

Wahpeton City Council
October 15, 2018
5:00 p.m.

Present: Miller, Bajumpaa, McCann, Dale, Wateland, and McNary

Absent: Bohn, Lambrecht, and Bertsch

Also Present: Huwe, Lies, Miranowski, Thorsteinson, Broadland, DeVries, Bakken, Amos, and Cain

CALL TO ORDER

Meeting called to order by Mayor Dale.

PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.

Joint Public Hearing with Planning Commission – Proposed Zoning Ordinance Amendment No. 997 to Allow Storage Buildings in B1 and B2 Zoning Districts Postponed to October 15th

Dale called to order this public hearing which was held jointly with the Planning Commission. Planning Commission Chair DeVillers reconvened the Planning Commission meeting, and Lies was referred to for explanation. Lies said the Ordinance No. 997 would provide for allowing storage facilities to be built from the river to 11th Street on all those lands/parcels/lots that literally abut onto the railroad tracks, but would require a special exception which would have to be approved by the Planning Commission as opposed to the Board of Adjustment. Because there are so many different sized lots that abut the tracks and access to some is challenging and others not, it would also allow for there to be, with the approval of the Planning Commission, lot splits where there could be a site where someone builds several storage units and sells off the individual units and will ensure they meet the requirements with fire barriers, etc. as part of the special exception permit. Lies said RRVW Railroad has been checked with and are fine with it. Dale asked if there was anyone present who wished to address the proposed ordinance amendment and there was none. He then asked Huwe if there were any written or oral correspondence/protests received of which Huwe answered there were no inquiries or oppositions either written or otherwise. Discussion held. DeVillers then asked the Planning Commission for their recommendation. **Motion by Jensen, seconded by Pithey, to recommend to the City Council to approve the Proposed Zoning Ordinance Amendment No. 997 to Allow Storage Buildings in B1 and B2 Zoning Districts from 11th Street to the Bois de Sioux River by Special Exception on all those Lands/Parcels/Lots abutting the Railroad Tracks. Motion carried with all voting ‘aye’.** Lies noted the earlier draft sited from the Red River when in actuality it is the Bois de Sioux River at that point and that correction has been made in this draft of the ordinance.

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

ORDINANCE NO. 997
AN ORDINANCE PROVIDING
FOR STORAGE BUILDINGS
IN B-1 AND B-2 ZONED DISTRICTS

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Miller. Motion carried with a roll call vote 5-0. This Public Hearing was then concluded.

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

Public Hearing – Certification of Special Assessments Resolution No. 3708 ó Dale then called to order the Public Hearing regarding the Certification of Special Assessments Resolution No. 3708. Lies explained there are two special assessment districts that have had hearings held in front of the Special Assessment Commission, with one having no objections and the other having one objection to it in person at the hearing, but he didn't know if there was anyone present to protest or to seek relief from the Special Assessment Commission's recommendations to the Council. He said what would happen from this point is the Council would hear any appeals from their recommendations, act on those, and then confirm the assessments so they can go on the tax rolls. Dale asked if there was anyone present to protest the assessment district for either the Alley Reconstruction of Block 33 or the Evergreen West Project, of which there was none. He then asked if there were any other written or oral correspondence/protests received other than the individual at the Special Assessment Commission meeting, of which Huwe answered there were no additional inquiries or protests, noting the Special Assessment Commission already addressed all inquiries from property owners.

Council member McCann offered the following and moved its adoption:

RESOLUTION NO. 3708
**RESOLUTION CONFIRMING SPECIAL ASSESSMENTS AND DIRECTING
CERTIFICATION AND LEVY FOR**

ASSESSMENT DISTRICT 17-232
ALLEY RECONSTRUCTION – BLOCK 33 BADES ADDITION
PROJECT NO. ST17-232
AND
ASSESSMENT DISTRICT 17-234
EVERGREEN WEST
PROJECT NO. STW-234

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember McNary. Motion carried with a roll call vote 5-0. This Public Hearing was then concluded.

CONSENT AGENDA ITEMS (presented by the Mayor) ó

Approval of minutes of regular meeting held October 1, 2018

Games of Chance Licenses, Site Authorizations & Special Permits:

Allied Health Dental Club Raffle Permit

Other Games of Chance and/or Special Permits:

Wahpeton Wrestling Club Raffle Permit

Presentation/Approval of Reports

September 2018 Financial Reports

September 2018 Bill Pay Report \$2,108,148.77 (\$1,130,081.25 in construction pymnts.) ó see below

Polling Locations Map

Fire Prevention Month

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

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

General Election Nov. 6th ó Huwe said the 2018 general election is 22 days away, November 6th. North Dakota does not have voter registration. However, in order to vote in North Dakota, a voter must be: A citizen of the United States; Eighteen years or older on the day of election; A resident of

North Dakota; and A resident who has resided in the precinct at least thirty days immediately preceding any election; and Able to provide a valid form of identification such as a North Dakota driver's license, non-driver ID, or tribal ID that includes your current residential address and date of birth. Absentee ballots may be requested through the ND Secretary of State's website or if you are interested in voting early you can vote at the Richland County Auditor's Office during business hours. If you would like to preview your ballot or the complete language of the four initiated measures they may be viewed on the ND Secretary of State's website under elections.

City License Renewals ó Huwe explained the city licenses for liquor, tobacco, cabaret, taxi cabs, amusement devices, itinerant merchants, second hand goods dealer, house movers and waste haulers are issued on a calendar year basis. Renewal applications will be sent out in early November and presented to the Council for approval at the first meeting in December. The liquor license renewal will require each of the Class C license holders to provide a statement from a certified public accountant certifying gross food sales are greater than 50% of the licensee's total sales.

CIP Project 421 By-pass Enhancements – request referral to Finance Cmt. ó Huwe said the CIP Project 421 includes landscaping improvements in the greenspace junction of ND State Highway 13 and the 210 Bypass. The adopted Capital Improvements Plan includes this project. She requested referral to the Finance Committee for further discussion. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

Review of Draft Employee Policy Manual – request referral to Finance Cmt. ó Huwe said the review of the draft Employee Policy Manual will be a process spanning several meetings with a targeted adoption date of December 17th. She requested the Draft Employee Policy Manual be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

Huwe then asked City Assessor Broadland to explain about the prepayment of special assessments for the projects that were certified tonight. Broadland said a letter will go out in the mail to all of those property owners who will have until October 30th to prepay with no interest, then on November 1st the special assessments will be certified to the County so on that day at least that portion of it then would have interest added to the certification.

COMMUNITY DEVELOPMENT DIRECTOR

DeVries explained he had not planned to have a formal report tonight but needed to bring a request from the Planning Commission who had met just prior to this meeting. **Motion by Bajumpaa, seconded by McCann, to suspend the rules to discuss an item not on the agenda. Motion carried with all voting 'aye'.** DeVries explained the Renaissance Zone covering 30+ blocks in Wahpeton has been in place for about 15 years and expires this December so are looking at asking the State for a 5 year extension of that Zone with a couple of changes to the blocks, which is mainly the downtown corridor then south on the west side of 6th Street. DeVries felt the program was a good tool for the City's toolbox, with tax incentives for both residential and commercial properties. He requested to set a Joint Public Hearing with the Planning Commission on November 5th regarding this extension. **Motion by McCann, seconded by Miller, to approve setting a Joint Public Hearing with the Planning Commission for November 5th, 2018 at 5:00p.m. regarding the proposed 5-Year Extension of the Renaissance Zone.** Discussion held. **Motion carried with all voting 'aye'.**

DeVries then addressed recent information in the media regarding Sears Corporation filing bankruptcy. He has reached out to the owner of the local Sears Hometown Store who assures it's business as usual for them because it's a separate entity and they are not part of the bankruptcy filing. DeVries felt the Sears Store is a great benefit to Wahpeton so it's good to hear they are still standing strong.

LIBRARY DIRECTOR

Library Report ó Bakken reported Chocolate Chocolate Day was a huge success again this year. She thanked all the patrons and Friends of the Library members who attended and worked for this event. She announced Children's Programming is once again in full swing. Activities include Chess tonight, tomorrow Story Time and Get Creative at the Library, Wednesday Preschool Art and Leach Reads Book Club, a Creative Writing Group on Thursday, Friday a movie, and Saturday Teen Anime Club.

PUBLIC WORKS DIRECTOR

PW Report

Cul-de-sac Snow Plowing Operations – Request Referral to PW Cmt. ó Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee of **Review of a Request from the City of Breckenridge for the City of Wahpeton to consider being designated as their Emergency Water Supplier in their Water Supply Plan with the State of Minnesota.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee of **Award of Bid for the Lift Station #1 Wet Well Lining and Control Project.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski then provided an update on the 3rd Avenue North Reconstruction Project.

REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS

Finance, Personnel & Economic Development Committee Report

McCann said the Finance, Personnel & Economic Development Committee met at noon on October 8th.

Review of Draft Employee Policy Manual – ongoing discussion

400 Block Development Agreement Update - discussion

Public Works & Public Safety Committee Report

Bajumpaa said the Public Works & Public Safety Committee met at noon on October 9th.
3rd Ave. N. Reconstruction Proj. 11-01-06 Contract Change Order No. 2 Duinick Construction – motion to recommend approval to change date of substantial completion from Oct. 1 to Nov. 1 ó Motion by Bajumpaa, seconded by McNary, to approve Contract Change Order No. 2 to Duinick Construction to Extend the Date of Substantial Completion from October 1, 2018 to November 1, 2018 for the 3rd Avenue North Reconstruction Project 11-01-06. Motion carried with all voting ‘aye’.

Master Plan for Trails & Shared Use Paths – discussion

ND DOT Monument Sign Right of Way Permit ND Hwys. 13 and 210 – motion to recommend approval of agreement ó Motion by Bajumpaa, seconded by McNary, to approve the Agreement with North Dakota Department of Transportation for the Monument Sign Right of Way Permit on ND Highway 210 and Highway 13 Loop. Discussion held. It was noted the agreement would be for this location only. **Motion carried with all voting ‘aye’.**

Advance Warning Traffic Signal Indicator Beacons at 9th St. N. & ND Hwy 210 – discussion

Crosswalk Safety Concerns at 11th St. N. & Westmore Ave. – discussion

Draft Ordinance Regulating Chickens within City Limits - discussion

Revisions to Ordinance Regarding Off-Street Parking/Front Yard Parking - discussion

Dakota Ave. Traffic Signal Timing - discussion

Revision to Ordinance Regarding Parking/Licensing of Recreational Vehicles

Revision to Policy on Water & Sewer Line Disconnection Requirements on Demolition Properties

Yard/Clutter Updates

Building Official Updates

Discussion held regarding issues with local hotels not being in compliance with State requirements and any steps the City can take other than contacting the State Health Department and State Fire Marshall.

September 2018 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$245,184.35	\$55,769.35	\$300,953.70
201 WATER OPERATING FUND	\$67,927.34	\$47,777.83	\$115,705.17
202 SANITARY SEWER OPERATING FUND	\$35,151.48	\$26,212.92	\$61,364.40
203 WASTE REMOVAL OPERATING FUND	\$31,043.21	\$989.44	\$32,032.65
204 WASTE REDUCTION FUND	\$429.92		\$429.92
205 VECTOR CONTROL FUND	\$709.87	\$2,332.83	\$3,042.70
206 STREET LIGHTING	\$10,953.93		\$10,953.93
209 LIBRARY LEVY FUND	\$4,820.55	\$13,128.93	\$17,949.48
216 AIRPORT 4-MILL LEVY FUND		\$494.96	\$494.96
227 ANNUAL RESERVE WH FUND		-\$2,153.34	-\$2,153.34
229 CAPITAL IMPROVEMENTS FUND	\$53,356.75		\$53,356.75
234 SPECIAL STREET MAINT FUND	\$84,091.05		\$84,091.05
236 LEVEE MAINTENANCE	\$5,090.18	\$8,534.02	\$13,624.20
253 METER DEPOSITS TRUST FUND			\$0.00
271 ECONOMIC DEVEL DEPT FUND	\$3,063.97	\$13,920.88	\$16,984.85
303 MISCELLANEOUS FUND	\$153.00		\$153.00
315 TAX INCREMENT FUND	\$1,250.00		\$1,250.00
316 1% LODGING TAX (ADDTL 1/1/08)	\$12,000.00		\$12,000.00
317 JOB DEVELOPMENT LEVY FUND	\$12,446.64		\$12,446.64
318 WEED MAINT LEVY FUND	\$1,400.00		\$1,400.00
319 LODGING TAX FUND	\$914.02		\$914.02
320 SALES TAX OPERATING FUND	\$113,776.87		\$113,776.87
324 SALES TAX MINI MATCH RSRV FUND	\$4,588.91		\$4,588.91
325 SALES TAX H.E.L.P. HOUSING FUND	\$160.00		\$160.00
326 REVOLVING LOAN FUND	\$12,252.36		\$12,252.36
365 PD SPEC EQUIP SINKING FUND	\$161.55		\$161.55
366 PD CANINE UNIT FUND	\$44.99		\$44.99
393 1% RESTAURANT TAX FUND	\$16,783.60		\$16,783.60
395 CERT	\$19.38		\$19.38
456 R/I #11011 SERIES 2011	\$131,509.72		\$131,509.72
572 SALES TAX FOR FLOOD FUND	\$44,336.91		\$44,336.91
574 5-2-97 (FLOOD PHASE II)	\$115.00		\$115.00
622 3RD AVE N. RECON PROJ	\$598,100.45		\$598,100.45
639 E. SANITARY SEWER 13-02-02	\$3,164.25		\$3,164.25
649 WTP LIME SILO & SLAKER	\$424,320.55		\$424,320.55
653 ALLEY RECONSTRUCT ST17-232	\$258.18		\$258.18
654 EVERGREEN WEST ST17-234	\$283.02		\$283.02
655 WESTSIDE MASTER PLAN 2017	\$391.00		\$391.00
656 16TH AVE. N. MILL OVERLAY TIF	\$20,404.95		\$20,404.95
559 RIVER POINTE ACRES	\$483.00		\$483.00
TOTAL	\$1,941,140.95	\$167,007.82	\$2,108,148.77

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Cmt. October 22nd, 12:00 Noon
- b. Public Works Cmt. October 23rd, 12:00 Noon

ADJOURNMENT

Motion by Wateland, seconded by McNary, to adjourn at 5:37 p.m. Motion carried with all voting 'aye'.

Mayor Dale

Lynelle Amos, Finance Assistant