

Wahpeton City Council

April 15, 2013

5:00 p.m.

Present: Schmidt, Hansey, Bertsch, Sturdevant, DeVries, Dale, Bajumpaa (at 5:10pm), and Bohn

Absent: Mitskog

Also Present: Huwe, Lies, Nelson, Anderson, Broadland, Priebe, MacIver, Amos, and Gutzmer

Meeting called to order by Mayor Sturdevant.

PUBLIC HEARINGS / ETC.

Proclamation Honoring the Ralph & Rita Erdrich Family Mayor Sturdevant announced two big events taking place in Wahpeton this weekend. He said Friday night, April 19th, Louise Erdrich will be receiving the State of North Dakota's highest honor – The Theodore Roosevelt Rough Rider Award – which will be presented by Governor Dalrymple. Then on Saturday, April 20th, at the Sterns Cultural Center starting at 10:00 am the Red Door Art Gallery is sponsoring the Erdrich sisters, Louise, Lise, Heid, and Angela, who will present readings of their writings and a discussion of their life growing up in Wahpeton. Mayor Sturdevant then proclaimed Saturday, April 20th, 2013, as Erdrich Family Day in the City of Wahpeton. He said an official proclamation will be read and presented during Saturday's event.

(Hearings for the Westside Major Street Plan and Westside Rezoning are pending additional input from a property owner)

BIDS / OFFER / QUOTES

Cul-de-sac Street Improvements Various Locations District 10-02-04 Nelson said the bids were opened on April 11th for the Cul-de-sac Streets Improvements (Improvement District 10-02-04) Project No. ST10-161. He said there were 3 bidders on the project with four different areas: Central Specialties, Inc. with a total bid of \$635,833.15; Sellin Brothers, Inc. with a total bid of \$689,581.25; and Kvamsdal Construction, Inc. with a total bid of \$707,427.55. Nelson said the recommendation from staff and consulting engineer is to award to Central Specialties, Inc., low responsible bidder, in the amount of \$635,833.15.

Council member Bertsch offered the following and moved its adoption:

RESOLUTION NO. 3514
RESOLUTION AWARDING CONTRACT FOR CONSTRUCTION
OF AN IMPROVEMENT IN
Cul-de-Sacs Streets Improvements
(Improvement District 10-02-04)

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

South Side Sewer Phase B Improvements District 08-02-03 Nelson said the bid opening was held on April 12th for the South Side Drainage Improvements Part B, 7th Ave S & Center St (Improvement District 08-02-03) Project No. DR12-203. He said there were several bidders: H&S Contracting, Inc. total bid of \$474,951.10; Agassiz Underground total bid of \$561,213.18; R.L. Larson Excavating, Inc. total bid of \$626,920.00; Sellin Brothers, Inc. total bid of \$648,868.50; Shermans LLC total bid of \$674,027.82; Geo. E. Haggart, Inc. total bid of \$731,800.00; and Quam Construction Company, Inc. total bid of \$648,868.50. Nelson said the recommendation is to award the total bid to the lowest responsible bidder, H&S Contracting, Inc. in the amount of \$474,951.10.

Council member Bohn offered the following and moved its adoption:

RESOLUTION NO. 3515
RESOLUTION AWARDING CONTRACT FOR CONSTRUCTION
OF AN IMPROVEMENT IN
South Drainage Improvements, Part B (7th Avenue South & Center Street)
(Improvement District 08-02-03)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Schmidt. Following discussion, Dale asked that the resolution be tabled until a meeting can be held with the south side residents to provide them with the scope of the project along with the total cost. **Motion by Dale, seconded by Hansey, to table the motion for Resolution No. 3515. Motion Carried with all voting ‘aye’.** [Bajumpaa entered the meeting]

Nelson said a bid was heard at Public Works Committee regarding Town Centre Square Plaza Renovation and requested that it be continued rather than awarded at this time.

CONSENT AGENDA ITEMS (presented by the Mayor) Mayor Sturdevant asked if there were any items to be removed from the consent agenda and there were none.

Approval of minutes of regular meeting held April 1, 2013
Games of Chance Licenses, Site Authorizations & Special Permits
Site Authorization – Wahpeton Eagles Club
Games of Chance – American Legion Post #20
Other Games of Chance and/or Special Permits

Presentation/Approval of Reports
March 2013 Bill Pay Report (\$1,715,968.36 – see below)
March 2013 Financial Statements

Motion by Schmidt, seconded by Bohn, to approve the Consent Agenda items as presented. Motion Carried with all voting ‘aye’.

ITEMS REQUESTED MOVED FROM THE CONSENT AGENDA None.

REPORTS FROM CITY OFFICERS AND STAFF
FINANCE DIRECTOR

2013 Fireworks Licenses Huwe said a list of current license holders for the 2013 retail sale of fireworks was provided and asked to amend that list to exclude BW Blades who have not submitted an application as of yet. **Motion by Hansey, seconded by Bertsch, to approve the 2013 Fireworks Licenses as presented with the proposed amendment. Motion Carried with all voting ‘aye’.**

Liquor License Request – current holder name change Huwe said a written request had not been received and asked that this item be referred to the Finance Committee. Mayor Sturdevant will refer this item to Finance, Economic Development & Personnel Committee.

Renewal of CVB Contract with Red Door Art Gallery for Visitor Center Services Huwe said the CVB approved a contract with the Red Door Art Gallery for Visitor Center services for the summer and explained that this was a renewal of a contract that was in place last year which has a not to exceed amount of \$2,000. **Motion by Bertsch, seconded by Hansey, to approve the Renewal of the Convention & Visitors Bureau Contract with the Red Door Art Gallery for Visitor Center Services in an amount not to exceed \$2,000. Motion Carried with all voting ‘aye’.**

Waste Management Contract – request referral to PW Cmt. Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

ND Legislative Update, Coffee with the Legislators April 20th Huwe said the ND Legislature is winding down and noted that they are limited to 80 days in session which would be May 1st. She said one topic still being discussed is property tax relief. She said over the next two weeks this will be watched carefully and information will be shared to keep up to date. Huwe also noted that Coffee with the Legislators will be held Saturday, April 20th at 10:00 am at the NDSCS Student Center.

City Council Retreat Rescheduled to April 24th, 2013

NDLC Spring Regional Meeting May 2nd in Mapleton Huwe said anyone interested in attending should contact her to make arrangements, and said an agenda is available on the League of Cities website.

ASSESSOR/BUILDING CODES

Continuation of Board of Equalization from April 9th, 2013

ECONOMIC DEVELOPMENT DIRECTOR

Economic Development Report Priebe said the Economic Development Commission met April 10th and discussed a housekeeping issue regarding the Tublick's Project and a motion made at their February meeting. She said it is the EDC's recommendation to write off Tublick's sales tax loan balance of \$23,319.42. Priebe said discussion was held with Bob Wurl of Lincoln State Bank, who was the lead lender on the project, and he agreed. She said City Attorney Lies feels there would still be a possibility to collect but need to get this asset off the City books. **Motion by Bohn, seconded by DeVries, to write-off the balance of the Tublick's Sales Tax Loan of \$23,319.42. Motion Carried with all voting 'aye'.**

Priebe noted that the Community Development Corporation monthly board meeting date was being moved from this Wednesday to Friday, April 26th at noon, and the EDC will be meeting this Wednesday, April 17th at noon to discuss a closed session item that will be discussed then brought into open session.

LIBRARIAN

Library Report MacIver announced that it is National Library Week this week, and said the theme this year is 'Communities Matter at Your Library'. She then talked about some of the many activities being held at the library, which included several children's story times, craft day, and pre-school movie. MacIver said Tuesday, April 16th is National Library Workers' Day, and Thursday, April 18th is Poem in Your Pocket Day, and also Support Teen Literacy Day. MacIver said the summer reading program is approaching and 'Dig into Reading' is the theme this year. MacIver also noted that there was damage done to the south wall of the library which they think may have been caused by ice on the roof causing water to enter the library which will need repair eventually.

POLICE CHIEF

Mayor Sturdevant asked to suspend the rules to hear a request by Sergeant Matthew Anderson who is filling in for Police Chief Thorsteinson. **Motion by DeVries, seconded by Bohn, to suspend the rules. Motion Carried with all voting 'aye'.** Sergeant Anderson said a request had been received from the Three Rivers Crisis Center to hold a march on April 24th from 5:30-6:00pm for Take Back the Night, which is a march that is held annually. He said the march will run down 4th Street to 2nd Avenue North and then back up 6th Street North to NDSCS. **Motion by Schmidt, seconded by Hansey, to approve a request from Three Rivers Crisis Center to close the streets from 4th Street to 2nd Avenue North then back up 6th Street North to NDSCS from 5:30-6:00pm for the Take Back the Night event on April 24th. Motion Carried with all voting 'aye'.**

PUBLIC WORKS DIRECTOR

Nelson requested referral to PW/PS Committee for an **Amendment to Professional Services Agreement with Interstate Engineering for Cul-de-sac Street Improvements Project for Construction Engineering Services**. Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

Nelson requested referral to PW/PS Committee for an **Amendment to the Professional Services Agreement with Interstate Engineering for Construction Engineering Services for the South Side Drainage Improvements Phase B Project**. Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

Nelson reported on an action by the Planning Commission. He said the Planning Commission heard a request for rezoning of the southern portion of Lot G of Rosewood Addition from B-3 to R-3, and a map of the designated area was provided and the zoning districts of the surrounding areas were reviewed. Nelson said after some discussion the Planning Commission recommended approval and is requesting to set a joint hearing with the City Council on May 6th. **Motion by Bertsch, seconded by Schmidt, to set a joint hearing with the Planning Commission and City Council for May 6th at 5:00pm for the rezoning of Lot G in Rosewood Addition. Motion Carried with all voting 'aye'.**

Nelson then gave a brief report on the status of spring break up. He said on April 10th the National Weather Service released a short summary of the delayed spring flood analysis. He said it was pointed out that the spring melt season this year for the Red River Valley is shaping up to be the latest in over 100 years. Nelson said the probabilistic forecast is for a 50% chance of a 17 ½' river stage, 10% chance of 20', and 5% chance of 20.5'. It was noted the longer the melt the more increased chance there is to have melting and spring rains happening at the same time.

COMMUNICATIONS FROM THE MAYOR & COUNCIL

Hansey reported on sandbagging efforts that took place recently under the direction of Richland County Emergency Manager Brett Lambrecht, and those who volunteered were recognized and thanked for their help.

Hansey also reported on a meeting held last Friday morning with Masonite Corporation in which information was provided regarding the clean up efforts that have taken place within the past year with their straw bales.

REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS

Finance, Personnel & Economic Development Committee Report

Bohn said the Finance, Personnel & Economic Development Committee met at noon on April 8th. **Liquor License Inquiry – motion** to recommend denial of request to consider additional Class B License – **Motion by Bohn, seconded by Bajumpaa, to approve the Denial of the Request to Consider an Additional Class B License. Motion Carried with all voting 'aye'.**

Wetlands Easements on BDS Golf Course MN Lands – motion to recommend approval of the Wetland Bank Easement Application – **Motion by Bohn, seconded by Bajumpaa, to Approve Proceeding with the Wetlands Bank Program 2013 Easement Application Process for the Bois de Sioux Golf Course Minnesota Lands. Motion Carried with all voting 'aye'.**

Bohn said an update was provided regarding the Public Works Director position that is currently being advertised. She said April 10th was the deadline to conduct the first review of applications, however since there was minimal response the Committee of the Whole met earlier today to review some of the options as far as revitalizing the Public Works Director position for advertisement and the scope of the job. She said a motion was made to remove the requirement to have a Professional Engineering certification and the position will be re-advertised.

Public Works & Public Safety Committee Report

Hansey said the Public Works Public Safety Committee met at noon on April 9th.

Review of Town Centre Square Plaza Bids – motion to recommend approval as amended – Hansey said this item will be continued to the next meeting at the request of Public Works Director Nelson.

Request amendment to Professional Services Agreement with Interstate Engineering for 6th St. S. Shared Use Path – motion to recommend approval of \$16,415 amendment with additional \$40,000 pledged to the project fund from the Sidewalk Fund – **Motion by Hansey, seconded by Schmidt, to approve the Amendment to Professional Services Agreement with Interstate Engineering for 6th St. S. Shared Use Path in the amount of \$16,415 with an additional \$40,000 pledged to the project fund from the Sidewalk Fund. Roll Call vote 7-0. Motion Carried.**

Professional Services Agreement with Interstate Engineering for Commercial Streets Rehab Proj. ST12-205 – motion to recommend approval \$37,126 – **Motion by Hansey, seconded by Dale, to Approve Professional Services Agreement with Interstate Engineering for Commercial Streets Rehab Project ST12-205 in the amount of \$37,126. Roll Call vote 7-0. Motion Carried.**

Request amendment to Professional Services Agreement with Interstate Engineering for 3rd Ave. N. Phase A Proj. ST11-180 – motion to recommend approval of amendment \$107,883 – **Motion by Hansey, seconded by Bertsch, to approve the Amendment to Professional Services Agreement with Interstate Engineering for 3rd Avenue North Phase A Project ST11-180 in the amount of \$107,883. Roll Call vote 7-0. Motion Carried.**

Disposition of City Council Owned Lots – discussion

Property Maintenance in Southside Industrial Park – discussion

Update on Public Works Director Recruitment – Committee of the Whole meeting scheduled for 4:00 pm April 15th

Hansey then provided an update on the property located on 13th Avenue North.

March 2013 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$239,506.34	\$45,151.91	\$284,658.25
201 WATER OPERATING FUND	\$126,028.62	\$32,858.12	\$158,886.74
202 SANITARY SEWER OPERATING FUND	\$26,259.49	\$20,435.61	\$46,695.10
203 WASTE REMOVAL OPERATING FUND	\$20,068.92	\$715.52	\$20,784.44
205 VECTOR CONTROL FUND	\$1,513.39	\$1,296.58	\$2,809.97
206 STREET LIGHTING	\$9,047.07		\$9,047.07
209 LIBRARY LEVY FUND	\$4,534.68	\$13,828.31	\$18,362.99
213 ADVERTISING LEVY FUND	\$559.63		\$559.63
216 AIRPORT 4-MILL LEVY FUND		\$449.98	\$449.98
217 PLANN COMMISSION LEVY FUND	\$639.12	\$1,000.68	\$1,639.80
222 SOCIAL SECURITY LEVY FUND	\$24,580.97		\$24,580.97
224 RETIREMENT FUND	\$26,223.77		\$26,223.77
226 EMPLOYEE SAFETY COMMITTEE	\$130.00		\$130.00
227 ANNUAL RESERVE WH FUND		-\$2,689.00	-\$2,689.00
229 CAPITAL IMPROVEMENTS FUND	\$41,323.79		\$41,323.79
231 FD BLDG & EQUIP LEVY FUND	\$4,466.00		\$4,466.00
235 SNOW/FLOOD EMERG LEVY FUND	\$8,611.50	\$7,139.63	\$15,751.13
236 LEVEE MAINTENANCE	\$2,629.44	\$6,191.93	\$8,821.37
253 METER DEPOSITS TRUST FUND	\$255.10		\$255.10
271 ECONOMIC DEVEL DEPT FUND	\$950.84	\$11,258.72	\$12,209.56
272 ABSOLUTE MKTGCAMPAIGN	\$504.00		\$504.00
303 MISCELLANEOUS FUND	-\$1,597.99		-\$1,597.99
315 TAX INCREMENT FUND	\$211,625.00		\$211,625.00
318 WEED MAINT LEVY FUND	\$3,504.26		\$3,504.26
319 LODGING TAX FUND	\$2,336.54		\$2,336.54
320 SALES TAX OPERATING FUND	\$14,166.66		\$14,166.66
321 SALES TAX RESERVE FUND	\$98,782.00		\$98,782.00
323 SALES TAX DEVELOPERS AGMNT RES	\$3,716.53		\$3,716.53
325 SALES TAX H.E.L.P. HOUSING FUND	\$48.46		\$48.46
326 REVOLVING LOAN FUND	\$24,892.15		\$24,892.15
361 GASOLINE,OIL,ETC		-\$5,023.46	-\$5,023.46

390 CLUBHOUSE MAINTENANCE	\$45.46		\$45.46
393 DOWNTOWN CARE & MTC FUND	\$3,997.20		\$3,997.20
395 CERT	\$73.81		\$73.81
572 SALES TAX FOR FLOOD FUND	\$643,451.87		\$643,451.87
574 5-2-97 (FLOOD PHASE II)	\$33,527.46		\$33,527.46
631 11TH ST. N. AVE B TO 16TH AVE	\$1,654.65		\$1,654.65
635 LIFT STATION NO. 5 SS12-192	\$5,297.10		\$5,297.10
TOTAL	\$1,583,353.83	\$132,614.53	\$1,715,968.36

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Committee April 22nd, 12:00 Noon
- b. PW/PS Committee April 23rd, 5:00 P.M.
- c. Council Retreat April 24th, 12:00 Noon – 5:00 P.M.

Motion by Bertsch, seconded by Hansey, to adjourn at 5:50pm.

Mayor Sturdevant

Lynelle Amos, Finance Assistant