

**Wahpeton City Council**  
**April 1, 2019**  
**5:00 p.m.**

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

**Absent:** Bajumpaa and McCann

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

**CALL TO ORDER**

Meeting called to order by Mayor Dale.

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

**Retirement of Water Treatment Operator Allan Weiland 1974-2001 & 2004-2019** ó Dale presented Allan Weiland with a plaque congratulating him on his retirement and thanking him for his total of 41 years of dedicated service to this community. Appreciation was shown through a round of applause and standing ovation.

Bohn read a proclamation recognizing Occupational Therapy Month April 2019.

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

**Approval of minutes of regular meeting held March 18, 2019**

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

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

Eyesight for Ken ó Raffle Permit

Saint John's School ó Raffle Permit

Bois de Sioux Golf Club ó Raffle Permit

**Presentation/Approval of Reports**

Certificate of Achievement ó Safe Drinking Water

2018 Renaissance Zone Program Monitoring Report

Correspondence ó Signage

NOAA Hydrologic Outlook March 28, 2019

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

**REPORTS FROM CITY OFFICERS AND STAFF**

**FINANCE DIRECTOR**

**2019 Retail Fireworks License Applications** ó Huwe said the City has received 5 applications for 2019 Retail Fireworks licenses: Josh Herman ó Jerry's Fireworks; Jim Sturdevant ó Sturdevant's; Wahpeton FFA Alumni ó Ace Hardware; Cory Unruh ó Little Unny's; and Dino Alexakos ó Jawaski Glass & Repair. Four applicants have previously been licensed, and Dino Alexakos has worked with Carla Thiele to take over her operation at 4<sup>th</sup> Street and Dakota Avenue as a trial run for 2019. Mr. Alexakos also works with Starr Fireworks. Cory Unruh has also submitted an application for a fireworks display on July 4<sup>th</sup>. The City Ordinances allow up to 7 licenses. Sales may be made from June 27<sup>th</sup> through July 5<sup>th</sup> between the hours of 8 am to 11 pm. Fireworks may be discharged between June 27<sup>th</sup> to July 5<sup>th</sup> between the hours of 9 am and 11 pm with the exception of July 4<sup>th</sup>, when fireworks may be discharged until midnight. All license holders are subject to a

site inspection. Huwe requested a motion to approve the licenses as presented. **Motion by Wateland, seconded by Lambrecht, to approve the 2019 Retail Fireworks Licenses as presented.** Discussion held. **Motion carried with a roll call vote of 6-0.**

**Sale of 1991 Pierce Ladder Truck** ó Huwe said the Wahpeton Fire Department has had several regional departments express interest in purchasing the city's 1991 105' aerial truck. The Fire Chief has consulted with equipment brokers and the Truck Committee and have established a minimum bid amount of \$50,000. The bid opening is slated for April 16<sup>th</sup>, and the new truck is expected to be delivered by May 1<sup>st</sup>. Huwe requested a motion to approve proceeding to advertise for bids on the 1991 Pierce Ladder Truck. **Motion by Bohn, seconded by McNary, to approve proceeding to advertise for bids for the 1991 Pierce Ladder Truck.** Discussion held. **Motion carried with a roll call vote of 6-0.**

**Liquor License Request for New Classification – request referral to Finance Cmt.** ó Huwe said Chahinkapa Zoo conducts several fund raisers throughout the year, and they have requested consideration for a city liquor license. The City Attorney has researched the subject and identified alternatives. Huwe requested the Finance Committee review the ordinances on retail liquor licenses to consider the Zoo request. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Legislative Update** ó Huwe reported today is Legislative Day No. 57. The Coffee with the Legislators over the weekend at NDSCS was well attended. Each of the elected officials provided updates on their specific committees noting the level of activity after cross-over changes from testimony intensive introduction of new legislation to the fiscal constraining review process conducted by the appropriations committees. Significant legislation that has been approved to date include the Prairie Dog Infrastructure Bill, Scholarship Funding for high demand careers, and funding for the State Interoperability Radio Network (SIRN 2020). Bills regarding implementation of an ethics commission, eminent domain and the Theodore Roosevelt Presidential Library are still pending.

#### **ASSESSOR/BUILDING CODES**

**Reminder about Board of Equalization Tuesday, April 9<sup>th</sup>** – Dale gave a reminder that the Board of Equalization is scheduled for Tuesday, April 9<sup>th</sup> at 5:00 pm at City Hall. Council members should let Broadland know if they will be available to attend as a quorum is needed.

#### **ATTORNEY**

**Park Board Petition for Improvement by Special Assessment** ó Lies said he would be presenting two resolutions. The first was creating a street and parking lot improvement district that has been petitioned for by the Park Board. The area would be the street that goes down on the north side of the baseball diamond, and the parking lot that sits between the baseball diamond and the junior high football field and additional parking to the east on the north side of the junior high football field, and Laura Hughes Drive which runs from the parking lot to the north side of the duck pond.

Council member Bertsch offered the following and moved its adoption:

**RESOLUTION NO. 3718**  
**RESOLUTION CREATING**  
**STREET AND PARKING LOT**  
**IMPROVEMENT DISTRICT PROJ. NO. ST19-245**  
**(John Randall Field Parking Lot and**  
**Part of R. J. Hughes Drive and Laura Hughes Drive)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember McNary. Motion carried with a roll call vote 6-0. Lies explained if this project proceeds to fruition the Park Board would pay for it by adding it into their mills, paid for by the City residents. Lies said the second resolution is directing preparation of the engineer's report for the improvement itself, which is an estimate on the dollar figure. It may be phased or segmented into different sections for alternative bidding.

Council member Lambrecht offered the following and moved its adoption:

**RESOLUTION NO. 3719**  
**RESOLUTION DIRECTING PREPARATION**  
**OF ENGINEER'S REPORT FOR THE STREET AND PARKING LOT**  
**IMPROVEMENT DISTRICT PROJ. NO. ST19-245**  
**(John Randall Field Parking Lot and**  
**Part of R. J. Hughes Drive and Laura Hughes Drive)**

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

**400 Block Litigation Update** ó Lies reported on the 400 Block lawsuit the City is involved in where the City is being sued by the general contractor claiming a mechanic's lien ahead of the City's mortgage that sits on the property. The City has a scheduling order hearing on Wednesday morning, where the court will set a trial time and a time for discovery closures, when you can have witnesses identified, when depositions will be taken, when discovery will be concluded, etc. Nothing will be decided of substance, it's just procedural in scheduling. Lies said he will be able to give reports to committees next week as far as where things are scheduled at. Discussion held.

**COMMUNITY DEVELOPMENT DIRECTOR**

**Community Development Report ó Planning Commission Recommendation – motion to approve RZ application from Julson Lawn Mowing, LLC** ó DeVries said a few weeks ago a Renaissance Zone project application for Julson Lawn Mowing, LLC was received for renovation and expansion of All Seasons Car Wash, and at the time the Council wanted to wait on official approval of the project until they were sure the project was moving forward as it was in the early stages. The project is moving forward and has gotten its approval from the State and bids have been supplied as well as everything else needed to forward the project. DeVries asked for official approval of the RZ project. **Motion by Miller, seconded by Bohn, to approve the Julson Lawn Mowing, LLC Renaissance Zone Project for Renovation and Expansion of All Seasons Car Wash at 1300 4<sup>th</sup> Avenue South and forward to the State Renaissance Zone office for approval of a 100% state income tax exemption on the improvements only for 5 years.** Discussion held. **Motion carried with a roll call vote of 6-0.**

DeVries requested referral to Finance Committee of the renewal of the 3 year agreement with the Red Door Art Gallery to be the City's Visitors Center ending 2019. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

DeVries gave an update on the Youth Commission saying the group has met twice and hope to meet a couple more times before the school year's end. Eight students are participating and there has been some give and take of information. The students have been provided with information and some good discussions have been held on what the City does, what the government looks for the City of Wahpeton, and asking them some questions on what activities they would like to see, and will discuss what services they would like to see in the future to keep them here or bring them back. The youth have been very engaged and have been a great group of students.

## **LIBRARY DIRECTOR**

**Library Report** ó Bakken reported all Wahpeton residents should have received the Library Links newsletter with their utility bills informing them of the many things the library has to offer for free. The Children's Librarian Kercher and Breckenridge Library Director will be participating in the Week of the Young Child event planned for Tuesday, April 9<sup>th</sup> from 5-7 pm at the Community Center. The City of Wahpeton is hitting a milestone of 150 years this year and the Library is celebrating its 95<sup>th</sup> year on Monday, April 8<sup>th</sup> and is still operating in its original building. Bakken said they are proud to be part of this community for so long and plan to be here for at least another 95 years. She extended an invitation to enjoy treats on Monday, April 8<sup>th</sup> during regular business hours in honor of the Library's birthday. About 15-20 people attended the library's Unicorn Event on Saturday where attendees enjoyed crafts, movies, treats and prizes. Bakken also gave a reminder the library has tax forms available to the public.

**Police Officer Position Vacancy Review – request referral to PW Cmt.** ó Thorsteinson requested referral to the Public Works Committee of Police Officer Position Vacancy Review. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

## **PUBLIC WORKS DIRECTOR**

### **PW Report**

#### **Dwight Township request for reimbursement for repairs performed in City of Wahpeton**

**Legal Drain No. 1 – request referral to PW Cmt** ó Mayor Dale will refer this item to the Public Works & Public Safety Committee.

**Resident Request in Reference to Snowmobile Traffic on 16<sup>th</sup> Ave. N. – request referral to PW Cmt.** ó Mayor Dale will refer this item to the Public Works & Public Safety Committee.

**2019 Seal Coat Project Bid – request referral to PW Cmt.** ó Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski was then asked to provide an update on the potential high water event.

## **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 March 25<sup>th</sup>.

**Blue Goose Days Funding Request Wahpeton Breckenridge Chamber – motion to approve \$10,000 from Sales Tax for Economic Development ó Motion by Wateland, seconded by Bertsch, to approve up to \$10,000 from the Sales Tax for Economic Development to the Wahpeton Breckenridge Area Chamber of Commerce for Blue Goose Days/150<sup>th</sup> Anniversary Event advertising expenses.** Discussion held. **Motion carried with a roll call vote of 6-0.**

**Bank of ND Flex PACE Review – motion to approve 12 month deferral for Frontier, Inc. ó Motion by Wateland, seconded by Bohn, to approve a (12) twelve month deferral for Fronteir, Inc. of the scheduled Flex PACE loan payment of \$4,177.51. Motion carried with a roll call vote of 6-0.**

### **Development Project Inquiry - discussion**

**Ord. 1003 Clarification on Class E Liquor License – motion to request City Attorney correct wording as necessary ó Motion by Wateland, seconded by Bertsch, to approve directing the City Attorney to correct the wording of Ordinance No. 1003 in the Council proceedings as necessary. Motion carried with all voting 'aye'.**

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

Bohn said the Public Works & Public Safety Committee met at noon on March 26<sup>th</sup>.

**Red River Human Services Parking Lot Property Transfer Request – motion** to approve license agreement to make parking lot improvements ó **Motion by Bohn, seconded by McNary, to approve the license/permit to utilize city property to make parking lot improvements as requested by Red River Human Services. Motion carried with a roll call vote of 6-0.**

### **Off-highway Vehicle Regulation ó discussion**

**Off-Street/Front Yard Parking Ord. 1001 – motion** to offer second reading as amended ó Council member Bohn offered the second reading of the following Ordinance:

#### **ORDINANCE NO. 1001**

#### **AN ORDINANCE PROHIBITING PARKING IN FRONT YARDS**

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

**Grotberg Electric Final Pay Request – motion** to offer second reading as amended ó **Motion by Bohn, seconded by McNary, to approve the final payment of \$12,063.81 to Grotberg Electric, Inc. for the Water Treatment Plant Improvement Project Phase I – Project No. W16-225. Motion carried with a roll call vote of 6-0.**

**Bois de Sioux Golf Course Walk Bridge Plank Replacement – motion** to approve Wheeler bid \$15,609 for Sales Tax for Recreation ó **Motion by Bohn, seconded by Bertsch, to approve the quote submitted by Wheeler Co. of \$15,609 from Sales Tax for Recreation and proceed with the Bois de Sioux Golf Course Walk Bridge Plank Replacement Project. Motion carried with a roll call vote of 6-0.**

**Bois de Sioux Golf Club House Deck Repairs – motion** to approve up to \$100,000 from Sales Tax for Recreation ó **Motion by Bohn, seconded by McNary, to approve an amount of up to \$100,000 from Sales Tax for Recreation and proceed with the Bois de Sioux Club House Deck Repairs Project. Discussion held. Motion carried with a roll call vote of 6-0.**

### **Storm Water Pump Station Variable Frequency Drives – discussion**

**Police Officer Position Vacancy Review – motion** to proceed to advertise and fill the position ó **Motion by Bohn, seconded by Lambrecht, to approve proceeding to advertise and fill the Patrol Officer Vacancy. Motion carried with all voting ‘aye’.**

**Utility Worker Position Vacancy Review – motion** to approve the revised position description ó **Motion by Bohn, seconded by Bertsch, to approve the Revised Utility Worker Position Description. Motion carried with all voting ‘aye’.**

**Motion** to proceed to advertise and fill the position ó **Motion by Bohn, seconded by McNary, to approve proceeding to advertise and fill the Utility Worker Vacancy. Motion carried with all voting ‘aye’.**

### **Building Official Updates**

### **Right-of-Way Considerations South of Bank of the West**

## **SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Finance Committee April 8<sup>th</sup>, 12:00 Noon
- b. Public Works Committee April 9<sup>th</sup>, 12:00 Noon

### **Adjournment**

**Motion by Bertsch, seconded by McNary, to adjourn at 5:47 p.m. Motion carried.**

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Mayor Steve Dale

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Lynelle Amos, Finance Assistant