

Wahpeton City Council
February 20, 2018
5:00 p.m.

Present: Schmidt (via skype), Bertsch, Bajumpaa, Dale, Bohn, McCann, Miller, and Wateland

Absent: Lambrecht

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

CALL TO ORDER

Meeting called to order by Mayor Dale.

To accommodate those present, Dale decided to address the agenda item under the Finance, Personnel and Economic Development Committee Report: **Cabaret I License Request from Pausch Stores, Inc. – motion to recommend denial of request for license ó Motion by Wateland, seconded by Bertsch, to approve not to pursue or allow the Cabaret One License to be issued to Pausch Stores, Inc./Oasis Bar.** Discussion held. Miller felt a compromise should be worked out with Pausch, suggesting the Cabaret One License be extended for a time period not to exceed 12 months at which time it would expire/sunset, allowing Pausch time to rebrand their establishment into something more financially viable. Bohn spoke in agreement of allowing a grace period or sunset on the Cabaret One License. Bajumpaa asked Lies about the procedure for moving forward with such a compromise if there was a consensus of the Council to do so, and Lies explained it would be to have first reading of an ordinance that would allow for a grace lapse period during which the license is not forfeited and then according to the timetable for the absolute sunset. Barry and Matthew Pausch were both heard from on behalf of their business/establishment, asking for a grace period for their Cabaret One License with a sunset of 12-18 months. Bertsch and Norma Nosek expressed concerns regarding strip bars being demeaning to women and having the potential to lead to sex trafficking. Further discussion held. Bajumpaa then questioned Pausch, if given an extension, how committed they are to coming up with an alternate plan for their business, and Matthew answered that he contacted Justin Nepl of the Small Business Development Center who is helping them come up with a strategy and alternate business plan. **Motion carried with a roll call vote of 5-2, with Wateland, Schmidt, Bertsch, Bajumpaa, and McCann voting ‘aye’; and Bohn and Miller voting ‘nay’.**

Bohn then offered first reading of an ordinance to amend Section 22-105 Cabaret Licenses from the current language to accommodate granting a 90 day grace period for the lapse of the Cabaret One License with the sunset of one year retroactive to January 1st, so January 1, 2019.

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

ORDINANCE NO. 988
AN ORDINANCE AMENDING
SECTION 22-105 CABARET LICENSES

BIDS / OFFERS / QUOTES

South Side Fire Station Reroof Proposal – Request motion to award and proceed, Asst. Chief Derek Miller ó Miller explained two proposals were received to reroof the lower roof section of the South Side Fire Station at 204 5th Street South, with the better bid submitted by M.J. Dalsin Co. of ND, Inc. with a bid of \$36,091. **Motion by Bajumpaa, seconded by McCann, to approve Awarding and Proceeding with the Reroof of the Lower Roof Section of the South Side Fire Station at 204 5th Street South with M.J. Dalsin Co. of ND, Inc. in the amount of \$36,091.** Discussion held. **Motion carried with a roll call vote of 7-0.**

CONSENT AGENDA ITEMS (presented by the Mayor) ó

Approval of minutes of regular meeting held February 5, 2018

Games of Chance Licenses, Site Authorizations & Special Permits

Bethel Lutheran Church Quilt Raffle ó Raffle Permit

Kiwanis of Wahp-Breck ó Raffle Permit

Wahpeton Fire Dept. ó Raffle Permit

Wahpeton Babe Ruth Baseball ó Raffle Permit

Other Games of Chance and/or special permits:

Mallie Ann Breuer Scholarship Foundation ó Raffle Permit

Presentation/Approval of Reports

January 2018 Bill Pay Report \$808,125.83 ó see below

January 2018 Financial Statements

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

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

Capital Improvements Plan – Calendar ó Huwe said City Departments are working on the Capital Improvements Plan, so in the early part of March the Council will be reviewing proposed additions to the CIP and also recap the 2017 projects that were completed. The target adoption date of the new 5-year CIP will be the second Council meeting in May.

City Election Reminder ó Huwe said on the City’s June election ballot there are 6 offices: Mayor, City Council Member Ward 1, City Council Member Ward 3, 2 ó City Council Members At-Large, and City Council Member At-Large with term ending in 2020. The Park Board also has 3 ó At-Large positions open. There will be a publication in the newspaper the first week in March encouraging people to consider running for office. The deadline to file is April 9th at 4 p.m.

Economic Development Commission Policy & Ordinance Amendment No. 987 ó Huwe noted this item is still on the Finance Committee agenda and input is appreciated.

ASSESSOR/BUILDING CODES

Sales Ratio – Request Motion to Confirm City Assessor to establish the Sales Ratio for City

Parcels ó Broadland explained during the 2017 legislative session North Dakota Century Code §57-02-11 was amended as it pertains to the assessment sales ratio for cities. Population was removed from the determination for allowing a city to maintain its own sales ratio. A city with an assessor who holds a current certification as a class I assessor under section 57-02-01.1, and which has been determined by the state supervisor of assessments to have enough sales for an adequate sales ratio study, may elect to maintain the records under this subsection on behalf of the county. To ensure that appropriate records exist to support each individual city’s sales ratio study, Broadland said the City of Wahpeton needs to make a request for maintaining its own sales ratio study. She said the State Supervisor of Assessments will then provide a response for the City’s records. **Motion by Bohn, seconded by McCann, to approve making a Request to the State Supervisor of Assessments for the City of Wahpeton to maintain its own sales ratio study. Motion carried with all voting ‘aye’.**

ATTORNEY

Oath of Office/Appointment of Will Budke as Assistant City Attorney ó Lies introduced Will Budke who he requested to be appointed as Assistant City Attorney for the City of Wahpeton.

Motion by Wateland, seconded by McCann, to confirm the appointment of Will Budke as Assistant City Attorney. Motion carried with all voting ‘aye’. Budke then read the Oath of Office for his appointment to City Assistant Attorney.

Resolution 3680 Amending Res. No. 3675 Advertisement for Bids 3rd Ave. N. Reconstruction Proj. 11-01-06 ó Lies explained this resolution is a change in the advertisement for bids for the 3rd Avenue North Project, moving back the bid date to March 15th at 11:00 a.m.
Council member Bajumpaa offered the following and moved its adoption:

RESOLUTION NO. 3680
RESOLUTION AMENDING RESOLUTION NO. 3675
RESOLUTION DIRECTING PUBLICATION OF ADVERTISEMENT
FOR BIDS 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 Bohn. Motion carried with a roll call vote 7-0.

Resolution 3681 Directing Plans & Specs 3rd Ave. N. Tree Planting
Council member Bajumpaa offered the following and moved its adoption:

RESOLUTION NO. 3681
RESOLUTION DIRECTING PREPARATION OF PLANS
AND SPECIFICATIONS AND ESTIMATE OF COST FOR THE
IMPROVEMENTS 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 McCann. Motion carried with a roll call vote 7-0.

Resolution 3682 Approving Plans & Specs 3rd Ave. N. Tree Planting
Council member Bajumpaa offered the following and moved its adoption:

RESOLUTION NO. 3682
RESOLUTION APPROVING PLANS AND SPECIFICATIONS
AND ESTIMATE OF COST FOR
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 7-0.

Resolution 3683 Directing Advertisement for Bids 3rd Ave. N. Tree Planting
Council member Bajumpaa offered the following and moved its adoption:

RESOLUTION NO. 3683
RESOLUTION DIRECTING PUBLICATION OF ADVERTISEMENT
FOR BIDS 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 McCann. Motion carried with a roll call vote 7-0.

COMMUNITY DEVELOPMENT DIRECTOR

Community Development Report ó Westside Mini-Master Plan – request motion to acknowledge receipt ó DeVries said he had previously provided access to the Westside Development Study which was the final provided by Interstate Engineering, and he requested acknowledgement of the receipt of the report. **Motion by McCann, seconded by Bohn, to acknowledge receipt of the Westside Development Mini-Master Plan Report. Motion carried with all voting ‘aye’.**

Kidder Rec Area Christmas Drive – request budget amendment ó DeVries said the Finance Committee reviewed a number of items being suggested for funding. Community Development Assistant O’Meara proposed a new concept being considered for the 2018 holiday season for illuminating the Kidder Recreation area as a destination/attraction at the cost of \$21,000 from Fund 393. It was not included in the CIP so DeVries requested a budget amendment to include this expense. **Motion by Wateland, seconded by Schmidt, to approve a Budget Amendment of \$21,000 from Fund 393 for the Kidder Recreation Area Christmas Drive proposal.** Discussion held. **Motion carried with a roll call vote of 7-0.**

LIBRARY REPORT

Library Report ó Bakken reported on happenings at the library, which included Leach Reads Book Club on February 21st, Library Board meeting on February 22nd at 4 p.m., DIY Spa Pinterest Class on February 27th, Social Media Computer Class March 1st, and Read Across America Storytime on March 3rd. She encouraged patrons to check out the available resources on the library’s webpage.

PUBLIC WORKS DIRECTOR

PW Report ó Miranowski offered his apologies for the lack of snow removal following the recent snowfall and said he knew the Public Works Department could do better. He said he is in the process of putting together a presentation for Public Works regarding the possibility of daytime snow removal.

Traffic Signal Revision Proj. – request referral to PW Cmt. ó Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Crack Sealing Equipment Rental Agmt – 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 **Refuse Collection Agreement with Waste Management, Inc.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee of **Cost Share Agreement with Richland County for the 2018 Seal Coat Project of 11th Avenue South.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

COMMUNICATIONS FROM THE MAYOR & COUNCIL

Main Street Summit Update Mayor Dale & Council Member Miller ó A synopsis of the Main Street Initiative Summit recently attended by Mayor Dale and Council Member Miller was then provided. Dale presented many points of interest which he summarized as empowering the people, improving lives, and inspiring success. Miller then reviewed some of his main takeaways from the

meeting, which included engaging millennials, an active business community and downtown, and creating a sense of place. Both felt it was a great event with lots of good ideas for improving communities.

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 February 14th.

Cabaret I License Request from Pausch Stores, Inc. – motion to recommend denial of request for license ó Addressed earlier in the meeting.

1% Restaurant Tax Policy Funding Requests and Policy Review – motion to recommend approval of policy ó

Council member Wateland offered the following and moved its adoption:

RESOLUTION NO. 3684

RESOLUTION APPROVING AND ADOPTING POLICY FOR ADMINISTRATION OF RESTAURANT TAX PROCEEDS (2-20-2018)

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

Economic Development Commission Policy & Ordinance Amendment No. 987 – discussion

Public Works & Public Safety Committee Report

Bajumpaa said the Public Works & Public Safety Committee met at noon on February 15th.

Cabaret One License Request from Pausch Stores, Inc. – discussion

2018 Patrol Car Bids – motion for approval of 2018 Durango, replacement of 3 AED Units and \$12,000 budget amendments ó **Motion by Bajumpaa, seconded by Schmidt, to approve the purchase of a 2018 Dodge Durango for \$28,561.40, replacement of 3 AED Units and \$12,000 in CIP budget amendments.** Discussion held. **Motion carried with a roll call vote of 7-0.**

MOU for Radio Frequency Sharing – discussion

Final Pay App. and Proj. Close Out Trench Drain and Encroachment Proj. Ph. I – motion for approval of \$115,179.91 payable to Riley Bros. ó **Motion by Bajumpaa, seconded by Schmidt, to approve authorizing payment of \$115,179.91 to Riley Bros Construction Inc. for the Final Pay Application and Project Close Out Trench Drain & Encroachment Project Phase I.** **Motion carried with a roll call vote of 7-0.**

Final Pay App. and Proj. Close Out Trench Drain and Encroachment Proj. Ph. II – motion for approval of \$131,368.51 payable to Comstock Construction ó **Motion by Bajumpaa, seconded by Bohn, to approve authorizing payment of \$131,368.51 to Comstock Construction Inc. for the Final Pay Application and Project Close Out for the Trench Drain & Encroachment Project Phase II.** **Motion carried with a roll call vote of 7-0.**

GPS Tracking Equipment for Vector Control Equipment – motion for approval of up to \$25,000 to acquire equipment ó **Motion by Bajumpaa, seconded by Bohn, to approve the purchase of GPS Tracking Equipment for Vector Control of up to \$25,000.** **Motion carried with a roll call vote of 7-0.**

Nuisance Snow Removal Contract with Dakota Designs – motion for approval ó Motion by Bajumpaa, seconded by Schmidt, to approve entering into a Snow Removal Contract with Dakota Designs for nuisance lots. It was noted there would be no cost to the City and the contract would be for three years. Motion carried with all voting ‘aye’.

2018 Seal Coat Proj. Request Approval of Plans and Ad for Bids – discussion

Urban Grant Program – Project Identification – discussion

Building Official Updates

Wahpeton Community Center Joint Powers Agreement – discussion

Petition for Right of Way Vacation @ Wheatland Rd. – motion for approval ó Motion by Bajumpaa, seconded by Bohn, to approve authorizing Mayor Dale’s signature on the Right-of-Way Vacation at Wheatland Road. Motion carried with all voting ‘aye’.

Rename Unbuilt portion of Wheatland Rd to Wheatland Trail – motion for approval ó Motion by Bajumpaa, seconded by Wateland, to approve Re-naming the Unbuilt Portion of Wheatland Road to Wheatland Trail as presented. Motion carried with all voting ‘aye’.

January 2018 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$346,260.29	\$34,710.84	\$380,971.13
201 WATER OPERATING FUND	\$62,455.78	\$44,427.64	\$106,883.42
202 SANITARY SEWER OPERATING FUND	\$62,601.69	\$28,217.91	\$90,819.60
203 WASTE REMOVAL OPERATING FUND	\$29,927.70	\$989.44	\$30,917.14
204 WASTE REDUCTION FUND	\$19,107.17		\$19,107.17
205 VECTOR CONTROL FUND	\$15.35	\$1,199.00	\$1,214.35
206 STREET LIGHTING	\$13,025.02		\$13,025.02
209 LIBRARY LEVY FUND	\$4,211.64	\$13,247.08	\$17,458.72
216 AIRPORT 4-MILL LEVY FUND		\$494.96	\$494.96
226 EMPLOYEE SAFETY COMMITTEE	\$150.00		\$150.00
227 ANNUAL RESERVE WH FUND		-\$4,188.34	-\$4,188.34
229 CAPITAL IMPROVEMENTS FUND	\$40,838.67		\$40,838.67
236 LEVEE MAINTENANCE	\$1,636.92	\$8,427.24	\$10,064.16
253 METER DEPOSITS TRUST FUND	\$30.88		\$30.88
261 UNEMPLOYMENT COMP RESERVE FUND	\$38.35		\$38.35
271 ECONOMIC DEVEL DEPT FUND	\$1,382.00	\$13,482.14	\$14,864.14
303 MISCELLANEOUS FUND	\$186.94		\$186.94
315 TAX INCREMENT FUND	\$1,250.00		\$1,250.00
318 WEED MAINT LEVY FUND	\$250.00		\$250.00
319 LODGING TAX FUND	\$1,969.10		\$1,969.10
320 SALES TAX OPERATING FUND	\$54,108.54		\$54,108.54
321 SALES TAX RESERVE FUND	\$10,454.00		\$10,454.00
326 REVOLVING LOAN FUND	\$2,816.67		\$2,816.67
365 PD SPEC EQUIP SINKING FUND	\$750.08		\$750.08
393 1% RESTAURANT TAX FUND	\$3,995.06		\$3,995.06
462 R/I #11617 SERIES 2017	\$900.00		\$900.00
574 5-2-97 (FLOOD PHASE II)	\$5,407.60		\$5,407.60
622 3RD AVE N. RECON PROJ	\$317.50		\$317.50
636 16TH AVE. 11TH ST TO HWY 210	\$1,676.92		\$1,676.92
651 WESTDALE 2ND ADDITION	\$1,354.05		\$1,354.05
TOTAL	\$667,117.92	\$141,007.91	\$808,125.83

UNFINISHED BUSINESS

Regarding the request for funding for Kidder Recreation Area Christmas Drive, DeVries said he would need to make a formal request to the Park Board but felt it should not be a problem to get their approval for the project.

Dale then took the time to thank all the volunteers who have assisted with lighting the trees along Dakota Avenue for the holidays. He also thanked John Glander and those at Philø's Tarp Repair who have helped with the maintenance of the big flag on Dakota Avenue at no charge.

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Cmt. February 26th, 12:00 Noon
- b. Public Works Cmt. February 27th, 12:00 Noon

ADJOURNMENT

Motion by Bertsch, seconded by Wateland, to adjourn at 6:31 p.m. Motion carried with all voting 'aye'.

Mayor Dale

Lynelle Amos, Finance Assistant