

**Wahpeton City Council**  
**January 21, 2020**  
**5:00 p.m.**

**Present:** Miller, Bajumpaa, Dale, Bohn, Wateland, and McNary

**Absent:** McCann

**Also Present:** Huwe, Lies, Miranowski, Thorsteinson, DeVries, Bakken, Amos, and O'Meara

**CALL TO ORDER**

Meeting called to order by Mayor Dale.

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

**Essentia Health MIDA Bond Refinancing – request approval of Joint Powers Agreement** ó Lies explained this renewal is part of the Joint Powers Agreement between several entities including Wahpeton, Cass County, Jamestown and Valley City so they can do \$100 million type MIDA Bond that's being sponsored by Cass County. The City would have no personal liability. It was noted the City has done this twice before.

Council member Miller offered the following and moved its adoption:

**RESOLUTION NO. 3737**  
**RESOLUTION APPROVING THE ISSUANCE OF BONDS BY CASS COUNTY,  
NORTH DAKOTA ON BEHALF OF ESSENTIA HEALTH AND  
ITS AFFILIATES UNDER THE MUNICIPAL INDUSTRIAL DEVELOPMENT ACT**

The motion for the adoption of the foregoing Resolution was duly seconded by Council member Bajumpaa. Motion carried with a roll call vote 5-0. Lies noted that within the resolution is authorization for the Mayor and Finance Director to sign the Joint Powers Agreement.

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

**Approval of minutes of regular meeting held January 6, 2020**

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

Kiwanis Wahpeton-Breckenridge ó Raffle Permit

Red River Children's Advocacy Center ó Raffle Permit

Mallie Ann Breuer Foundation ó Raffle Permit

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

Head of the Red Gun & Archery Club ó Raffle Permit

Micah Moxness Benefit ó Raffle Permit

**Presentation/Approval of Reports**

December 2019 Financial Statements

December 2019 Bill Pay Report (\$884,836.82 in payments/\$4,773,915.09 in transfers) ó see below

Census 2020 101

Mayor Dale asked if there were any items to be removed from the consent agenda and there were none. **Motion by Wateland, 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**

**Request Council Confirmation – Appointment of Kelly McNary to the Library Board** ó Huwe said the Leach Public Library Board of Directors is a five member board serving 3 year terms. The resignation of Council member Brett Lambrecht created a vacancy on the Board position designated as a City Council Representative. She requested a motion to approve appointment of Kelly McNary to the Leach Public Library Board of Directors with a term ending in June 2022. **Motion by Bajumpaa, seconded by Miller, to approve the Appointment of Kelly McNary to the Leach Public Library Board of Directors with a term ending June 2022. Motion carried with all voting ‘aye’.**

**Request Council Confirmation – Reappointment of Brad Pauly to SVEDA Board** ó Huwe said the Southern Valley Economic Development Authority Board of Directors includes eight members, 2 from each of the four government entities in the joint powers agreement with each serving a two year term. Rory McCann and Brad Pauly currently represent the City of Wahpeton. Brad Pauly also serves as the Secretary Treasurer of the Wahpeton Community Development Corporation bringing unique knowledge and experience to the Board. Huwe requested a motion to approve re-appointment of Brad Pauly to the Southern Valley Economic Development Authority Board of Directors with a term ending in December 2022. **Motion by Bohn, seconded by Wateland, to approve the Re-appointment of Brad Pauly to the Southern Valley Economic Development Authority Board of Directors with a term ending December 2022. Motion carried with all voting ‘aye’.**

**Pledge of Assets/Designation of Depositories – request motion to approve** ó Huwe reported North Dakota Century Code requires a listing of the depositories, deposits and pledged assets by each financial institution designated for deposit of City funds.

The Total Pledges and Requested Designated Depositories as of December 31, 2019 are:

<b><u>Designated Depository</u></b>	General Ledger		Federal Government			Collateralized Total
	Funds on Deposits	FDIC/NCUA	Letter of Credit	Securities or Qualified Sweep	Additional Pledged Collatera	
American Federal Bank	none	n/a	n/a	n/a	n/a	n/a
Bank of the West	500	500	n/a	n/a	n/a	500
Banc West Investment Services	533,489	n/a	n/a	533,489	n/a	533,489
Bremer Bank	5,457,212	n/a	6,000,000	n/a	n/a	6,000,000
Bremer Investment Trust	321,000	n/a	n/a	321,000	n/a	321,000
First Community Credit Union	none	n/a	n/a	n/a	n/a	n/a
Gate City Fed Savings Bank	none	n/a	n/a	n/a	n/a	n/a
Peoples State Bank	none	n/a	n/a	n/a	n/a	n/a
State Bank & Trust	none	n/a	n/a	n/a	n/a	n/a
U.S. Bank	none	n/a	n/a	n/a	n/a	n/a
Wells Fargo Bank	8,251,306	250,000	n/a	3,842,729	4,746,974	8,839,703
	14,563,508	250,500	6,000,000	4,697,218	4,746,974	15,694,692

The total funds on deposit as of 12/31/19 were \$14,563,508 reflecting an increase in cash on hand of \$3,424,324 over the same time last year primarily attributed to the completion and permanent debt financing of over \$9.7 million in open capital improvement projects. The pledges of assets from each of the depositories adequately covers the cash deposits on hand. Huwe requested a motion approving the designation of depositories and pledges of assets as presented. **Motion by McNary, seconded by Bohn, to approve the Designation of Depositories and Pledges of Assets as presented. Motion carried with all voting ‘aye’.**

**Inquiry on Appointment to Ward 2 Vacancy** ó Huwe explained she received a request for consideration of appointment to the Ward 2 Council vacancy by Jason Goltz of 511 6<sup>th</sup> Street North. A Council vacancy may be filled by appointment or election. Past vacancies have been handled via both methods. When the vacancy occurs in close proximity to a regularly scheduled election the

Council often chooses to wait for the election cycle to select the candidate. Vacancies that occur in years without an election may be filled by appointment, which is a process that includes advertising the opening, creating a pool of interested parties, creating a Council member interview committee resulting in a recommendation to the Council. Huwe requested action from the Council in the form of a motion to either leave the position vacant or proceed to advertise for interested parties.

Discussion held. **Motion by Wateland, seconded by Bohn, to approve leaving the City Council Ward 2 position vacant.** Further discussion held regarding the Ward 3 vacancy. **Motion carried with all voting ‘aye’.**

**19<sup>th</sup> Street N. Development Request for Proposals – request referral to Finance Cmt.** ó Huwe said there have been several inquiries from project developers on the 12 lots the City is acquiring on 19<sup>th</sup> Street North. There are several options for the Council to consider in lot pricing, incentives and covenants. Huwe requested this be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Financial Audit – Week of March 2<sup>nd</sup>** ó Huwe announced the North Dakota State Auditor’s Office will be performing the field audit portion of the 2019 Financial Audit the week of March 2<sup>nd</sup>. It should coincide well with regularly scheduled meetings.

**Election 2020** ó Huwe said the City of Wahpeton contests on the June 9<sup>th</sup>, 2020 ballot include Ward 2, Ward 3 (unexpired term ending 2022), Ward 4 and (2) At-Large Positions, the continuation of publication of minutes in the official newspaper, and 2 At-Large Park Board Commissioners. Information and the required filing forms are available on the City’s website and at City Hall. Candidates’ petition and certificates of interest are due to City Hall by 4:00 PM on April 6<sup>th</sup>.

Huwe noted updated fiscal year end financial reports were provided as there were a few changes in a final accounts payable batch which made the numbers a little bit different. As included was a complete budget to actual. This will be covered during the Finance Committee report later in the meeting.

## **COMMUNITY DEVELOPMENT DIRECTOR**

**Community Development Report** ó DeVries announced the Community Development Corporation Annual Meeting will be held Tuesday, February 4<sup>th</sup> from 11:30 a.m. to 1:00 p.m. at the Alley in the lower level of NDSCS Student Center. Those interested in attending should contact DeVries.

DeVries then noted KAT Marketing will be in town in February to bring positive light to winter activities in Wahpeton. He also reported he, Public Works Director Miranowski, Justin Neppel of SVEDA, the building owner, and a real estate agent met a potential interested party at the former Sun Opta building north of the 210 Bypass. He will follow up with any further developments. DeVries then announced the new North Dakota Travel Guides and Hunting & Fishing Guides are now available at City Hall, the Visitors Center and Leach Library. He pointed out pages where Wahpeton is mentioned and those where he felt Wahpeton should be mentioned and said he will work with the ND Tourism Department regarding the possibility of Wahpeton getting more mentions in the guides.

## **LIBRARY DIRECTOR**

**Library Report** ó Bakken welcomed Kelly McNary to the Leach Library Board of Directors. Their next meeting in this Thursday at 4:00 p.m. in the lower level of the library. She announced a pre-kindergarten movie is scheduled for Thursday at 10:00 a.m. Children’s Librarian Kercher will be attending the American Library Association’s Mid-winter Conference in Philadelphia from Thursday through next Tuesday. Due to Kercher’s absence there will be no storytime next Tuesday.

## **PUBLIC WORKS DIRECTOR**

### **Public Works Report**

Miranowski requested referral to Public Works Committee of **Parking Ordinance Violation Fees**. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski then asked the public to assist with cleaning snow from around the fire hydrants. He also noted the Street Department will be cutting back the high snow piles at the intersections and asked that residents let them know about any problem intersections.

## **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 January 13<sup>th</sup>.

**Flex PACE Application Optimum Rehab LLC – motion to approve interest buydown up to \$5,882.47 ó Motion by Wateland, seconded by McNary, to approve the City’s Share of a Flex PACE Interest Buy-down of up to \$5,882.47 from Sales Tax for Economic Development for Optimum Rehab LLC with pay back to be made starting after 5 years. Discussion held. Motion carried with a roll call vote of 5-0.**

**Flex PACE Application Driftwood Lounge LLC – motion to approve interest buydown up to \$19,240.86 ó Motion by Wateland, seconded by Miller, to approve the City’s Share of a Flex PACE Interest Buy-down of up to \$19,240.86 from Sales Tax for Economic Development for Driftwood Lounge LLC with pay back to made starting after 5 years. Motion carried with a roll call vote of 5-0.**

**2019 Fiscal Year End Transfers – motion to approve ó Motion by Wateland, seconded by McNary, to approve the 2019 Fiscal Year End Transfers as updated and presented. Motion carried with a roll call vote of 5-0.**

**2019 Budget Amendments – motion to approve ó Motion by Wateland, seconded by Miller, to approve the 2019 Expense Budget Amendments as proposed. Discussion held regarding the 400 Block. Motion carried with a roll call vote of 5-0.**

**Central School Block Redevelopment – motion to approve the request for proposals ó Motion by Wateland, seconded by Bajumpaa, to approve proceeding with the Former Central School Site Request For Proposals as presented with the submission deadline date changed to February 21<sup>st</sup>, 2020. Motion carried with all voting ‘aye’.**

[DeVries exit at 5:28 p.m.]

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

Bohn said the Public Works & Public Safety Committee met at noon on January 14<sup>th</sup>.

**Minn-Dak Farmers Coop Agreement for Domestic Waste Water – discussion**

**Otter Tail Power Proposal for Briarwood Street Lighting – discussion**

**2020 Crack Sealing Rental Agreement with Bargaen, Inc. for Cimline Melters – motion to approve agreement for 2 melters for \$5,295 ea/mo ó Motion by Bohn, seconded by Bajumpaa, to approve the contract with Bargaen, Inc. for the rental of two Cimline Melters for \$5,295 each per month for the 2020 crack sealing project. Motion carried with a roll call vote of 5-0.**

**2020 Seal Coat Agreement with Bargaen Inc. for Seal Coating Westdale and 16<sup>th</sup> and 17<sup>th</sup> – motion to approve agreement for \$1.63 per sy up to \$35,819 ó Motion by Bohn, seconded by McNary, to approve the contract with Bargaen, Inc. for the 2020 Replay Seal Coat Contract at \$1.63 per square yard up to \$35,819. Motion carried with a roll call vote of 5-0.**

**Traffic Operations for Westside Development – discussion**

**Snow Removal Policy Revisions – Snow Emergency Declaration – discussion**

**Snow Removal Policy Revisions to Cutting and Widening - discussion**

**Waste Water Ponds Best Management Practices/Pond Operations and Mtc. – discussion**

**Dietz Property Ground Water Concerns – discussion**

**Volunteer Park Slide Correction - discussion**

**Off Highway Vehicle Regulations Article XII, Ch. 4 – motion to offer 1<sup>st</sup> Reading of Ord.**

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

**ORDINANCE NO. 1014**  
**AN ORDINANCE GOVERNING OFF-HIGHWAY VEHICLES**

**Storm Water Utility**

**Yard Junk/Clutter Updates**

**Building Official Updates - motion to purchase 120 6<sup>th</sup> St. N. for \$1 from Richland County ó Motion by Bohn, seconded by Miller, to approve preparing a letter to the Richland County Commission to purchase the property at 120 6<sup>th</sup> Street North for \$1. Discussion held regarding the contingencies. Motion carried with a roll call vote of 5-0.**

**Referrals: Review Parking Fines and possible Fee Increases**

December 2019 Bill Pay Report

<b>DISBURSEMENTS FUND</b>	<b>ACCOUNTS PAYABLE</b>	<b>PAYROLL &amp; GL</b>	<b>TOTAL</b>
101 GENERAL FUND	\$610,634.26	\$59,447.46	\$670,081.72
201 WATER OPERATING FUND	\$816,067.16	\$43,569.84	\$859,637.00
202 SANITARY SEWER OPERATING FUND	\$454,408.54	\$27,764.26	\$482,172.80
203 WASTE REMOVAL OPERATING FUND	\$26,550.19	\$1,041.34	\$27,591.53
204 WASTE REDUCTION FUND	\$23,249.82		\$23,249.82
205 VECTOR CONTROL FUND	\$14,726.89	\$1,259.22	\$15,986.11
206 STREET LIGHTING	\$15,200.56		\$15,200.56
209 LIBRARY LEVY FUND	\$4,982.10	\$13,922.39	\$18,904.49
216 AIRPORT 4-MILL LEVY FUND		\$494.96	\$494.96
226 EMPLOYEE SAFETY COMMITTEE	\$385.98		\$385.98
229 CAPITAL IMPROVEMENTS FUND	\$88,677.67		\$88,677.67
231 FD BLDG & EQUIP LEVY FUND	\$404,000.00		\$404,000.00
234 SPECIAL STREET MAINT FUND	\$6,186.45		\$6,186.45
236 LEVEE MAINTENANCE	\$5,198.42	\$8,674.32	\$13,872.74
240 SPECIAL TRANSPORTATION FUNDING	\$47,258.00		\$47,258.00
253 METER DEPOSITS TRUST FUND	\$61.06		\$61.06
271 ECONOMIC DEVEL DEPT FUND	-\$7,643.18	\$10,626.58	\$2,983.40
303 MISCELLANEOUS FUND			\$0.00
315 TAX INCREMENT FUND	\$50,972.46		\$50,972.46
316 1% LODGING TAX (ADDTL 1/1/08)	\$5,000.00		\$5,000.00
318 WEED MAINT LEVY FUND	\$429.17		\$429.17
319 LODGING TAX FUND	\$11,459.99		\$11,459.99
320 SALES TAX OPERATING FUND	-\$16,624.78		-\$16,624.78

321 SALES TAX RESERVE FUND	\$116,544.10		\$116,544.10
324 SALES TAX MINI MATCH RSRV FUND	\$15,000.00		\$15,000.00
325 SALES TAX H.E.L.P. HOUSING FUND	\$1,760.00		\$1,760.00
326 REVOLVING LOAN FUND	\$416.67		\$416.67
328 150TH ANNIVERSARYRESERVE	\$11,388.40		\$11,388.40
329 BULL RIDING EVENT	\$8,500.00		\$8,500.00
365 PD SPEC EQUIP SINKING FUND	\$7,927.00		\$7,927.00
390 CLUBHOUSE MAINTENANCE	\$2,142.00		\$2,142.00
393 1% RESTAURANT TAX FUND	\$19,317.53		\$19,317.53
570 SALES TAX FOR INFRASTRUCTURE	\$2,613,931.74		\$2,613,931.74
572 SALES TAX FOR FLOOD FUND	\$76,715.10		\$76,715.10
574 5-2-97 (FLOOD PHASE II)	\$2,053.44		\$2,053.44
622 3RD AVE N. RECON PROJ	\$4,840.80		\$4,840.80
646 VECTOR CTRL CAP EQUIP	\$6,615.00		\$6,615.00
652 DANGEROUS BLDG 120 6TH ST N	\$58.50		\$58.50
663 LS. NO. 1/PLC SS18-240	\$1,286.50		\$1,286.50
664 ADV. WARNING SIG. 9TH AVE.	\$40,946.00		\$40,946.00
671 WHEATLAND RD EXT 19-247	\$228.00		\$228.00
675 WELL FIELD RECLO PROJ W19-251	\$1,100.00		\$1,100.00
<b>TOTAL</b>	<b>\$5,491,951.54</b>	<b>\$166,800.37</b>	<b>\$5,658,751.91</b>

### **SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Finance Cmt. January 27<sup>th</sup>, 5:00 PM
- b. Public Works Cmt. January 28<sup>th</sup>, 12:00 Noon

### **ADJOURNMENT**

**Motion by McNary, seconded by Wateland, to adjourn at 5:45 p.m. Motion carried.**

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Mayor Steve Dale

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Lynelle Amos, Finance Assistant