

Wahpeton City Council

December 6, 2021

5:00 p.m.

Present: Lambrecht, Carlson, Goltz, Wateland, Bohn, Woods II, Fobb (remotely), and McNary (remotely)

Absent: Dale

Also Present: Huwe, Hatting, Budke, Miranowski, Broadland, DeVries, Bakken, Thorsteinson, Anderson, and O'Meara

CALL TO ORDER

Meeting called to order by Council President Wateland.

PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.

Joint Public Hearing with Planning Commission – Ord. 993 Annexation – DeVillers said the Planning Commission was reconvened and referred to Hatting who explained the Planning Commission had received a request to table the annexation so it will be continued to the January 3, 2022 Council meeting.

Joint Public Hearing with Planning Commission – Ord. 1027 5G & Cell Tower Regulations – DeVillers referred to Hatting who explained this ordinance would regulate 5G and macro towers, small cell wireless and large towers so they are in a safe location and don't create a nuisance. It was asked if there was anyone present to speak about the proposed ordinance, of which there was none. When asked, Huwe said there have been no inquiries or protests, either written or in person, regarding the ordinance. The Planning Commission was asked for their recommendation. **Motion by Hickel, seconded by Cook, to recommend to the City Council to approve Ordinance No. 1027 5G & Cell Tower Regulations. Motion carried with all voting 'aye'.**

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

ORDINANCE NO. 1027

AN ORDINANCE ESTABLISHING REGULATIONS

FOR SMALL WIRELESS FACILITIES AND MACRO CELL TOWERS

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

Motion by Dockter, seconded by Cook, to adjourn the Planning Commission meeting at 5:10 p.m. Motion carried with all voting 'aye'.

CONSENT AGENDA ITEMS (presented by the Council President) –

Approval of minutes of regular meeting held November 15, 2021

Games of Chance Licenses, Site Authorizations & Special Permits:

Circle of Nations – Raffle Permit

Other Games of Chance and/or Special Permits:

RMEF Minndak Inc. – Raffle Permit

Presentation/Approval of Reports

US Dept. of Transportation Infrastructure Funding – ND

WBI Natural Gas Expansion Project

Wateland asked if there were any items to be removed from the consent agenda and there were none.

Motion by Lambrecht, seconded by Goltz, to approve the Consent Agenda items as presented. Motion carried with all voting 'aye'.

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

2022 Business Licenses – Huwe said a listing of each of the 2022 city business license applicants was provided. The outstanding applications for Casey’s, Waste Management, and T & G Sanitation have been received. There are five Class A (on sale and off sale) liquor license applicants, two Class B (off sale only) applicants, four Class C-1 (restaurants), and no Class C-5 club/lodge licenses. There was a total of 11 liquor license applications received. The seasonal golf course license application is typically submitted in March. Class 2 cabaret licenses allow general entertainment including music, karaoke, and trivia, and three of the liquor license applicants have also applied to renew Class 2 cabaret licenses. Additional licenses include waste removal, tobacco, amusement devices, transient merchant, and taxi cab licenses. Auditor’s Assistant Cheryl O’Meara has collected the information for each of the applicants that have been submitted for renewal. Additional verification of eligibility is still outstanding for several of the applicants. Huwe requested a motion from the Council approving the 2022 business licenses contingent upon satisfaction of all licensing requirements by all applicants. **Motion by Goltz, seconded by Woods, to approve the 2022 Business Licenses as presented contingent upon satisfaction of all licensing requirements by all applicants. Motion carried with all voting ‘aye’.**

2021 Tax Levy Summary – Huwe said the Richland County Auditor provides an abstract of all taxes that are levied upon residents in the City of Wahpeton, and typically these numbers are summarized and presented to the Council at the first meeting in December. In the City of Wahpeton, the property taxing jurisdictions include the State of North Dakota, Richland County, the Wahpeton School District, Wahpeton Park Board, and the City of Wahpeton. We also have a Vector Control District that overlays our City boundaries, however they have not levied taxes for several years. The total amount of dollars levied by the State/County, School District, City and Park Board is \$18,880,138, up \$632,442 or 3% from this year’s \$18,247,696. Each political subdivision increased the dollars levied. The City has decreased the number of mills levied for 12 consecutive years. Wahpeton property owners will pay \$7,780,636 or 41% of all the taxes levied. The City of Wahpeton levied \$2,008,589 of the \$7,780,636 or 26% of the property taxes billed which are attributed to providing city services. The City of Wahpeton’s overall tax rate is currently 360.33, a decrease from the previous levy of 365.03 mills. The percentage allocations for how much each taxing jurisdiction is responsible for on your property tax bill remained consistent, 26% is to provide municipal services, 27% is to provide State and County services, 10% provides public recreation/park services, and 37% is funding for public education. The summary includes trends from 2017-2021 reflecting a decrease in mills for City services from 104.74 mills in 2017 to 93.02 in 2021, a decrease of 11%. The value of a mill in the city increased from \$19,945.17 to \$21,593.09, an increase of 8%. The value of the mill is slightly higher than projected during budget and is reflected in the city’s 2021 mill rate decrease from 93.21 to 93.02. Huwe requested a motion to acknowledge receipt of the 2021 Tax Levy Summary. **Motion by Bohn, seconded by Lambrecht, to approve acknowledging receipt of the 2021 Tax Levy Summary. Motion carried with all voting ‘aye’.**

Ward Boundaries and Poll Locations – Huwe said the revised ward boundary and poll location map was approved by the Council on November 15th contingent upon the outcome of the annexation hearing tonight. The proposed annexation area only includes 1 occupied residence and will not trigger a rebalancing of the 4 wards proposed in the revised ward map, the only change will be to exclude the area south of 16th Avenue, and south of what would be 14th Avenue extended, not currently in the city limits. Because the annexation was continued to January 3rd and jurisdictional boundaries will need to be established prior to that as starting January 3rd individuals can decide if they want to run for office within the City of Wahpeton so will need to have the jurisdictional boundaries established and reported to the County who reports to the Secretary of State’s Office. The border will just need to be changed to the existing city limits. Huwe requested a motion to approve the map with the revision of the un-annexed area. **Motion by Goltz, seconded by Woods, to approve the Ward Boundaries and Poll Locations Map with the revision of the un-annexed area. Motion carried with all voting ‘aye’.**

Central School and Westdale 2 Development Agmt. Amendments – refer to Finance Cmt. – Council President Wateland will refer this item to the Finance, Personnel & Economic Development Committee.

TIF Development Plan Amendment – refer to Finance Cmt. – Council President Wateland will refer this item to the Finance, Personnel & Economic Development Committee.

Preliminary Fiscal Year End Transfers – refer to Finance Cmt. – Council President Wateland will refer this item to the Finance, Personnel & Economic Development Committee.

911 Communications Fee Agmt. – refer to PW Cmt. – Council President Wateland will refer this item to the Public Works & Public Safety Committee.

FD 1991 Pierce Ladder Truck minimum sale price – refer to PW Cmt. – Council President Wateland will refer this item to the Public Works & Public Safety Committee.

COMMUNITY DEVELOPMENT DIRECTOR

Northside Industrial Park Inquiry – req. referral to Finance Cmt. – Council President Wateland will refer this item to the Finance, Personnel & Economic Development Committee.

WBI Northside Industrial Park Inquiry – req. approval of access agmt. and survey for feasibility – DeVries said WBI has shown interesting in possibly creating a staging area for the natural gas project in the Northside Industrial Park. More information will be provided as it is received.

Community Development Report – DeVries then provided some updates saying he is in the process of restarting the Wahpeton Youth Committee after the first of the year. There are some interested students and some planned topics to be discussed. He talked about the possibility of forming an Event Committee to assist with ideas for events and other community projects. He also encouraged people to shop local.

LIBRARY DIRECTOR

Library Report – Bakken reported library scheduled events include story time, craft/game day, daycare outreach, children's holiday craft party, and adult craft night. The Library Board meeting will be held December 16th at 4:00 p.m. A family movie will be shown on December 18th. Several donations have been made to the Sock Tree and collection will continue to be accepted through December 31st.

POLICE CHIEF

State Interoperable Radio Network (SIRN 2020) – request referral to PW Cmt. for Police, Fire and Public Works – Council President Wateland will refer this item to the Public Works & Public Safety Committee.

PUBLIC WORKS DIRECTOR

Public Works Report –

JRFP Hughes Dr. Proj. ST19-245 Contract Addendum – refer to PW Cmt. – Council President Wateland will refer this item to the Public Works & Public Safety Committee.

Dakota Ave. Side Street Proj. ST20-255 Bids – refer to PW Cmt. – Council President Wateland will refer this item to the Public Works & Public Safety Committee.

Mid-State Equip. & Supply Crack Seal Melter Rental Agmt. – refer to PW Cmt. – Council President Wateland will refer this item to the Public Works & Public Safety Committee.

Disposition of Old Christmas Decorations – refer to PW Cmt. – Council President Wateland will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Change Order #1 for Safe Routes to School**. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of engaging Interstate Engineering on Homestead Development awarding additional work tasks**. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of NDDOT Urban Regional Project submittal for the 2025 Surface Transportation Improvement Plan**. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski then reported on the Public Works/Street Department tasks/activities in the past few weeks that have been completed or that are being worked on.

REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS

Finance, Personnel & Economic Development Committee Report

Wateland said the Finance, Personnel & Economic Development Committee met at 5:00 p.m. on November 22nd.

400 Block Management Contract Closeout – motion to compensate Management Service Inc. \$4,000 from the Operating Reserve Account – Motion by Wateland, seconded by Goltz, to approve a compensation payment of \$4,000 to Management Services, Inc. from the 400 Block Operating Account Reserve Fund. Motion carried with a roll call vote of 8-0.

Bank of ND Flex PACE Interest Buydown Dakota Coffee Co. – motion to approve up to \$1,915.07 – Wateland noted after receiving information from the Bank of North Dakota the approval amount was amended to \$2,735. Motion by Wateland, seconded by Woods, to approve the Flex PACE Interest Buydown Application for Dakota Coffee Company LLC located at 1001 2nd Avenue North for the City's share of up to \$2,735 with repayment to start in 5 years. Motion carried with a roll call vote of 8-0.

Engineering Tech Job Description – motion to approve – Motion by Wateland, seconded by Carlson, to approve amending the Engineering/Appraiser Technician Job Description to include Vector Control duties as presented. Motion carried with all voting 'aye'.

Housing/Lot Availability Update – discussion

[Woods exit at 5:42pm]

Public Works & Public Safety Committee Report

Bohn said the Public Works & Public Safety Committee met at 5:00 p.m. on November 23rd.

Cargill Wastewater Discharge Agmnt. – motion to approve – Motion by Bohn, second by Lambrecht, to approve the Cargill Waste Water Discharge Agreement with the suggested changes. Motion carried with a roll call vote of 7-0.

Diagonal Parking on 2nd Ave. N. Grant Application – motion to proceed – Motion by Bohn, seconded by Carlson, to approve proceeding with the grant application submittal for the proposed Diagonal Parking Project on 2nd Avenue North near the Library and the Richland County Courthouse. Motion carried with a roll call vote of 7-0.

E. Side Sanitary Sewer Ph. B Part 2 Soil Boring & Geotechnical Proposal – motion to approve Northern Technologies, LLC proposal \$5,900 – Motion by Bohn, seconded by Lambrecht, to approve the Soil Boring and Geotechnical Proposal from Northern Technologies, LLC at a cost of \$5,900 for the East Side Sanitary Sewer Phase B Part 2 Project. Motion carried with a roll call vote of 7-0.

Engineering Tech Job Description – motion to approve – Bohn said this was approved earlier in the meeting but noted the PW Committee suggested the ‘Maintains an active applicators license’ be moved from under the proposed ‘Essential Duties and Responsibilities’ to under ‘Licenses Required’.

Grease/Interceptor Inspection Program – motion to approve – **Motion by Bohn, seconded by Carlson, to approve the Grease/Interceptor Inspection Program with the changes as discussed. Motion carried with all voting ‘aye’.**

Lighting in Alleyways – discussion

Parking Ordinance Non-Motor Vehicles

Daytime Snowplowing Operations

SW Drain #2 Agreement with Richland County – discussion

Yard Junk/Clutter Updates

Building Official Updates – discussion

Referrals – See PW Director’s Report

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Committee December 13th, 5:00 PM
- b. Public Works Committee December 14th, 5:00 PM

Adjournment

Motion by Goltz, seconded by Lambrecht, to adjourn at 5:50 p.m. Motion carried.

Council President Lane Wateland

Lynelle Amos, Finance Assistant