

**Wahpeton City Council**  
**February 4, 2019**  
**5:00 p.m.**

**Present:** Miller, Bohn, McCann, Dale, Lambrecht, Bertsch, and Wateland

**Absent:** Bajumpaa and McNary

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

**CALL TO ORDER**

Meeting called to order by Mayor Dale.

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

**Renaissance Zone Map Amendment Joint Public Hearing with Planning Commission**

**Resolution No. 3713** ó Dale called to order this public hearing which was held jointly with the Planning Commission. Planning Commission Vice-Chair Jensen reconvened the Planning Commission meeting, and O'Meara was referred to for explanation. O'Meara provided a map of the current Renaissance Zone Boundaries and said today's public hearing was to review the potential of adding an additional Block to the Renaissance Zone. The Block is located to the west of Block 34 in the current Renaissance Zone and is labeled Block 37. It is bordered on the north by railroad tracks, on the east by 13<sup>th</sup> Street South, on the south by 4<sup>th</sup> Avenue South, and on the west by the City limit line. There are seven parcels that make up this block. There can be 34 blocks in the Zone plus a half block for each governmental owned building in the Zone of which there are two, allowing a total of 35 blocks in the Zone. There are currently 32 ½ Blocks with 2 ½ available in reserve. O'Meara explained there is a rehabilitation project in Block 37 that the owner has approached the City with which will include an expansion of the building along with renovations to the building. Dale asked if there was anyone present to provide testimony on behalf of this proposed amendment, of which there was none. When asked, Huwe said there have been no protests or inquiries, written or otherwise, regarding the additional Block for the Renaissance Zone. Jensen then asked the Planning Commission for their recommendation.

**Motion by Pithey, seconded by Smith, to recommend to the City Council to approve the Amendment to the Renaissance Zone Map to include Block 37. Motion carried with all voting 'aye'.**

Council member Wateland offered the following and moved its adoption:

**RESOLUTION NO. 3713**  
**RESOLUTION APPROVING AMENDMENT**  
**TO THE RENAISSANCE ZONE DEVELOPMENT PLAN**  
**AND RENAISSANCE ZONE DISTRICT**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember McCann. Motion carried with a roll call vote 6-0. Lies noted this Resolution would not be signed or sent to the State until the project is confirmed. This Public Hearing was then concluded.

**Motion by Smith, seconded by Pithey, to adjourn the Planning Commission meeting at 5:04 p.m. Motion carried with all voting 'aye'.**

**Proclamation Recognizing Main Street ND** ó Miller read a Proclamation Recognizing Main Street ND, proclaiming that on this day, February 4<sup>th</sup>, the City of Wahpeton shall join the Governor's Main Street ND initiative and be known as a Main Street ND community.

## CONSENT AGENDA ITEMS (presented by the Mayor) ó

### **Approval of minutes of regular meeting held January 22, 2019**

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

Raffle Permit ó Red River Childrens Advocacy Center

Raffle Permit ó NDSCS Welding Club

Raffle Permit ó Zonta Club of Breckenridge/Wahpeton

Raffle Permit ó Wahpeton Fire Department

Raffle Permit ó Ducks Unlimited - NDSCS Chapter

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

Relay for Life of Richland/Wilkin

Wahpeton 12U Baseball

Head of the Red Trap Club

### **Presentation/Approval of Reports**

2018 Convention & Visitors Bureau Report

2018 Schedule of Fund Activity

SVEDA Minutes Jan. 10, 2019

FEMA Flood Mapping Information Open House Feb. 20, 2019

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

## REPORTS FROM CITY OFFICERS AND STAFF

### FINANCE DIRECTOR

**Update on Fiscal Year End 2018** ó Huwe said the Statement of Fund Activity is a monthly report depicting the beginning fund balances, year to date revenues, expenses and current fund balances and it is provided to the Council as required in the ND Century Code. The overall fund balances decreased \$3,403,376 over the year as cash assets were dedicated to large capital improvement projects pending permanent debt financing. The Century Code also requires the fiscal year end Statement of Fund Activity be published in the official newspaper prior to March 1<sup>st</sup>, and the Citys will be published in the February 10<sup>th</sup> edition of the Daily News. Huwe requested a motion acknowledging receipt of the 2018 fiscal year end Statement of Fund Activity. **Motion by Bertsch, seconded by Lambrecht, to approve Acknowledging Receipt of the 2018 Fiscal Year End Statement of Fund Activity. Motion carried with all voting ‘aye’.**

**Fire Dept. Truck Cmt. Request – request referral to Finance Cmt.** ó Huwe said the Fire Department Truck Committee typically would refer a proposed truck purchase to the Public Works & Public Safety Committee for review. Huwe requested referral to the Finance Committee this time due to a scheduling conflict of the Fire Chief Dale Rubish, who is available on February 11<sup>th</sup> (Finance Cmt.) but not February 12<sup>th</sup> (PW Cmt.). The Truck Committee has a lead on a used aerial truck so the topic is time sensitive. If any member of the PW Cmt. is available for the Finance Cmt. on February 11<sup>th</sup> they were asked to plan on attending. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Auditor’s Assistant Position Vacancy Review – request referral to Finance Cmt.** ó Huwe said Jerri Cain is planning her transition from working to retired on April 25<sup>th</sup> after 18 years with the City. She requested review of the position description and position evaluation be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Legislative Update** ó Huwe said the first Coffee with the Legislators was held on Saturday, February 2<sup>nd</sup>. Senator Luick, Representative Beck and Representative Mitskog provided updates on the key issues of the 66<sup>th</sup> Legislative Session. Today is day 21 of the 80 day session and the deadline for the referral of bills to the appropriations committees. Bills start to become law typically after legislative crossover on day 35 which is February 22<sup>nd</sup>. Our legislative vigilance and the potential need for participation from local government becomes significantly more important after crossover. We will continue to monitor the bills affecting cities, of which some have already been abandoned or converted to studies, but there are some challenging proposals affecting property valuation, budgeting and the authority of cities are still in play. Those interested in listening in on the Friday afternoon ND League of Cities Legislative conference calls were asked to let Huwe know. She can provide the phone number and passcode to listen in.

**Woodrow W. Keeble Awards Feb. 8<sup>th</sup>** ó Huwe said Governor Doug Burgum and ND Adjutant Major General Alan Dohrmann have invited the Council to an awards ceremony at Circle of Nations School on Friday, February 8<sup>th</sup> at 1:00 p.m. in the gymnasium. Huwe said she has received several confirmations but if any other Council members would like to attend they should send her an email by tonight.

**City Hall Closed for President's Day Feb. 18<sup>th</sup>** ó Huwe said City Hall will be closed Monday, February 18<sup>th</sup> in observance of President's Day. The next Council meeting will be on Tuesday, February 19<sup>th</sup>.

### **COMMUNITY DEVELOPMENT DIRECTOR**

**Community Development Report** ó DeVries reported the first 150<sup>th</sup> event, "Winter Wonderland", was a success. The events were held January 31 ó February 2, 2019. It was a fun weekend with excellent weather on Saturday and good attendance. He thanked those responsible for the fireworks display, and all of the sponsors and volunteers for the events.

### **LIBRARY DIRECTOR**

**Library Report** ó Bakken reported as part of the 150<sup>th</sup> celebration event the library held some events/activities on Saturday, February 2<sup>nd</sup>. It was a good day for the library with over 30 people attending. They were able to try out their new popcorn machine which was a gift from the Friends of the Library and they served ice cream sandwiches as treats. Bakken then reviewed some happenings at the library which include Chess Club, pre-school storytime, Code Club, E-mail Computer Class, and a Books to Movie showing on Saturday. They also have some interesting reading material on the beginnings of Wahpeton which may help with the Monthly Wahpeton Trivia on KBMW. Bakken noted the Library will also be closed February 18<sup>th</sup> in observance of President's Day.

### **PUBLIC WORKS DIRECTOR**

#### **PW Report**

Miranowski requested referral to the Public Works Committee of **Red River Human Services Parking Lot Issue**. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to the Public Works Committee of **East Side Sanitary Sewer Phase B Engineering Contract with Interstate Engineering**. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

**Dakota Avenue Signal Timing** ó Miranowski explained a quote was received from Traffic Control Corporation to change/program the signal timing on Dakota Avenue at the cost of \$1,000. **Motion by Bohn, seconded by Miller, to approve accepting the Quote from Traffic Control**

**Corporation to change/program the Signal Timing on Dakota Avenue in the amount \$1,000 from the Special Transportation Fund. Motion carried with a roll call vote of 6-0.**

Miranowski then talked about the Public Service Announcements that went out last week. The first was regarding an Ordinance stating no person owning or occupying or using any private property in the city shall dump, shovel or blow snow onto any street, alley or public way in the city from their private property. Any person violating any of the terms or provisions of this ordinance shall be guilty of a misdemeanor. Miranowski explained a letter will be sent for the first offense but if it's a repeated offense it may go to a misdemeanor. The second was regarding an Ordinance which states that it is the responsibility of the owner of their property to keep the sidewalk in the Right-of-Way clear of snow and ice to take place no later than 24 hours after the snow or ice has accumulated. Miranowski then addressed a question regarding the possible use of snow gates during snow removal.

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

**Flood Committee – appointment of additional member Tiana Bohn** ó Dale said he has appointed Bohn to the Flood Committee. He explained 3 out of 4 members of the Committee were from Public Works and himself for a total of 4. With Bohn being added they would be able to have a 3 person quorum making it easier to hold meetings.

Mayor Dale referred an item regarding a Bull Riding Event sponsored by the Fire Department to be held in September in conjunction with the fall 150<sup>th</sup> Event to the Finance, Economic Development & Personnel Committee.

### **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 January 28<sup>th</sup>.

**Alternate Indigent Defense Contract – motion to recommend approval ó Motion by McCann, seconded by Wateland, to approve the Revised Alternate Indigent Defense Contract. Motion carried with a roll call vote of 6-0.**

**Employee Policy Manual – motion to recommend approval ó Motion by McCann, seconded by Bohn, to approve Adopting the updated Employee Policy Manual.** Discussion held regarding changes to the Vacation Policy and addition of Compensatory Time. **Motion carried with a roll call vote of 6-0.**

**Development Project Funding Request – motion to recommend support CDC action to proceed to negotiations ó Motion by McCann, seconded by Bohn, to approve Supporting the Community Development Corporation Proceeding to Negotiate for the Purchase of the Pfister Property west of Highway 210. Motion carried with a roll call vote of 6-0.**

#### **400 Block Development Agreement**

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

Bohn said the Public Works & Public Safety Committee met at noon on January 29<sup>th</sup>.

**2019 Police Vehicle Bid Review – motion to recommend approval of bid submitted by Smith Motors \$36,473 ó Motion by Bohn, seconded by Lambrecht, to approve the Bid Submitted by Smith Motors for \$36,473 for the 2019 Chevrolet Tahoe AWD as the new Police Department Vehicle.** Discussion held. **Motion carried with a roll call vote of 6-0.**

**Guardian ULV Sprayer for Vector Control – motion** to recommend to approval of purchase from Adapco \$7,649.00 ó **Motion by Bohn, seconded by Lambrecht, to approve the Purchase of a Guardian 95 G4 from Adapco for \$7,649.00 for Vector Control. Motion carried with a roll call vote of 6-0.**

### **Building Official Updates**

**Right-of-Way Considerations South of Bank of the West – motion** to recommend City Attorney contacts with property owner regarding options ó **Motion by Bohn, seconded by Miller, to approve directing City Attorney Lies to contact the property owners to see how to proceed with the Bank of the West Right-Of-Way request. Discussion held. Motion carried with all voting ‘aye’.**

**Draft Ordinance Regulating Chickens Within City Limits –** second reading of Ord. 998 ó Council member Bohn offered the second reading of the following Ordinance:

**ORDINANCE NO. 998**  
**AN ORDINANCE AMENDING**  
**SECTIONS 4-145, 4-171 AND 4-173**  
**VIOLATIONS FOR KEEPING LIVESTOCK WITHIN CITY LIMITS**

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

**Draft Ordinance Regulating Off-Street/Front Yard Parking –** offer first reading of Ord. 1001 ó Council member Bohn offered the first reading of the following Ordinance:

**ORDINANCE NO. 1001**  
**AN ORDINANCE PROHIBITING PARKING IN FRONT YARDS**

### **UNFINISHED BUSINESS**

Discussion was held regarding the replacement of the Publics Works & Public Safety Committee Chair. DeVries was also asked to talk about the 150<sup>th</sup> gun raffle for a new Colt custom cap and ball black powder period correct pistol created by Burkett Customs Dark Alliance Fire Arms specifically for the Wahpeton 150<sup>th</sup> celebration. The prize also includes a unique custom knife and display case. The drawing will be held at the November event.

### **SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Finance Committee February 11<sup>th</sup>, 12:00 Noon
- b. Public Works Committee February 12<sup>th</sup>, 12:00 Noon

### **Adjournment**

**Motion by McCann, seconded by Miller, to adjourn at 5:48 p.m. Motion carried.**

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Mayor Steve Dale

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Lynelle Amos, Finance Assistant