak about the PUD of which there was none. When asked, Huwe said there have been no inquiries or protests, either written or in person, on the proposed PUD. The Planning Commission was asked for their recommendation. **Motion by Dockter, seconded by Bohn, to recommend to the City Council to approve the Planned Unit Development for Lots 1-14 Block 10 of Original Townsite, the old Central School Site. Motion carried with all voting ‘aye’.**

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

**ORDINANCE NO. 1026**  
**AN ORDINANCE AMENDING SECTION 46 ZONING**  
**ARTICLE III – ZONING DISTRICTS DIVISION 5 OTHER DISTRICTS**  
**(CREATING PLANNED UNIT DEVELOPMENT ZONING FOR**  
**LOTS 1 - 14 BLOCK 10 OF ORIGINAL TOWNSITE)**

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Goltz. Motion carried with all roll call vote of 8-0. The Public Hearing was then concluded.

**Motion by Dockter, seconded by Hickel, to adjourn the Planning Commission meeting at 5:05 p.m. Motion carried with all voting ‘aye’.**

**Public Hearing on Proposed Cable Television Franchise Ordinance 1028 and Proposed Cable Television Franchise Agreement with Red River Communications Resolution 3804** – Lies

explained updates to the cable television franchise ordinance were made to meet current federal standards and regulations. The franchise agreement with Red River Communications requires a public hearing and he noted the Franchise Committee met with Red River Communications Operations Manager Matt Ihland and recommend, if there is nothing negative at the public hearing tonight, to grant the proposed cable franchise agreement with Red River Communications. Ihland provided a review of the company’s plans for its cable tv system in Wahpeton. It was asked if there was anyone present to address the proposed cable television franchise agreement of which there was none. When asked, Huwe said there have been no inquiries or protests, either written or in person, regarding the proposed cable franchise agreement or proposed ordinance change.

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

**ORDINANCE NO. 1028**  
**AN ORDINANCE AMENDING CHAPTER 22 PROCEDURES  
FOR CABLE TELEVISION FRANCHISES AND SYSTEMS**

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Goltz. Motion carried with all roll call vote of 8-0.

Council member Wateland offered the following and moved its adoption:

**RESOLUTION NO. 3804**  
**RESOLUTION OF THE CITY OF WAHPETON GRANTING  
A CABLE FRANCHISE TO RED RIVER COMMUNICATIONS**

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

**COVID & Public Health Update – Kayla Carlson, MPH Director of Richland County Public Health** – Carlson reported Richland County experienced several weeks with zero cases of COVID-19 but now dealing with the Delta Variant an increase in cases has been seen. There are currently 5 active cases in Richland County. Community spread continues to be the most common transfer. Following CDC guidelines for masking was suggested. It was noted the Delta Variant is more transmissible but the vaccines have been effective. It was strongly encouraged that individuals get vaccinated.

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

**Approval of minutes of regular meeting held August 2, 2021**

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

Head of the Red Youth Activities Assoc. – Site Authorization (at City Brew Hall)  
Red River Area Sportsman’s Club – Raffle Permit

**Presentation/Approval of Reports**

Financial Statements July 2021  
Bill Pay Report July 2021 \$1,719,567.59 – see below  
Franchise Review Committee Minutes Aug. 3, 2021, Ord. 1028 and Res. 3804  
Community Recreation Center Discussion Minutes Aug. 11, 2021

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

**REPORTS FROM CITY OFFICERS AND STAFF**

**FINANCE DIRECTOR**

**Firehouse Pub Liquor License – Request Approval of Revised Premises Map** – Huwe explained the Firehouse Pub currently occupies 318 and 320 Dakota Avenue. The owner has acquired and renovated 322 Dakota Avenue, a formerly dilapidated property. The owner has requested to amend his liquor license to include the newly acquired property. **Motion by Wateland, seconded by Lambrecht, to Approve the Revised Premises Map/Floor Plan for the Firehouse Pub’s 2021 Liquor License. Motion carried with all voting ‘aye’.**

**2020 Audit Report** – Huwe said the ND State Auditor’s office has issued a report for the City’s 2020 financial statements. It was issued August 3, 2021. The opinions issued state the financial information is considered fair and accurate, and she reviewed some of the findings. Overall, she felt it was a positive report. **Motion by McNary, seconded by Woods II, to approve the 2020 Audit Report. Motion carried with all voting ‘aye’.**

**2022 Preliminary Budget – request referral to Finance Cmt. and PW Cmt.** – Huwe said the 2022 Preliminary Budget will remain on both committee agendas until adoption. First reading of the budget ordinance is set for September 7<sup>th</sup>, with a public hearing scheduled for September 20<sup>th</sup>.

### **City Hall Closed September 6<sup>th</sup> for Labor Day**

### **COMMUNITY DEVELOPMENT DIRECTOR**

**Community Development Report – The Win Column** – This issue featured the new 2020 Census numbers, along with information on the Wahpeton Fall Festival events.

DeVries reported the Planning Commission received an update on the Comprehensive Plan that Interstate Engineering is currently working on. He noted the public survey is still live on the website and some interviews were conducted. A first public input event is planned to be held late September, with adoption hoped for by the end of the year. The updated plan will include lots of good information, including a new land use map and some new categories for planning. It is required by the State to enforce our zoning so it is something that is necessary and that needs to be updated.

DeVries said some Requests For Proposals (RFPs) have been received, with Justin Neppel of SVEDA assisting in responses. Examples of recent RFP’s received include one that would add a \$150,000 building and create up to 13 jobs, and another would like to utilize an existing building creating 30+ jobs. There is a lot of competition with other cities but it was felt Wahpeton has some strengths.

DeVries said the census numbers have been received and Wahpeton has seen an increase of about 241 people, for a total of 8007. This number was very encouraging.

DeVries requested appointment of Lisa Kunkel to the CVB to fill a vacated position. She is currently an ex-officio member that would become a voting member. **Motion by Carlson, seconded by Lambrecht, to approve the appointment of Lisa Kunkel to the Wahpeton Convention and Visitors Bureau to fill a vacated position with a term ending 2021. Motion carried with all voting ‘aye’.**

DeVries requested referral to Finance Committee of a proposed development agreement for some residential lots on City land. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

DeVries reported he continues to receive tourism requests, which is a good sign. He then reviewed some of the planned upcoming Fall Festival events.

### **LIBRARY DIRECTOR**

**Library Restroom Renovation – request referral to PW Cmt.** – Mayor Dale will refer this item to the Public Works & Public Safety Committee.

**Library Report** – Bakken reported the Leach Reads Book Club will begin meeting in person September 15<sup>th</sup>. Kercher will be showing a back-to-school movie on August 23<sup>rd</sup>. The Library Board will meet August 26<sup>th</sup>. Library programming will be included in the Outlook. The library will be closed September 6<sup>th</sup> in observation of Labor Day.

## **PUBLIC WORKS DIRECTOR**

**PW Report – 2021 Seal Coat Project – request referral to PW Cmt.** – Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski then provided an update on operational items that the public works department is currently working on or have completed in the past two weeks.

## **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 August 9<sup>th</sup>.

**Development Agreement for Prairie Flats – motion to approve – Motion by Wateland, seconded by Goltz, to approve the Development Agreement for Prairie Flats between the City of Wahpeton and Bradley and Kimberly Pauly. Motion carried with all voting ‘aye’.**

**Joint Powers Agreement with Wahpeton Park Board for Zoo Improvement Grant – motion to approve – Motion by Wateland, seconded by McNary, to approve the Joint Powers Agreement between the City of Wahpeton and the Wahpeton Park Board for the Zoo Improvement Grant Project. Motion carried with a roll call vote of 8-0.**

**Sales Tax Special Election – motion to offer first reading of Ord. 1030, approve ballot language, and set the special election for Oct. 26<sup>th</sup> – Motion by Wateland, seconded by Bohn, to approve the Revised Sales Tax Ordinance No. 1030, to approve the Official Ballot language for the Special Municipal Election revised as suggested, and to Set the Special Municipal Election for October 26<sup>th</sup>, 2021. Motion carried 6-2 with Wateland, Bohn, Woods II, McNary, Lambrecht, and Carlson voting ‘aye’; and Goltz and Fobb voting ‘nay’.**

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

### **ORDINANCE NO. 1030**

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

### **2022 Budget**

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

Bohn said the Public Works & Public Safety Committee met at 5:00 p.m. on August 10<sup>th</sup>.

#### **Rental Property Inspection Program – discussion**

**Test Wells – New Well Field Proj. W19-251 – motion to approve Manikowski Well Drilling CCO#1 \$69,026.50 – Motion by Bohn, seconded by McNary, to approve Change Order #1 with Manikowski Well Drilling for additional work for the New Well Field Project W19-251 at a cost of \$69,026.50. Motion carried with a roll call vote of 8-0.**

### **2022 Budget Review**

**Sales Tax Special Election – motion to offer first reading of Ord. 1030, approve ballot language, and set the special election for Oct. 26<sup>th</sup> – See Finance Committee Report.**

### **Agreement with Richland County Water Resource District for SW Drain #2**

**Homestead Dev. Proj. ST21-263 – motion to approve NTI Soil Borings CCO#1 \$1,400 – Motion by Bohn, seconded by Carlson, to approve Change Order #1 with Northern Technologies for Homestead Development Project ST21-263 for additional soil borings in the Homestead Addition at a cost of \$1,400.00. Motion carried with a roll call vote of 8-0.**

**JRF Parking Lot & Parts of RJ Hughes Dr. & Laura Hughes Dr. Proj. ST19-245 – motion to approve Northern Improvement CCO #1 shared use path reconstruct \$27,628 and additional path from concession stand \$7,945 – Motion by Bohn, seconded by Woods II, to approve Change Order #1 with Northern Improvement for the John Randall Field Parking Lot & Parts of RJ Hughes Drive and Laura Hughes Drive Project ST19-245 for the shared use path reconstruction by the golf clubhouse at a cost of \$27,628.00 from the Sales Tax and Recreation fund. Discussion held. Motion carried with a roll call vote of 8-0.**

**Motion by Bohn, seconded by Lambrecht, to approve Change Order #1 with Northern Improvement for the John Randall Field Parking Lot & Parts of RJ Hughes Drive and Laura Hughes Drive Project ST19-245 for the asphalt pathway extension from the bleachers to the concession stand at a cost of \$7,945.00 which will be added to the special assessments for this project. Motion carried with a roll call vote of 8-0.**

**SRTS 11<sup>th</sup> St. N. Proj. ST19-252 – motion to approve contract extension for Ti-Zack Construction – Motion by Bohn, seconded by Woods II, to approve extending the Ti-Zak Construction Contract for the SRTS 11<sup>th</sup> Street North Project ST19-252 to September 21, 2021. Motion carried with all voting ‘aye’.**

**Lime Removal at WTP Review of Bids – motion to approve Comstock Construction bid \$77,400 – Motion by Bohn, seconded by Woods II, to approve to accept the bid and award the Lime Removal Project at the Water Treatment Plant to Comstock Construction at a cost of \$77,400.00. Motion carried with a roll call vote of 8-0.**

**Special Assessment Spreads Loy Ave. & 12<sup>th</sup> St. N. Proj. ST19-249**

**Special Assessment Spreads Dakota Ave. Side Streets Proj. ST20-255 – discussion**

**Storm Water Ditch at Center St. & 11<sup>th</sup> Ave. S.**

**Storm Water Ditch at Chahinkapa Zoo – request referral to PW Cmt.**

**Housing Rehabilitation Program Applications – motion to approve 3 projects – Motion by Bohn, seconded by Goltz, to approve a \$50,000 loan to grant for 516 6<sup>th</sup> Street North, and \$25,000 loan and \$25,000 loan to grant for 615 4<sup>th</sup> Street North and 1002 5<sup>th</sup> Street South through the Housing Rehabilitation Program. Motion carried with a roll call vote of 8-0.**

**Consulting Engineer Pool Selection Procedures**

**5G & Small Wireless Facilities Ordinance No. 1027**

**Request for 5<sup>th</sup> Ave. N. Ditch Alternative**

**Request for Drive-thru Lane at 530 11<sup>th</sup> St. N. – discussion**

**Yard Junk/Clutter Updates - discussion**

## Building Official Updates – discussion

Referrals – see PW Director Report

### NEW BUSINESS

**Mayor’s Minute Update** – Dale provided a review of recent happenings in Wahpeton, expressing his content with the recent Census results and thanking those who were a part of the Complete Count Committee.

July 2021 Bill Pay Report

<b>DISBURSEMENTS FUND</b>	<b>ACCOUNTS PAYABLE</b>	<b>PAYROLL &amp; GL</b>	<b>TOTAL</b>
101 GENERAL FUND	\$279,988.47	\$38,040.60	\$318,029.07
201 WATER OPERATING FUND	\$78,365.29	\$46,027.65	\$124,392.94
202 SANITARY SEWER OPERATING FUND	\$67,786.92	\$29,346.11	\$97,133.03
203 WASTE REMOVAL OPERATING FUND	\$31,313.91	\$1,094.88	\$32,408.79
204 WASTE REDUCTION FUND	\$731.88		\$731.88
205 VECTOR CONTROL FUND	\$1,977.72	\$2,959.48	\$4,937.20
206 STREET LIGHTING	\$20,971.36		\$20,971.36
209 LIBRARY LEVY FUND	\$14,877.54	\$14,088.87	\$28,966.41
216 AIRPORT 4-MILL LEVY FUND	\$859.00	\$717.66	\$1,576.66
227 ANNUAL RESERVE WH FUND		-\$4,017.58	-\$4,017.58
229 CAPITAL IMPROVEMENTS FUND	\$15,752.00		\$15,752.00
234 SPECIAL STREET MAINT FUND	\$12,130.86		\$12,130.86
236 LEVEE MAINTENANCE	\$14,771.96	\$12,747.86	\$27,519.82
253 METER DEPOSITS TRUST FUND	\$147.14		\$147.14
271 ECONOMIC DEVEL DEPT FUND	\$1,664.15	\$11,502.76	\$13,166.91
303 MISCELLANEOUS FUND	-\$29.55		-\$29.55
315 TAX INCREMENT FUND	\$1,250.00		\$1,250.00
316 1% LODGING TAX (ADDTL 1/1/08)	\$1,000.00		\$1,000.00
318 WEED MAINT LEVY FUND	\$670.00		\$670.00
319 LODGING TAX FUND	\$284.99		\$284.99
320 SALES TAX OPERATING FUND	\$196,256.69		\$196,256.69
321 SALES TAX RESERVE FUND	\$3,070.00		\$3,070.00
323 SALES TAX DEVELOPERS AGMNT RES	\$57,480.00		\$57,480.00
325 SALES TAX H.E.L.P. HOUSING FUND	\$330.00		\$330.00
326 REVOLVING LOAN FUND	\$436.67		\$436.67
328 SUMMER MUSIC FESTIVAL	\$12,011.30		\$12,011.30
330 JULY 4TH FIREWORKS	\$205.35		\$205.35
365 PD SPEC EQUIP SINKING FUND	\$205.22		\$205.22
390 CLUBHOUSE MAINTENANCE			\$0.00
393 1% RESTAURANT TAX FUND	\$710.74		\$710.74
401 BDSGC CART SUBLEASE	\$4,285.00		\$4,285.00
665 E. SAN. SEWER PH B SS18-243	\$386,025.40		\$386,025.40
668 JR FIELD PARKING LIT & HUGHES DR	\$29,203.01		\$29,203.01
670 EDGEWOOD PARK ST18-239	\$100.00		\$100.00
673 LOY AVE & 12TH ST PROJ ST19-249	\$43,238.42		\$43,238.42
675 WELL FIELD RECLO PROJ W19-251	\$10,040.75		\$10,040.75
676 DOWNTOWN S. STREETS ST20-255	\$26,247.96		\$26,247.96
677 CENTRAL SCHOOL SITE ST20-256	\$236,531.77		\$236,531.77
678 WOODLAND DR MILL & OLAY ST20-257	\$3,161.44		\$3,161.44
679 W.WATER FACILITY PLAN	\$1,139.44		\$1,139.44
680 COMPREHENSIVE PLAN	\$11,046.50		\$11,046.50
682 PRAIRIE FLATS 1ST ST21-261	\$820.00		\$820.00
<b>TOTAL</b>	<b>\$1,567,059.30</b>	<b>\$152,508.29</b>	<b>\$1,719,567.59</b>

### SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Committee August 23<sup>rd</sup>, 5:00 PM
- b. Public Works Committee August 24<sup>th</sup>, 5:00 PM

### ADJOURNMENT

**Motion by Wateland, seconded by Lambrecht, to adjourn at 5:59 p.m. Motion carried.**

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Mayor Dale

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Lynelle Amos, Finance Assistant