

Wahpeton City Council
April 2, 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, and Cain

CALL TO ORDER

Meeting called to order by Mayor Dale.

PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.

Proclamation – AAUW Equal Pay Day April 10, 2018 ó Council member Bertsch read a Proclamation proclaiming Tuesday, April 10, 2018 Equal Pay Day.

CONSENT AGENDA ITEMS (presented by the Mayor) ó

Approval of minutes of regular meeting held March 19, 2018

Games of Chance Licenses, Site Authorizations & Special Permits:

Bois de Sioux Golf Club ó Raffle Permit

Ladies Night ó Raffle Permit

St. Johnø School ó Site Authorization

Other Games of Chance and/or special permits:

BCTGM 167G Local 405 Good & Welfare ó Raffle Permit

Breckenridge Education Foundation ó Raffle Permit

Richland/Wilkin Humane Society ó Raffle Permit

Three Rivers Gymnastics ó Site Authorization at TRG Site

Three Rivers Gymnastics ó Site Authorization at Pranteø Fine Dining

Three Rivers Gymnastics ó Site Authorization at The Boiler Room

Presentation/Approval of Reports

2017 Drinking Water Consumer Confidence 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 McCann, 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

2018 Retail Fireworks License Applications ó Huwe explained every first meeting in April the applications for retail fireworks are reviewed and a list of five applicants was provided: Cory Unruh ó Little Unnyø, Durlyn Herman, Jim Sturdevant, Wahpeton FFA Alumni Chapter, and Ben Franklin Fireworks. She requested a motion to approve the requests for fireworks retail licenses, and additionally Cory Unruh has a request for a display license. **Motion by Lambrecht, seconded by Bajumpaa, to approve the 2018 Retail Fireworks License Applications as presented. Motion carried with all voting ‘aye’.**

2018 Transient Merchant License Big J’s Smokehouse Food Truck ó Huwe said an application for a transient merchant license was received from Big Jø Smokehouse Food Truck that has traditionally been positioned in the Family Dollar parking lot and they would like to continue to visit Wahpeton with their

barbeque sandwiches, sides and ribs. She requested permission to approve the transient merchant license for Big J's Smokehouse. **Motion by Bohn, seconded by Miller, to approve the 2018 Transient Merchant License for Big J's Smokehouse Food Truck. Motion carried with all voting 'aye'.**

Approval of Improvement Bond and Debt Service Fund for 3rd Ave. N. Recon. Proj. 11-01-06

DWSRF – request Resolution No. 3685 ó Huwe explained this resolution was for the Drinking Water State Revolving Fund with an estimated amount of \$807,000.

Council member Lambrecht offered the following and moved its adoption:

RESOLUTION NO. 3685
RESOLUTION CREATING THE FUND OF
3RD AVENUE NORTH RECONSTRUCTION IMPROVEMENT DISTRICT 11-01-06
PROVIDING FOR AND APPROPRIATING SPECIAL
ASSESSMENTS FOR THE SUPPORT AND MAINTENANCE
OF SAID FUND, AND AUTHORIZING THE ISSUANCE
OF AN IMPROVEMENT BOND THEREON
SERIES 2018C

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

Approval of Improvement Bond and Debt Service Fund for 3rd Ave. N. Recon. Proj. 11-01-06

CWSRF – request Resolution No. 3686 ó Huwe explained this resolution pertains to the Clean Water State Revolving Fund with an up to amount of \$1,964,000.

Council member McCann offered the following and moved its adoption:

RESOLUTION NO. 3686
RESOLUTION CREATING THE FUND OF
3RD AVENUE NORTH RECONSTRUCTION IMPROVEMENT DISTRICT 11-01-06
PROVIDING FOR AND APPROPRIATING SPECIAL
ASSESSMENTS FOR THE SUPPORT AND MAINTENANCE
OF SAID FUND, AND AUTHORIZING THE ISSUANCE
OF AN IMPROVEMENT BOND THEREON
SERIES 2018D

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

Balance of Specials at West Briarwood – request motion to payoff ó Huwe said this pertains to project financing and improvements that have already been made in the West Briarwood Division. We are quickly looking at redevelopment potential in West Briarwood and there are some existing special assessments which we would like to pay off with a current balance due of \$14,025.93 that would be charged to the project fund and then recouped through lot sales. Huwe requested permission to pay off the special assessments of West Briarwood at \$14,025.93. **Motion by Schmidt, seconded by Bertsch, to approve paying off the Balance of Special Assessments at West Briarwood in the amount of \$14,025.93. Motion carried with a roll call vote of 8-0.**

River Pointe Acres Lot Prices – request referral to Finance Cmt. ó Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

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

City Election Filing Deadline April 9th at 4:00 PM ó Huwe provided an update on the election filing deadline which is April 9th at 4:00 p.m. As of now there are candidates for every city office. She reviewed the filings that have been received to date for the City of Wahpeton which were: Mayor ó Steve Dale and Don Bajumpaa; City Council 1st Ward ó Rory McCann; City Council 3rd Ward ó Brett Lambrecht; City Council At-Large ó Lane Wateland; City Council At-Large ó Martin Schmidt; and City Council At-Large (for unexpired term ending in 2020) ó Tiana Bohn and Mike Graves. Park Board current filings include: Deb Tobias, Steve Craig, and Kim Dassenko. Huwe said filings will be accepted through Monday, April 9th at 4:00 p.m. Information is available on the City's website or by contacting City Hall.

ASSESSOR/BUILDING CODES

Reminder of Equalization Meeting Tuesday, April 10th at 5:00 PM ó Broadland gave a reminder that an Equalization meeting will be held Tuesday, April 10th at 5:00 p.m. and asked that council members let her know whether or not they will be able to attend as a quorum is required. She said letters have been mailed and any questions can be referred to her office.

ATTORNEY

Ordinances to Create Planned Unit Development and Proposed Rezoning ó Lies explained the request for first reading of a PUD ordinance relating to zoning on River Pointe, similar to Hobby Time Acres, dealing with setbacks, etc., for storage units being put into 20 lots on that site. Council member McCann offered the first reading of the following Ordinance:

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

Lies then asked for suspension of the rules to address an item not on the agenda. **Motion by Bohn, seconded by Wateland, to suspend the rules to discuss an item not on the agenda. Motion carried with all voting 'aye'.** Lies explained the ballot language needs to be approved and the proposed ordinance amending the structure of the council, from 8 to 6, doing away with wards, giving the mayor the right to vote, and housekeeping that goes with it such as going from 4 member committees to 3 member committees and the types of things that need to happen if the ordinance were to be adopted. First was the ordinance that was drafted by Lies's office that they felt best matched with what the intent was at the time it was proposed by Council member Miller as far as what he felt would be a more efficient form of government for the City of Wahpeton. Miller said the only thing he would like changed is he would like it to be given a name, suggesting City Measure #1. Lies said that would be the only change is it would be on the ballot as City Measure No. 1 instead of Question No. 1. He explained either one can be used on a municipal ballot. Lies said since the circumstance was statutory compliance it could be a resolution proposing that ordinance language to the citizens for the June election. Council member Miller offered the following and moved its adoption:

RESOLUTION NO. 3691
RESOLUTION TO SUBMIT A MEASURE
TO THE ELECTORS OF THE CITY
WHETHER OR NOT TO AMEND
CHAPTER 2 – ADMINISTRATION
OF THE CITY'S CODE OF ORDINANCES

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember McCann. Motion carried with a roll call vote 7-1, with Miller, Wateland, Schmidt, Lambrecht, Bajumpaa, Bohn, and McCann voting *ayea* and Bertsch voting *nay*.

Lies then explained that a motion was needed to approve the form of the ballot. Both the ordinance and the ballot need to be published, with the ballot being published two or three times with notice of the election. The ordinance has to be published in its entirety one time. **Motion by Bohn, seconded by Miller, to approve the form of the Ballot for the City of Wahpeton's June 2018 Election. Motion carried with all voting 'aye'.**

COMMUNUNITY DEVELOPMENT DIRECTOR

Community Development Report ó DeVries requested a motion to set a joint public hearing with the Planning Commission on May 7th at 5:00 p.m. to approve the proposed plat of Edgewood Park which is a proposed development on Jerri Meideø's property on the south side of 16th Avenue at the corner of the 210 Bypass with 12 parcels being created in that area. **Motion by Bajumpaa, seconded by Lambrecht, to approve setting a Joint Public Hearing with the Planning Commission on May 7th, 2018 at 5:00 p.m. for the proposed plat of Edgewood Park. Motion carried with all voting 'aye'.**

Regarding the City's website, DeVries said it has been updated and has a fresh look. He felt it is very user friendly and asked that he be given some time to update the information on the site.

DeVries then provided an update on the Sesquicentennial. He said the steering committee has broken into sub-committees that will each take one of the celebration weekends and get into more detail and finalize plans. There is a website that can be visited for information and pictures. It is hoped to have a headquarters at the Red Door Art Gallery. A year-long community calendar is being put together so he welcomed any information on happenings in Wahpeton.

LIBRARY DIRECTOR

Library Report ó Bakken said at the last Council meeting she provide some information from the library's annual report to the State Library and one of their suggestions was to have a disaster plan. She said she prepared and submitted the plan to City Finance Director Huwe. She thanked Mayor Dale and Council member Lambrecht for their input. Bakken announced that happenings at the library include Anime Session, Storytime, Fun Day Craft Session, Computer Class on Management of Digital Footprint, and National Library Week beginning Sunday, April 8th. She said patrons can access their programming calendar at any time on their website. Bakken said they will also be attending a Week of the Young Child event on Tuesday, April 17th at the Wahpeton Community Center starting at 5:00 p.m.

POLICE CHIEF

Chamber of Commerce Request for Street Closure Friday, June 1st, 2018 ó Police Chief Thorsteinson said the Wahpeton Breckenridge Chamber of Commerce would like to kick off Blue Goose Days this year by holding a street fair on June 1st and are requesting closure of the Dakota Avenue from 3rd Street to 6th Street starting at 9:00 a.m. with 4th Street remaining open to north/south traffic and would like the 3rd Street to 4th Street area to remain closed until 12:00 midnight, with a street dance to be held from 7:00 p.m.-11:00 p.m. Thorsteinson did not have any difficulty with the request. **Motion by Schmidt, seconded by Lambrecht, to approve the closure of Dakota Avenue from 3rd Street to 6th Street with 4th Street remaining open to north/south traffic starting at 9:00 a.m. on June 1st for a Street Fair in conjunction with Blue Goose Days, and for 3rd Street to 4th Street of Dakota Avenue to remain closed until 12:00 midnight on Friday, June 1st for a Street Dance to be held from 7:00 p.m.-11:00 p.m. Motion carried with all voting 'aye'.**

Chamber of Commerce Request for Street Closure Saturday, June 2, 2018 – Thorsteinson said the Wahpeton Breckenridge Chamber of Commerce also requested street closure of Dakota Avenue for the Blue Goose Days Parade on Saturday, June 2nd starting at 10:00 a.m. The route is still being finalized as need permission from Breckenridge, but the routes have been handled before so he did not anticipate any difficulty. **Motion by Bajumpaa, seconded by Bertsch, to approve the closure of Dakota Avenue on**

Saturday, June 2nd starting at 10:00 a.m. for the Blue Goose Days Parade. Motion carried with all voting ‘aye’.

PUBLIC WORKS DIRECTOR

PW Report

Miranowski requested referral to Public Works Committee **of the Award of the 2018 Sealcoat Project to Astech Corporation in the amount of \$69,534.54.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Consideration of Construction Engineering Agreement with Interstate Engineering for the 3rd Avenue North Reconstruction Project.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of the Design Engineering RFP Consideration for the Eastside Sanitary Sewer Project Phase B.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Approval of Plans and Specs and Authorize Receipt of Bids for the 16th Avenue Overlay Project and 17th Avenue Storm Sewer Repairs.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Consideration of Right-Of-Way Ordinance for Dumpsters and Roll-off Placed on Streets.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski then requested scheduling a Flood Committee meeting on Tuesday, April 10th at 11:30 a.m. (prior to the Public Works meeting) to consider the engineering proposal received from Interstate and Houston Engineering to view the scope of work and fee for modifications needed for the Corps of Engineers submittal for the FEMA letter of macrovision.

Mayor Dale then referred Yard Junk and Clutter Responsibilities to the Public Works & Public Safety Committee meeting as time allows.

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 26th. **Proposed Development Agreement – discussion additional action on April 16, 2018**

2018 Community Development Goals – discussion

Building Permit Fee Schedule Revision – motion to recommend Resolution No. 3687
Council member Wateland offered the following and moved its adoption:

RESOLUTION NO. 3687

RESOLUTION ESTABLISHING BUILDING PERMIT FEE SCHEDULE

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

2% Sales Tax Policy & Ordinance Amendment No. 987 – motion to recommend adoption of Ordinance & **motion** to adopt policy Resolution No. 3688

Council member Wateland offered the following and moved its adoption:

RESOLUTION NO. 3688
**RESOLUTION APPROVING AND ADOPTING POLICY
FOR ADMINISTRATION OF 2% SALES TAX PROCEEDS**

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

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

ORDINANCE NO. 987
**AN ORDINANCE REPEALING
SECTION 40-30 – ECONOMIC DEVELOPMENT
COMMISSION ESTABLISHED; MEMBERSHIP; DUTIES**

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

Capital Improvements Plan – New Projects – discussion

Levee Certification – motion to recommend cost participation agreement as proposed ó **Motion by Wateland, seconded by McCann, to approve the Levee Certification Cost Participation as Proposed (with a 4-way split). Motion carried with a roll call vote of 8-0.**

Public Works Public Safety Committee Report

Bajumpaa said the Public Works & Public Safety Committee met at noon on March 27th.

Residential Waste Removal/Recycling Contract with Waste Mgmt. – motion to recommend approval of option #2 ó **Motion by Bajumpaa, seconded by Schmidt, to approve the Residential Waste Removal/Recycling Contract with Waste Management Option #2.** Discussion held regarding the increase. **Motion carried with a roll call vote of 8-0.**

3rd Ave. N. Reconstruction Bid Award – motion to recommend Resolution No. 3689 to award bid to Duininck, Inc. with contingencies ó

Council member Bajumpaa offered the following and moved its adoption:

RESOLUTION NO. 3689
**RESOLUTION AWARDING CONTRACT
FOR CONSTRUCTION OF AN IMPROVEMENT IN
3RD AVENUE NORTH RECONSTRUCTION
IMPROVEMENT DISTRICT 11-01-06
(STREET AND UTILITIES)**

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

3rd Ave. N. Trees & Landscaping Bid Award – motion to recommend Resolution No. 3690 to award bid to S & S Landscaping with contingencies ó

Council member Bajumpaa offered the following and moved its adoption:

RESOLUTION NO. 3690

**RESOLUTION AWARDING CONTRACT
FOR CONSTRUCTION OF AN IMPROVEMENT IN
3RD AVENUE NORTH RECONSTRUCTION
IMPROVEMENT DISTRICT 11-01-06
(SEEDING AND TREE PLANTING PHASE)**

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

Pond No. 1 Update – discussion

NDDOT Co. Rd. 87 Non-encroachment Agreement – motion to recommend approval ó Motion by Bajumpaa, seconded by Lambrecht, to approve the NDDOT Non-Encroachment Agreement for the County Road 87 Project. Motion carried with all voting ‘aye’.

Capital Improvements Plan – New Projects - discussion

Building Official Updates – motion to recommend proceeding with painting assistance program funded from Fund 325 ó Motion by Bajumpaa, seconded by Bertsch, to approve Proceeding with the Painting Assistance Program Funded from Fund 325. Discussion held regarding where applications can be obtained. Motion carried with a roll call vote of 8-0.

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Committee April 9th, 12:00 Noon
- b. Public Works Committee April 10th, 12:00 Noon (Flood Committee at 11:30 a.m.)

Adjournment

Motion by Lambrecht, seconded by Schmidt, to adjourn at 5:54 p.m. Motion carried.

Mayor Steve Dale

Lynelle Amos, Finance Assistant