

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

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

**Absent:** Miller

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

**CALL TO ORDER**

Meeting called to order by Mayor Dale.

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

**Public Hearing on Ord. 1007 Amending Section 46-236 Zoning Residential Districts: Limiting Accessory Buildings: Special Exceptions** ó Dale called to order this public hearing which was held jointly with the Planning Commission. Planning Commission Chair DeVillers reconvened the Planning Commission meeting, and referred to Lies who explained the changes to the existing ordinance. DeVillers asked Huwe if there were any written or verbal communications regarding this proposed ordinance, which Huwe said there was none. DeVillers then asked if there was anyone present with comments regarding the proposed ordinance, of which there was none. DeVillers then asked the Planning Commission for their recommendation. **Motion by Pithey, seconded by Eberhardt, to recommend to the City Council to approve Ordinance #1007 Amending Section 46-236 Zoning Residential Districts; Limiting Accessory Buildings; Special Exceptions. Motion carried with all voting 'aye'.**

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

**ORDINANCE NO. 1007**  
**AN ORDINANCE AMENDING SECTION 46-236 ZONING**  
**RESIDENTIAL DISTRICTS; LIMITING ACCESSORY BUILDINGS; SPECIAL**  
**EXCEPTIONS**

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Wateland. Motion carried with a roll call vote 7-0.

**Motion by Smith, seconded by Jensen, to adjourn the Planning Commission meeting at 5:04 p.m. Motion carried with all voting 'aye'.**

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

**Approval of minutes of regular meeting held July 15, 2019**

**Approval of minutes of special meeting held July 22, 2019**

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

Raffle Permit ó Wahpeton 14Y Babe Ruth Baseball

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

Raffle Permit ó Tri-State Safety Association

Raffle Permit ó Operation Zoo

**Presentation/Approval of Reports**

Q2 2019 Restaurant Tax Report

ND State Water Commission The Current Newsletter

Census 2020 ó Fun Facts About the 4<sup>th</sup> of July

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

## **REPORTS FROM CITY OFFICERS AND STAFF**

### **FINANCE DIRECTOR**

**2020 Preliminary Budget – request referral to both committees** ó Huwe said the 2020 Budget Hearing is set for Monday, September 16<sup>th</sup> at 5:00 p.m. Consolidated statements of estimated property taxes including the schedule for budget hearings will be mailed to each property owner on or before August 31<sup>st</sup> by the Richland County Treasurer. The city’s property tax levy was sent to the County Auditor July 23<sup>rd</sup> and is projected to be hold level dollars with a decrease in mills of 3.04 for a total of 95.78 mills estimated for city services. The City Budget has had 99 unique views on the City’s website since it was posted on July 19<sup>th</sup>. Any questions, proposed changes or suggestions can be directed to Huwe, and they can be addressed at the upcoming committee meetings. Huwe requested the 2020 Preliminary Budget be referred to both committees. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee and also the Public Works & Public Safety Committee.

**ND League of Cities Annual Conference Sept. 19<sup>th</sup>-21<sup>st</sup>** ó Huwe said the North Dakota League of Cities will host their annual conference in Bismarck this year September 19-21 at the Bismarck Event Center (formerly known as the Bismarck Civic Center). Topics on the agenda include Housing development planning & financing, Bank of North Dakota Programs for cities, an overview of the newly created ND Dept. of Environmental Quality, and an update on Governor Burgum’s Main Street Initiative. The City has a small block of rooms reserved at the Radisson Hotel. Those interested in attending were asked to contact Huwe.

### **ASSESSOR/BUILDING CODES**

**Reminder of State Board of Equalization** ó City Assessor Broadland gave a reminder the State Board of Equalization is next Tuesday, August 13<sup>th</sup> starting at 8:30 a.m. in Bismarck. No one local is scheduled to appear. She noted the ND Assessor’s Association typically schedules education during this time, and the North Central Region of Assessing Officers will be in Bismarck at that same time where Broadland will be attending training next week, Monday through Thursday.

**Special Assessment Commission Proceedings** ó Broadland said City staff and the City Attorney have met several times in reference to the projects, with several projects that need to be forwarded to the Special Assessment Commission. She presented for approval Resolution No. 3727 Directing the Special Assessment Commission to Make and Return Special Assessment for the Improvement in 3<sup>rd</sup> Avenue North Reconstruction Improvement District 11-01-01, Eastside Sanitary Sewer Phase A, along with Westgate.

Council member McNary offered the following and moved its adoption:

### **RESOLUTION NO. 3727**

**RESOLUTION DIRECTING THE SPECIAL ASSESSMENT COMMISSION TO MAKE AND RETURN ASSESSMENT FOR THE IMPROVEMENTS IN THE 3<sup>RD</sup> AVE. NORTH RECONSTRUCTION IMPROVEMENT DISTRICT 11-01-06 (STREET & UTILITIES), THE EAST SIDE SANITARY SEWER IMPROVEMENT DISTRICT 13-02-02 PHASE A (FIRST ST. NORTH FROM DAKOTA AVE. TO FIFTH AVE. NORTH PROJ. ST17-231), AND THE WESTGATE COMMONS 1<sup>ST</sup> ADDITION IMPROVEMENT DISTRICT ST18-238 (STREET & UTILITIES)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Lambrecht. Motion carried with a roll call vote 7-0.

## **COMMUNITY DEVELOPMENT DIRECTOR**

### **Community Development Report**

**Mini-Match Fund Recapitalization – request referral to Finance Cmt.** ó Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Library Lawn Holiday Display – request referral to Finance Cmt.** ó Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Development Project Inquiry – request referral to Finance Cmt.** ó Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

DeVries then took the opportunity to congratulate the 14 year-old Wahpeton Baseball Team who won State and Regionals and are headed to Alabama for the Babe Ruth World Series. He felt Wahpeton will be well represented by the team and wished them luck.

DeVries announced that Wahpper, the world's largest catfish statue, had improvements made to it this last week. There were a few changes that still need to be made but should be taken care of soon.

Regarding the City's website, social media and Channel 12, DeVries said he has been making a concerted effort to keep them updated with information and as well as their look. He encouraged anyone with events that will be a benefit to the community to contact him about getting their information on these sites.

DeVries then gave a reminder of Wahpeton's 150<sup>th</sup> celebration event September 13<sup>th</sup> and 14<sup>th</sup>. There is a Kickoff with football tailgating Friday, September 13<sup>th</sup> óRemembering the Wopsö. Saturday, September 14<sup>th</sup> events include the Classy & Classic Car Show, Salute to Agriculture, Free BBQ Meal Downtown, and a Bull Riding event.

## **ATTORNEY**

Lies said he had three ordinances regarding criminal penalties the City needs to update based on State law that were not on the agenda. **Motion by Bajumpaa, seconded by Bohn, to approve suspending the rules to discuss an item not on the agenda. Motion carried with all voting 'aye'.** Lies said the first ordinance deals with possession of marijuana paraphernalia.

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

### **ORDINANCE NO. 1009**

#### **AN ORDINANCE AMENDING RESTRICTIONS ON THE USE & POSSESSION OF MARIJUANA PARAPHERNALIA**

Lies said the second ordinance was deals with the possession of marijuana.

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

### **ORDINANCE NO. 1010**

#### **AN ORDINANCE AMENDING RESTRICTIONS POSSESSION OF MARIJUANA AND INGESTION OF MARIJUANA BY PERSON UNDER AGE 21**

Lies explained the third ordinance deals with consequences for overflowing dumpsters.

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

**ORDINANCE NO. 1011**  
**AN ORDINANCE GOVERNING THE ALLOWING CITY TO ABATE  
OVERFLOWING DUMPSTERS OR EQUIVALENT CONTAINERS**

**LIBRARY DIRECTOR**

**Library Report** ó Bakken reported the Summer Reading has concluded, with 16 prize winners. She thanked those who participated. She said Leach Library gained notoriety as it was mentioned in the Mountains Plain Library Association Newsletter for its recent moon rock presentation. She said they also contributed to the new Explore Richland County Magazine which contained a nice article about Mr. and Mrs. Leach and their history here. Scheduled events include Storytime, back to school craft afternoon, and back to school movie. A Friends of the Library meeting will be held Wednesday, August 7 at 10:30 a.m. in the library to set the date of the annual Chocolate Chocolate Day.

**PUBLIC WORKS DIRECTOR**

**PW Report**

**8<sup>th</sup> Ave. N. Improvement District – request referral to PW Cmt.** ó Mayor Dale will refer this item to the Public Works & Public Safety Committee.

**Loy Ave. Improvement District – request referral to PW Cmt.** ó Mayor Dale will refer this item to the Public Works & Public Safety Committee.

**Sportsmen’s Club Trail Grant Match – request referral to Finance Cmt.** ó Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Ord. 1005 & 1006 Parking in Front Yards – request referral to PW Cmt.** ó Mayor Dale will refer this item to the Public Works & Public Safety Committee.

**Dumpster Regulations – request referral to PW Cmt.** ó Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Consideration and Approval of Bid from Agassiz Underground for Wheatland Road Water & Sewer Improvement District.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Approval of Plans & Specs and Authorization for Receipt of Bids for Rosewood Shared Use Path.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski then gave an update on vector control. Regarding the 3<sup>rd</sup> Avenue North Project, he said the contractor has said the pavement markings should be completed by the end of next week. He also noted the contractor for the Central School site has indicated it should have top soil and be seeded by the end of next week.

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

**Finance, Personnel & Economic Development Committee Report (no meeting held July 22<sup>nd</sup>)**  
**2020 Budget Preparation Update - discussion**

**Proposed Organizational Chart & Review of PW Operations Manager Position - discussion**

**Public Works & Public Safety Committee Report**

Bohn said the Public Works & Public Safety Committee met at noon on July 23<sup>rd</sup>.

**Storm Drainage Improvements at City Tree Disposal Site – discussion**

**Storm Pipe Removal Kidder Rd. and Gate Valve Red River Ct. - discussion**

**Vector Control District No. 5 – discussion**

**Storm Water Utility – discussion**

**Yard Junk/Clutter Updates – no report**

**Building Official Updates – motion** to proceed with door replacement, plank repairs and grease trap at the Bois de Sioux Golf Course increasing expense approval up to \$102,000 – **Motion by Bohn, seconded by Lambrecht, to approve proceeding with door replacement, plank repairs and grease trap at the Bois de Sioux Golf Course increasing expense approval up to \$102,000. Motion carried with a roll call vote of 7-0.**

**Hwy. 210 & 9<sup>th</sup> St. Intersection Signal Beacons – motion** to proceed with implementation costs paid by the Special Street Mtc. Fund ó **Motion by Bohn, seconded by Bajumpaa, to approve proceeding with implementation of Highway 210 Bypass and 9<sup>th</sup> Street North Intersection Signal Beacons with costs paid by the Special Transportation Fund. Motion carried with a roll call vote of 7-0.**

**SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Finance Committee August 12<sup>th</sup>, 12:00 Noon
- b. Public Works Committee August 13<sup>th</sup>, 12:00 Noon

**Adjournment**

**Motion by McCann, seconded by Bajumpaa, to adjourn at 5:31 p.m. Motion carried.**

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Mayor Steve Dale

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Lynelle Amos, Finance Assistant