

Wahpeton City Council

August 19, 2024

5:00 p.m.

Present: Mayor Brett Lambrecht, Council Members Shannon Schillinger, David Woods II, Chad Perdue (remotely), Jason Goltz, Tiana Bohn, Kelly McNary, and Cory Unruh

Absent: Renata Fobb

Also Present: Finance Director Darcie Huwe, City Attorney Brittany Hatting, Public Works Director Dennis Miranowski, Community Development Director Chris DeVries, Library Director Melissa Bakken, Police Chief Matthew Anderson, Deputy Police Chief Tim Appell, Finance Assistant Lynelle Amos, Auditor's Assistant Cheryl O'Meara

CALL TO ORDER – PLEDGE OF ALLEGIANCE

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

PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.

Proclamation – Wahpeton 11-Year-Old Cal Ripken Baseball Team State Champions – Council member McNary read a proclamation congratulating the Wahpeton 11-Year-Old Cal Ripken Baseball Team on earning the title of ND State Champions, and declaring August 19, 2024, to be Wahpeton Cal Ripken Baseball Champions Day. Coach Schmit introduced the team and assistant coach and spoke about the team's winning season. Congratulations were shown through a standing ovation.

Tricia Gollnick – Request Consideration for Trap-Neuter-Release (TNR) Program – Wahpeton resident and owner of the Starlite Motel, Tricia Gollnick, proposed a Trap-Neuter-Release (TNR) Program for stray and feral cats. She provided program information to the mayor who will meet with her this week to discuss what further action can be taken to proceed with the proposed program.

Pierce Dilapidated Properties Administrative Hearing – immediately following Council mtg. – It was announced this hearing would be continued to a different date yet to be determined pending additional information.

CONSENT AGENDA ITEMS (presented by the Mayor) –

Approval of minutes of regular meeting held August 5, 2024

Games of Chance Licenses, Site Authorizations & Special Permits:

Andy Ziegelman Dart Tournament – Raffle Permit

Presentation/Approval of Reports

July 2024 Bill Pay Report \$1,164,020.70 (see below)

July 2024 Financial Statements

Convention & Visitors Bureau Q2 2024 Report

NDSCS Opening Week Block Party August 25th

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

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

NDLC Webinar – Second Look at Property Tax Elimination Measure August 15th – Huwe said the ND League of Cities hosted a free webinar on August 15th to provide an overview of the measure. A few interesting facts: There are 15 types of political subdivisions with property tax levy authority: cities, park districts, school districts, counties, townships, rural fire districts, rural ambulance districts, hospital

districts, soil conservation districts, rural water districts, irrigation districts, water districts, Garrison Diversion, recreation service districts, and the State of ND Medical school. Property taxes levied in 2023 for the 2024 operating budgets of these 2,483 political subdivisions totaled \$1.4 billion. Funding for schools represents 46% of property tax collections, counties 25%, cities 17%, parks and all other political subdivisions account for 12% of all property taxes in ND for services provided this year. Opponents and proponents of the ballot issue have made information available on social media. The November 5th General Election is 77 days from today. Anyone interested in more information can contact Huwe.

2025 Preliminary Budget – Refer to Finance Cmt. & Public Works Cmt. – Huwe said the 2025 preliminary budget is available on the City website. The tax levy has been certified with the County Auditor. The budget hearing is scheduled for September 16th at 5:00 p.m. The notice of budget hearings for the county, city, school district and park board will be mailed to each property owner with a pro-forma property tax statement by the first week of September. Any questions, suggestions or input can be directed to Huwe. It was requested the 2025 Preliminary Budget remain on the Finance Cmt. and PW Cmt. agendas until adoption. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee, and also to the Public Works & Public Safety Committee.

Fire Dept. Inquiry – Refer to Public Works Cmt. Executive Session – The City Attorney has received an inquiry regarding the fire department service area. It was requested the fire department inquiry be referred to the Public Works Cmt. in Executive Session under NDCC 44-04-19.1 for attorney consultation. Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

ND League of Cities Annual Conference September 18-20, 2024 – The ND League of Cities annual conference will be held Wednesday, September 18th through Friday, September 20th in Grand Forks at the Alerus Center. The agenda includes over 30 educational sessions on topics ranging from cybersecurity, pavement management, first amendment audits grant funding, to the basics of carbon capture. Anyone interested in attending should contact Huwe by August 23rd.

City Hall Closed September 2nd for Labor Day

ATTORNEY

Request Appointment of Alternate Indigent Defense Counsel – City Attorney Hatting explained Martinez Law PLLC (Tanya Johnson Martinez) has agreed to the terms of the contract for alternate indigent defense in the City of Wahpeton. This contract is the same as was in place for the previous alternate indigent defense counsel, so it is budget neutral. The initial term would be from September 1, 2024, to December 31, 2025, then annually renewable thereafter. **Motion by Bohn, seconded by Schillinger, to approve the contract with Martinez Law PLLC (Tanya Johnson Martinez) for Alternate Indigent Defense in the City of Wahpeton for the term September 1, 2024, to December 31, 2025, then renewable annually thereafter. Motion carried with a roll call vote of 7-0.**

Regarding the advisory ballot measure for fireworks approved at the previous council meeting, Hatting said the County Auditor has requested the City Council consider a shortened version of the straw poll as there are several measures on the ballot and it has gotten very long and expensive. Hatting provided a revised ballot with four options she felt were the most relevant as answer to how many days fireworks should be allowed to be discharged within the City of Wahpeton, which were no change, July 4th only, two days, and five days. **Motion by Goltz, seconded by McNary, to approve the revised wording of the Advisory Vote to be included on the Official Ballot for the November 5, 2024 Election asking “For how many days should fireworks be allowed to be discharged within the City of Wahpeton” with four options for response: No Change, July 4th Only, Two Days, and Five Days.** Discussion held. **Motion carried with all voting ‘aye’.**

COMMUNITY DEVELOPMENT DIRECTOR

Community Development Report – DeVries presented some recommendations from the Planning Commission for consideration. The Planning Commission reviewed an application from Haley Properties LLC for the rehabilitation of the building at 103 9th Street North. This proposed project would be a new addition to the north side of the building, adding approximately 782 sq. ft. Their original building expansion cost estimate was \$350,000, but recently received a bid that was over \$600,000, and they would also add \$300,000 worth of equipment. The current true and full value of the building is \$271,600, the current property tax on the building is \$4,812.07, and the estimated value of the building after completion of improvements is \$522,000. The estimated 8-year property tax benefit is \$35,491.68, \$4,436.46 per year. **Motion by Bohn, seconded by Schillinger, to approve the Renaissance Zone Rehabilitation Project application from Haley Properties LLC at 103 9th Street North for an 8-year 100% property tax exemption on improvements only and an 8-year income tax exemption. Motion carried with a roll call vote of 7-0.**

DeVries said the Planning Commission also reviewed an application from Wahpeton Family Dentistry who will be leasing the building at 103 9th Street North once the addition has been completed. This would be for a 5-year State income tax exemption. **Motion by Goltz, seconded by Woods, to approve the Renaissance Zone application from Wahpeton Family Dentistry as a Lease Project at 103 9th Street North for a 5-year State Income Tax exemption. Motion carried with a roll call vote of 7-0.**

DeVries then requested the Music Trailer Stipulations/Policy for Use be referred to the Finance Committee. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

DeVries then announced some of the upcoming events which include the NDSCS Block Party this Sunday, the Classy and Classic Car Show September 12th, Bull Bash September 21st, and the Fall Festival in October.

This edition of the Win Column featured the 2024 School Supply Drive and its success.

LIBRARY DIRECTOR

Library Report – Bakken reported the summer reading program is completely finished but programs will be starting up again in September, such as story time, fun days, teen programming, book club, and Saturday openings after Labor Day. There were 1,859 lunches served at the library through the summer lunch program, with 14,149 total lunches served at all sites. The Library Board will meet this Thursday. The library will have a table set up at the NDSCS Block Party this Sunday. The library will be closed September 2nd in observation of Labor Day. The Friends of the Library will meet September 11th. The book for the Book Club is now available at the library with the first meeting to be held on September 18th. Bakken then announced the library had some exciting news this week. Youth Services Librarian Rachel Kercher applied for a Summer Reading Program Grant from the North Dakota Department of Public Instruction and Leach Library was awarded up to \$15,000 to use in the youth areas. This is not a matching grant and can be used for a number of enhancements to the youth areas including new furniture, software, books, arts and craft supplies, STEM and STEAM items, programming, and many other items.

POLICE CHIEF

Police Dept. Report – Police Chief Anderson reported Lisa Page (Hill) has been selected as the department's new K-9 handler and is using this time between now and when she gets certified September 26th to get acclimated in training with Brina. After that date Brina will be deployable again for the citizens of Wahpeton. The Police Department continues to conduct impaired driving saturations from August 16th through September 2nd which is the national campaign for "Drive Sober or Get Pulled Over".

Street Closure Request 400 & 500 Blocks of Dakota Ave. Sept. 12th for the Classy & Classic Car Show 3:00 p.m. to 8:00 p.m. – Police Chief Anderson presented a street closure for approval for the Classy & Classic Car Show. **Motion by McNary, seconded by Unruh, to approve the request for Street Closure on September 12th, 2024, of the 400 and 500 Blocks of Dakota Avenue from 3:00 p.m. until 8:00 p.m. for the Classy & Classic Car Show. Motion carried with all voting 'aye'.**

PUBLIC WORKS DIRECTOR

Public Works Report –

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

Update on Mayor's Ad-Hoc Committee – Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee, and also to the Public Works & Public Safety Committee.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Woods said the Public Works & Public Safety Committee met on August 12th at 4:00 p.m.

Professional Services Agmnt. Supplemental No. 1 with Interstate Engineering for Wastewater Facility Plan – motion to approve \$151,530 – **Motion by Woods, seconded by McNary, to approve the revised scope of services addendum with Interstate Engineering in the amount of \$151,530 from Sales Tax for Economic Development.** Discussion held. **Motion carried with a roll call vote of 7-0.**

Professional Services Agmnt. Supplemental No. 2 with Interstate Engineering for Water Facility Plan (part of the Well Field Relocation Project W19-251) – motion to approve \$113,342 – **Motion by Woods, second by Unruh, to approve the revised scope of services addendum with Interstate Engineering in the amount of \$113,342 from the Water Fund.** Discussion held. **Motion carried with a roll call vote of 7-0.**

Professional Services Agmnt. Supplemental No. 1 with Interstate Engineering for the Legacy Lakes Proj. ST21-253 (formerly referred to as Homestead Dev.) – **Motion by Woods, seconded by McNary, to approve the revised design and construction engineering services addendum with Interstate Engineering for the Exterior Improvements on the Legacy Lakes Project ST21-253, in the amount of \$594,432.46 funded by Special Assessments and Tax Increment Financing (TIF).** Discussion held. **Motion carried with a roll call vote of 7-0.**

Contract Change Order No. 1 with Sellin Bros. Inc. for the Golf Course Intake Proj. SS23-276 – motion to approve change in completion date – **Motion by Woods, seconded by Unruh, to approve accepting the Amended Substantial Completion Date of Nov. 8, 2024, and Final Payment on Nov. 15, 2024.** Motion carried with a roll call vote of 7-0.

Forestry Ordinance Review

Alarm Systems Ordinance Review - discussion

Community Enhancement Cmt. Recommendation on Zoo Skid Loader Purchase – motion to approve \$15,000 – **Motion by Woods, seconded by McNary, to approve the funding request from the Chahinkapa Zoo of \$15,000 toward the purchase of a Bobcat Skid Steer Loader from the 1% Restaurant Tax.** Discussion held regarding eligible uses of the fund. **Motion failed 1-6; with McNary voting ‘aye’, and Woods, Goltz, Bohn, Unruh, Schillinger, and Perdue voting ‘nay’.**

Community Enhancement Cmt. Recommendation on Music Trailer Rehab – motion to approve \$12,000 – **Motion by Woods, seconded by Unruh, to approve the HOWCO Trailers repair estimate for the Music Trailer of up to \$12,000 from the 1% Restaurant Tax.** Motion carried with a roll call vote of 7-0.

Building Official Updates

Yard Junk & Clutter

Referrals (see PW Director Report)

Finance, Personnel & Economic Development Committee Report

Bohn said the Finance, Personnel & Economic Development Committee met on August 12th at 5:00 p.m.
2025 Preliminary Budget – discussion

Fireworks Wholesaler Request – discussion

Smoking in Public Places & Tobacco Retailer Licenses - discussion

Referrals – None.

UNFINISHED BUSINESS

City Attorney Hatting requested the Restaurant Tax Policy be referred to the Finance Committee for review. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

July 2024 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$320,635.22	\$51,027.40	\$371,662.62
201 WATER OPERATING FUND	\$92,124.43	\$49,791.46	\$141,915.89
202 SANITARY SEWER OPERATING FUND	\$78,975.51	\$39,261.64	\$118,237.15
03 WASTE REMOVAL OPERATING FUND	\$35,500.84	\$2,687.50	\$38,188.34
204 WASTE REDUCTION FUND	\$1,052.08		\$1,052.08
205 VECTOR CONTROL FUND	\$6,201.81	\$6,003.04	\$12,204.85
206 STREET LIGHTING	\$14,900.86		\$14,900.86
207 STORM WATER UTILITY	\$141.55		\$141.55
209 LIBRARY LEVY FUND	\$16,525.75	\$18,880.87	\$35,406.62
216 AIRPORT 4-MILL LEVY FUND	\$2,927.47	\$1,076.50	\$4,003.97
229 CAPITAL IMPROVEMENTS FUND	\$1,079.92		\$1,079.92
233 REAL ESTATE LEVY FUND	\$15,013.52		\$15,013.52
234 SPECIAL STREET MAINT FUND	\$2,120.13		\$2,120.13
236 LEVEE MAINTENANCE	\$6,159.54	\$16,749.39	\$22,908.93
253 METER DEPOSITS TRUST FUND	\$311.32		\$311.32
271 ECONOMIC DEVEL DEPT FUND	\$1,876.21	\$14,074.24	\$15,950.45
303 MISCELLANEOUS FUND	\$208.48		\$208.48
315 TAX INCREMENT FUND	\$1,350.00		\$1,350.00
316 1% LODGING TAX (ADDTL 1/1/08)	\$85.82		\$85.82
318 WEED MAINT LEVY FUND	\$1,332.42		\$1,332.42
319 LODGING TAX FUND	\$11,337.40		\$11,337.40
320 SALES TAX OPERATING FUND	\$19,369.25		\$19,369.25
321 SALES TAX RESERVE FUND	\$44,967.00		\$44,967.00
323 SALES TAX DEVELOPERS AGMNT RES	\$63.00		\$63.00
325 SALES TAX H.E.L.P. HOUSING FUND	\$900.00		\$900.00
326 REVOLVING LOAN FUND	\$416.67		\$416.67
330 JULY 4TH FIREWORKS	\$120.00		\$120.00
365 PD SPEC EQUIP SINKING FUND	\$2,787.84		\$2,787.84
390 CLUBHOUSE MAINTENANCE	\$1,730.00		\$1,730.00
393 1% RESTAURANT TAX FUND	\$1,253.39		\$1,253.39
401 BDSGC CART SUBLEASE	\$6,488.00		\$6,488.00
672 8TH AVE. N PROJ. ST19-248	\$11,489.49		\$11,489.49
675 WELL FIELD RECLO PROJ W19-251	\$14,640.66		\$14,640.66
676 DOWNTOWN S. STREETS ST20-255	\$699.57		\$699.57
679 W.WATER FACILITY PLAN	\$1,427.50		\$1,427.50
681 HOMESTEAD DEVELOPMENT ST21-263	\$957.50		\$957.50
685 SS LS GENERATORS SS21-265	\$1,050.72		\$1,050.72
686 DOWNTOWN S STREETS2 ST21-259	\$20,029.06		\$20,029.06
687 NON FEDAID DOWNTOWN S ST ST22-266	\$677.50		\$677.50
688 ROSEWOOD 3RD ADDTN ST22-269	\$190,694.94		\$190,694.94
689 PRAIRIE FLATS TWINHOMES	\$100.00		\$100.00
693 EAST CENTRAL & SE ST PROJ ST23-278	\$7,100.47		\$7,100.47
695 GOLF COURSE INTAKE SS23-276	\$378.00		\$378.00
698 4 TH ST & 4TH AVE S ST24-284	\$27,267.82		\$27,267.82
TOTAL	\$964,468.66	\$199,552.04	\$1,164,020.70

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Public Works Committee August 26, 2024, 4:00 p.m.
- b. Finance Committee August 26, 2024, 5:00 p.m.

Motion by Goltz, seconded by Bohn, to adjourn at 6:12 p.m. Motion carried.

Mayor Brett Lambrecht

Lynelle Amos, Finance Assistant