

**Wahpeton City Council**  
**April 16, 2018**  
**5:00 p.m.**

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

**Absent:** None

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

**CALL TO ORDER**

Meeting called to order by Mayor Dale.

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

**Joint Public Hearing with Planning Commission on River Pointe PUD Zoning Change adoption of Ord. No. 990 & Final Plat Approval Res. No. 3692**

This public hearing was held jointly with the Planning Commission. Planning Commission Chair DeVillers reconvened the Planning Commission meeting, and Miranowski was referred to for explanation. Miranowski said the first order of business was to review and approve the PUD (Planned Unit Development) which establishes a zone for River Pointe Acres, formerly the Briarwood development. Ordinance No. 990 was provided which is the PUD. Miranowski noted it would be similar to Hobby Time Acres west of Walmart. Uses permitted within the PUD are personal storage buildings/personal shops and seasonal urban vegetable gardens, with service shops allowed by special exception. Some of the specifications for the lots were reviewed. DeVillers asked if there were any written or oral correspondence/protests received of which Huwe answered there were no inquiries or oppositions either written or otherwise. There was no one present who wished to address the proposed ordinance. DeVillers then asked the Planning Commission for their recommendation. **Motion by Jensen, seconded by Pithey, to recommend to the City Council to approve the River Pointe Acres PUD (Planned Unit Development) Zoning Change. Motion carried with all voting ‘aye’.**

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

**ORDINANCE NO. 990**  
**AN ORDINANCE ADOPTING SECTION 46-216.1**  
**ESTABLISHING PLANNED UNIT DEVELOPMENT**  
**ZONING FOR RIVER POINTE ACRES**

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Lambrecht. Motion carried with a roll call vote 8-0.

Miranowski then referred to a plat of River Pointe Acres. He noted the area is paved and sewer and water will be installed. All of the grading will be completed and drainage established. Discussion held. Dale asked if there were any written or oral protests received of which Huwe answered there were no inquiries or oppositions either written or otherwise. Dale then asked if there was anyone present who wished to address this item and there was none. DeVillers then asked the Planning Commission for their recommendation. **Motion by Smith, seconded by Jensen, to recommend to the City Council to approve the River Pointe Acres Final Plat. Motion carried with all voting ‘aye’.**

Council member Bohn offered the following and moved its adoption:

**RESOLUTION NO. 3692**

**RESOLUTION APPROVING THE  
PLAT OF RIVER POINTE ACRES  
AND REQUESTING THAT IT BE RECORDED WITHOUT  
AUDITOR'S CERTIFICATE**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember McCann. Motion carried with a roll call vote 8-0.

**Joint Public Hearing with Planning Commission on Westgate Commons Right of Way  
Vacations Res. No. 3693 & Final Plat Approval Res. No. 3694**

Dale then proceeded to a second public hearing to be held jointly with the Planning Commission. Planning Commission Chair DeVillers referred to Miranowski for explanation. Miranowski explained the need to vacate some existing right-of-way and a map of the area was provided. A 35' wide right-of-way on what was known as 210 Drive, a part of the frontage road, needs to be vacated. A 20' wide right-of-way to be vacated was designated on the map. On Wheatland Road, the west 40' of the existing 80' right-of-way will be vacated. The street with this plat will be extended about 25' past Lot No. 2 and will have a small turn around for snow removal. Water and sewer will be extended with services to two proposed buildings. It was noted a 10' wide shared use path is proposed on the east 40' to be called Wheatland Trail. Discussion held. Dale asked if there were any written or oral protests received of which Huwe answered there were no written inquiries or oppositions either written or otherwise. Dale then asked if there was anyone present who wished to address this item and there was none. DeVillers then asked the Planning Commission for their recommendation. **Motion by Pithey, seconded by Smith, to recommend to the City Council to approve the Westgate Commons Right Of Way Vacations. Motion carried with all voting 'aye'.**

Council member Bertsch offered the following and moved its adoption:

**RESOLUTION NO. 3693**

**RESOLUTION VACATING RIGHT OF WAY  
(Two Ten Drive & Wheatland Road, Valley First Addition)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Schmidt. Motion carried with a roll call vote 8-0.

Miranowski then asked for consideration of the final plat. It was noted Lot 2 is the property that will be built on and as it continues to be developed Wheatland Road will be extended. Discussion held. Dale asked if there were any written or oral protests received of which Huwe answered there were no written inquiries or oppositions either written or otherwise. Dale then asked if there was anyone present who wished to address this item and there was none. DeVillers then asked the Planning Commission for their recommendation. **Motion by Smith, seconded by Pithey, to recommend to the City Council to approve the Westgate Commons 1<sup>st</sup> Addition Final Plat. Motion carried with all voting 'aye'.**

Council member McCann offered the following and moved its adoption:

**RESOLUTION NO. 3694**

**RESOLUTION APPROVING THE  
PLAT OF WESTGATE COMMONS 1<sup>ST</sup> ADDITION  
AND REQUESTING THAT IT BE RECORDED WITHOUT  
AUDITOR'S CERTIFICATE**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Bohn. Motion carried with a roll call vote 8-0.

**Motion by Jensen, seconded by Pithey, to adjourn the Planning Commission meeting at 5:15 p.m. Motion carried with all voting 'aye'.**

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

**Approval of minutes of regular meeting held April 2, 2018**  
**Games of Chance Licenses, Site Authorizations & Special Permits**  
LeRoy Ehlert Benefit ó Raffle Permit

**Presentation/Approval of Reports**

2017 Renaissance Zone Report  
March 2018 Bill Pay Report \$2,272,056.51 ó see below  
March 2018 Financial Statements  
Q1 2018 Restaurant Tax Report  
Spring Cleanup Week May 21-25

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

**REPORTS FROM CITY OFFICERS AND STAFF**

**FINANCE DIRECTOR**

**2018 Budget Calendar – request referral to Finance Cmt** ó Mayor Dale will refer this item to Finance, Economic Development & Personnel Committee.

**Capital Improvements Plan Draft – request referral to both committees** ó Mayor Dale will refer this item to Finance, Economic Development & Personnel Committee and also to the Public Works & Public Safety Committee.

**Election Update** ó Huwe said last Monday, April 9<sup>th</sup>, was the election filing deadline at 4:00 p.m. The response was one of the best that we've had in recent years for people interested in serving in local government. Some of the performance dates were reviewed that happen between the filing deadline and the actual election itself. Huwe stated today we are 57 days out from the June 12<sup>th</sup> election. A certified list of nominees will be submitted to the Secretary of State by Wednesday. Absentee ballots will be available for uniformed and overseas citizens by April 27, 2018, and domestic voters can pick up absentee ballots as of May 3, 2018. Publication of the sample ballot has to be published twice two weeks prior to the election. There has to be a publication of the measure analysis, and the City ballot includes what is referred to as City Measure No. 1, with publications on May 23<sup>rd</sup> and June 2<sup>nd</sup>, and because it's a proposed ordinance change it will need to be published in its entirety. The polling hours are typically 7:00 a.m. to 7:00 p.m. Those wondering where to vote can go to the Secretary of State website and enter their house number and zip code. After the election there will be canvassing to ensure all results are legitimate, and the Council will convene as the canvassing board. Results were be certified to the Secretary of State, then a reorganizational meeting will be held on the 4<sup>th</sup> Tuesday in June. Discussion held.

## **ASSESSOR/BUILDING CODES**

**Reminder of Equalization Meeting Continuance to May 7<sup>th</sup> following Council** ó On behalf of the City Assessor, Dale gave a reminder of the Equalization Meeting Continuance to May 7<sup>th</sup> following the City Council meeting with a quorum of the Council required.

## **COMMUNITY DEVELOPMENT DIRECTOR**

**Community Development Report** ó DeVries asked for referral to the Finance Committee of the City's Housing Entry Level Program (HELP) to discuss the parameters and possible new ways to use the funds. Mayor Dale will refer this item to Finance, Economic Development & Personnel Committee.

DeVries asked for referral to the Finance Committee of the Home Improvement Partnership Program (HIPP) with Gate City Bank to discuss added incentives to take advantage of the program. Mayor Dale will refer this item to Finance, Economic Development & Personnel Committee.

DeVries asked for referral to the Finance Committee of the Wahpeton Breckenridge Chamber of Commerce request for funding for Blue Goose Days. Mayor Dale will refer this item to Finance, Economic Development & Personnel Committee.

## **LIBRARY REPORT**

**Library Report** ó Bakken reported she attended an ODIN work shop where they were informed the system that is being used throughout the State for circulation purposes has outlived its life. They are looking at finding proposals for new systems. They have had some online webinars giving information on each of the systems they are seeking proposals from. She said there will be some changes coming up with the library's circulation system and asked patrons to be patient as they learn the new system. She anticipated little to no cost for this change. Bakken said she also attended the Eastern Library Media Association meeting at the Wahpeton High School, where she was able to help the school librarians look at how they can collaborate with their public libraries as far as access to e-books and electronic material they don't have access to that the students would need a public library card to use. This is through the State Library. Bakken announced happenings at the library, which include participating in the Week of the Young Child Event, Storytime, Get Creative Craft, Pre-school Movie, Book Club, Pinterest Class on String Art, and a Library Board meeting on Thursday, April 26<sup>th</sup> at 4:00 p.m. Bakken said donations are being accepted for the summer reading program entitled "Libraries Rock"

## **POLICE CHIEF**

**Request for Street Closure Saturday, August 18<sup>th</sup>** ó Thorsteinson said a request was received from Kirk Peterson of the Firehouse Pub for the street closure of Dakota Avenue from 3<sup>rd</sup> Street to 4<sup>th</sup> Street on August 18<sup>th</sup> from 11:00 a.m. to 11:00 p.m. to hold a motorcycle show and have food vendors in the afternoon, with a street dance to follow from 6:00 p.m. to 10:00 p.m. The event is in support of Operation Zero, short for Operation 23 to 0, which is a national campaign to raise awareness regarding military and veteran suicides. Currently about 22 veterans and 1 active duty military personnel commits suicide each day, and they would like to get this number from 23 down to zero. **Motion by Bohn, seconded by Miller, to approve the street closure of Dakota Avenue from 3<sup>rd</sup> Street to 4<sup>th</sup> Street on August 18<sup>th</sup> from 11:00 a.m. to 11:00 p.m. for an event in support of Operation Zero. Motion carried with all voting 'aye'.**

## **PUBLIC WORKS DIRECTOR**

### **PW Report**

Miranowski requested referral to Public Works Committee of **Contract approval with Astech Corporation for the 2018 Seal Coat Project**. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee of **Consideration of Replacing the CO Tank at the Water Treatment Plant as part of the project**. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

**Request Approval of Westgate Commons Development Agreement** ó Miranowski discussed the Development Agreement for Westgate Commons, which would be to install the improvements up to the north end of the property line and also bring water and sewer services to each one of the building in there. He said this development agreement is similar to what has been done in the past, and plans and specs have been approved. Lies commented there is no City money in this. The City will take out the project costs for infrastructural improvements and bond for it. The developers are guaranteeing that Lots 1 and 2 of Block 2 will be developed. Discussion held. **Motion by Lambrecht, seconded by Bajumpaa, to approve the Westgate Commons Development Agreement as presented. Motion carried with a roll call vote of 8-0.**

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

**Correspondence from Tim Stromberg** ó Dale said this item will remain on the Public Works agenda as it needs more discussion.

Bohn acknowledged local student musicians who acted as excellent Wahpeton ambassadors while attending a music festival in Chicago.

Lambrech recognized Wahpeton resident LeRoy Ehlert who has done a lot of work for the Wahpeton community and his celebration of life event to be held Friday, April 20<sup>th</sup> at the Eagles.

#### **REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS**

##### **Finance, Personnel & Economic Development Committee Report**

Wateland said the Finance, Personnel & Economic Development Committee met at noon on April 9<sup>th</sup>.

**River Pointe Acres Lot Pricing – motion** to recommend a sales price of \$8,900 each ó **Motion by Wateland, seconded by McCann, to approve setting the Sale Price of Lots at \$8,900 per lot for River Pointe Acres.** Discussion held. **Motion carried with a roll call vote of 8-0.**

##### **Capital Improvements Plan - discussion**

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

Bajumpaa said the Public Works & Public Safety Committee met at noon on April 10<sup>th</sup>.

**Swanberg Construction CCO#1 Water Treatment Plant Imp. Ph. I – motion** to recommend approval \$18,620 ó **Motion by Bajumpaa, seconded by Schmidt, to approve Change Order No. 1 to Swanberg Construction, Inc. in the amount of \$18,620 for raw water installation at the Water Treatment Plant.** Motion carried with a roll call vote of 8-0.

##### **Capital Improvements Plan Overview – discussion**

**2018 Seal Coat Proj. – motion** recommend bid award to Astech Corp. \$69,534.57 ó **Motion by Bajumpaa, seconded by Bohn, to approve awarding the bid to ASTECH Corp. for the 2018 Seal Coat Project in the amount of \$69,534.57.** Discussion held regarding the areas being addressed this year. **Motion carried with a roll call vote of 8-0.**

**3<sup>rd</sup> Ave. N. Reconstruction Proj. ST11-180 – motion** to recommend approval of construction engineering services contract with Interstate Engineering, Inc. \$557,033.70 ó **Motion by Bajumpaa, seconded by Bertsch, to approve the Contract with Interstate Engineering Inc. for Construction Engineering Services for the 3<sup>rd</sup> Avenue North Reconstruction Project ST11-180 in the amount of \$557,033.70. Motion carried with a roll call vote of 8-0.**

**East Side Sanitary Sewer Proj. Ph. II Engineering – discussion**

**16<sup>th</sup> Ave. N., 17<sup>th</sup> Ave. N. & Commerce St. Street Improvements Proj. No. ST/STW 17-235 – motion** to recommend approval of plans and specifications and to proceed to advertise for bids ó **Motion by Bajumpaa, seconded by Lambrecht, to approve Plans & Specifications and authorize Advertisement for Bids for the 16<sup>th</sup> Avenue North, 17<sup>th</sup> Avenue North, and Commerce Street Improvements Project No. ST/STW 17-235. Motion carried with all voting ‘aye’.**

**Building Official Updates – discussion**

**Dumpsters, Roll-Off Containers & Portable Storage Units – motion** to recommend 1<sup>st</sup> reading of Ord. 991

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

**ORDINANCE NO. 991**

**AN ORDINANCE GOVERNING THE USE OF DUMPSTERS, ROLL-OFF CONTAINERS, PORTABLE STORAGE UNITS, OR EQUIVALENT CONTAINERS WITHIN THE CITY OF WAHPETON**

**Policy Review of Yard Junk/Clutter – discussion**

**FLOOD MITIGATION COMMITTEE – MAYOR**

**Engineering Proposal to update hydrological information and base flood elevation data to be used by FEMA & Army Corps of Engineers – motion** to proceed with proposal presented by Interstate Engineering & Houston Engineering for phases 1 & 2.1 total cost estimate of \$72,000; the Wahpeton cost share is \$18,000. Dale reported the Flood Committee is moving forward with this.

**UNFINISHED BUSINESS**

**Capital Improvements Plan – New Projects – discussion** ó Huwe reviewed a handout regarding Capital Improvements Planning. It provided a definition of a CIP, the benefits of developing a CIP, how CIP is prioritized, how CIP funding is determined, the timeline for adopting a CIP, and how the CIP is updated. A list of projects was provided sorted by year and also by funding source. Dale encouraged those present to take a closer look at the Capital Improvements Plan. Discussion held.

March 2018 Bill Pay Report

<b>DISBURSEMENTS FUND</b>	<b>ACCOUNTS PAYABLE</b>	<b>PAYROLL &amp; GL</b>	<b>TOTAL</b>
101 GENERAL FUND	\$285,501.29	\$68,396.26	\$353,897.55
201 WATER OPERATING FUND	\$99,864.59	\$44,387.02	\$144,251.61
202 SANITARY SEWER OPERATING FUND	\$51,075.03	\$27,408.03	\$78,483.06
203 WASTE REMOVAL OPERATING FUND	\$29,352.84	\$989.44	\$30,342.28
204 WASTE REDUCTION FUND	\$429.92		\$429.92
205 VECTOR CONTROL FUND	\$3,016.72	\$1,199.00	\$4,215.72
206 STREET LIGHTING	\$13,452.68		\$13,452.68
209 LIBRARY LEVY FUND	\$7,595.24	\$12,868.01	\$20,463.25
216 AIRPORT 4-MILL LEVY FUND		\$494.96	\$494.96
226 EMPLOYEE SAFETY COMMITTEE	\$1,310.46		\$1,310.46
227 ANNUAL RESERVE WH FUND		-\$4,078.34	-\$4,078.34
229 CAPITAL IMPROVEMENTS FUND	\$9,873.50		\$9,873.50

231 FD BLDG & EQUIP LEVY FUND	\$231,297.96		\$231,297.96
234 SPECIAL STREET MAINT FUND	\$25,176.58		\$25,176.58
235 SNOW/FLOOD EMERG LEVY FUND	\$699.00		\$699.00
236 LEVEE MAINTENANCE	\$2,516.64	\$8,522.49	\$11,039.13
253 METER DEPOSITS TRUST FUND	\$129.04		\$129.04
271 ECONOMIC DEVEL DEPT FUND	\$1,047.95	\$13,482.14	\$14,530.09
303 MISCELLANEOUS FUND	\$89.79		\$89.79
315 TAX INCREMENT FUND	\$172,499.00		\$172,499.00
317 JOB DEVELOPMENT LEVY FUND	\$8,196.46		\$8,196.46
319 LODGING TAX FUND	\$5,050.01		\$5,050.01
320 SALES TAX OPERATING FUND	\$24,340.67		\$24,340.67
326 REVOLVING LOAN FUND	\$11,816.67		\$11,816.67
328 150TH ANNIVERSARYRESERVE	\$749.45		\$749.45
393 1% RESTAURANT TAX FUND	\$2,936.32		\$2,936.32
401 BDSGC CART SUBLEASE	\$3,499.00		\$3,499.00
462 R/I #11617 SERIES 2017	\$1,293.59		\$1,293.59
572 SALES TAX FOR FLOOD FUND	\$678,533.71		\$678,533.71
574 5-2-97 (FLOOD PHASE II)	\$247,465.38		\$247,465.38
622 3RD AVE N. RECON PROJ	\$58.50		\$58.50
636 16TH AVE. 11TH ST TO HWY 210	\$138,429.51		\$138,429.51
649 WTP LIME SILO & SLAKER	\$41,044.00		\$41,044.00
652 DANGEROUS BLDG 120 6TH ST N	\$46.00		\$46.00
<b>TOTAL</b>	<b>\$2,098,387.50</b>	<b>\$173,669.01</b>	<b>\$2,272,056.51</b>

### **SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Committee of the Whole . NDSU Presentation on Pond #1 April 17<sup>th</sup>, 1:00 PM . 3:00 PM
- b. Finance Cmt. April 23<sup>rd</sup>, 12:00 Noon
- c. Public Works Cmt. April 24<sup>th</sup>, 12:00 Noon (time may change due to scheduling conflicts)

### **ADJOURNMENT**

**Motion by Bertsch, seconded by Schmidt, to adjourn at 6:08 p.m. Motion carried with all voting ‘aye’.**

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Mayor Dale

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Lynelle Amos, Finance Assistant