

# Wahpeton City Council

June 7, 2021

5:00 p.m.

**Present:** Lambrecht, Carlson, Goltz, Wateland, Dale, Bohn, Woods II, Fobb, and McNary

**Absent:** None

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

## **CALL TO ORDER**

Meeting called to order by Mayor Dale.

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

### **Council Confirmation of Appointment of Samantha Pauly to the Planning Commission** –

Samantha Pauly was not present at the meeting. It was asked to confirm the appointment of Ellis Hickel to the Planning Commission with a term ending June 30, 2026, replacing Daryl Eberhardt as the Dwight Township Representative. **Motion by Wateland, seconded by Lambrecht, to approve the Appointment of Ellis Hickel to the Wahpeton Planning Commission with a term ending June 30, 2026. Motion carried with all voting 'aye'.**

### **Joint Public Hearing with Planning Commission – Final Plat Prairie Flats Addition Res. 3797** –

DeVillers said the Planning Commission was reconvened and referred to Miranowski who explained the proposed final plat of Prairie Flats Addition. A map of the area was provided and referenced. It was asked if there was anyone present to speak about the final plat. Steve Ackerman, who conducted the survey for the boundary area, then addressed some concerns he had with the plat, such as adding Richland County as a signatory and having a cross Quit Claim deed between the landowners and Richland County for the boundaries of the Southwood City Drain, which City Attorney Hatting assured would be resolved prior to adoption. When asked, Huwe said there have been no inquiries or protests, either written or in person, on the proposed final plat. The Planning Commission was asked for their recommendation. **Motion by Bohn, seconded by Hickel, to recommend to the City Council to approve the Final Plat of Prairie Flats Addition with changes as recommended. Motion carried with all voting 'aye'.**

Council member McNary offered the following and moved its adoption:

**RESOLUTION NO. 3797**  
**RESOLUTION APPROVING**  
**THE PLAT OF PRAIRIE FLATS ADDITION**  
**AND REQUESTING THAT IT BE RECORDED**  
**WITHOUT AUDITOR'S CERTIFICATE**

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

### **Joint Public Hearing with Planning Commission – Planned Unit Development Prairie Flats**

**Addition Ord. 1025** – Hatting explained the PUD has been reviewed by the landowner and Planning Commission, and noted this does not include the land in the Southwood City Drain. It was asked if there was anyone present to speak about the annexation of which there was none. The Planning Commission was asked for their recommendation. **Motion by Cook, seconded by Bohn, to recommend to the City Council to approve the Planned Unit Development of Prairie Flats Addition. Motion carried with all voting 'aye'.**

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

**ORDINANCE NO. 1025**  
**AN ORDINANCE AMENDING SECTION 46 ZONING**  
**ARTICLE III – ZONING DISTRICTS DIVISION 5 OTHER DISTRICTS**  
**(CREATING PLANNED UNIT DEVELOPMENT ZONING FOR**  
**LOTS 1 - 12 BLOCK 1 AND LOTS 3 - 13 BLOCK 2**  
**OF PRAIRIE FLATS ADDITION)**

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. The Public Hearing was then concluded.

**Motion by Cook, seconded by Bohn, to adjourn the Planning Commission meeting at 5:16 p.m. Motion carried with all voting ‘aye’.**

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

**Approval of minutes of regular meeting held May 17, 2021**

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

Wahpeton Fire Dept. Relief Association – Raffle Permit

Valley Lake Boy’s Home – Raffle Permit

Southern Valley Figure Skating Club – Site Authorization Driftwood Lounge

NDSCS Catbackers – Site Authorization Blikre Activities Center

Wahpeton Hockey Association – Site Authorization Amendment Sportsman’s Lounge

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

Min-Dak Carving, Inc. – Raffle Permit

Starz/Shavonne Wilkie – Raffle Permit

**Presentation/Approval of Reports**

ND State Water Commission 2021-2023 Development Plan

[https://www.swc.nd.gov/info\\_edu/state\\_water\\_plan/wdp/pdfs/water\\_development\\_plan.pdf](https://www.swc.nd.gov/info_edu/state_water_plan/wdp/pdfs/water_development_plan.pdf)

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

**Motion by McNary, seconded by Woods II, to approve the Consent Agenda items as presented.**

**Motion carried with all voting ‘aye’.**

**REPORTS FROM CITY OFFICERS AND STAFF**

**FINANCE DIRECTOR**

**2022-2026 Capital Improvements Plan** – Huwe said the 5-year Capital Improvements Plan is in the review process. The plan will be presented at a public hearing on June 21<sup>st</sup>. She asked that she be contacted with any questions or suggestions for the draft plan, currently available on the city webpage.

**Central School Property Development Agreement Amendment – request referral to Finance Cmt.**

– Huwe explained the Council approved a development agreement with Central Properties, LLC on November 16<sup>th</sup>, 2020, for the redevelopment of the former Central School Property into 14 residential lots. The developer is considering their development options and has requested the City consider an amendment to the agreement. She requested the Central School Property Development Agreement be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Primary Depository – request referral to Finance Cmt.** – Huwe said the City currently utilizes the banking and treasury management services of Wells Fargo Bank, however, due to increases in banking service fees the City will be making changes in how it utilizes existing accounts. She requested primary depository services be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**NDIRF Property Survey and Recommendations – request referral to Finance Cmt.** – Huwe reported the City currently carries general liability, business auto, and inland marine (public assets) insurance coverage through the North Dakota Insurance Reserve Fund (NDIRF). NDIRF has taken over the administration of the State Fire & Tornado Fund for the City’s buildings and outdoor property coverage. NDIRF conducted a comprehensive onsite review on April 28<sup>th</sup> and has submitted a report of recommendations. She requested the NDIRF Property Survey & Recommendations Report be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**ATTORNEY**

**5G and Small Wireless Facilities Ordinance – request referral to PW Cmt.** – Hatting said a draft wireless and tower regulations ordinance as well as a draft small cell 5G ordinance have been received from the firm the City contracted with and she requested referral of those items to the Public Works Committee. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

**COMMUNITY DEVELOPMENT DIRECTOR**

**Community Director Report** – DeVries requested referral of the Southern Valley Economic Development Authority (SVEDA) Joint Powers Agreement to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Win Column** – This issue featured the return of summer events.

**Rec Center Ad-hoc Committee Updates** – DeVries provided an update on the Rec Center Ad-hoc Committee who heard a presentation from consultant John Small last week where he provided lots of valuable information which included recommended staffing, possible amenities, and revenue/expense projections for the proposed recreation center. The committee has not met since the presentation so an update will be provided once they have had a chance to discuss the information provided. A copy of the presentation is available to those interested who were not able to attend the meeting.

**Summer Events** – DeVries said this information was provided in the Win Column.

**LIBRARY DIRECTOR**

**Library Report** – Bakken reported the Summer Reading Program, Tails and Tales, began today and runs through July 30<sup>th</sup>. It is open to all ages and sign up is still available. A Traveling Lantern virtual performance is being offered this week. In-person preschool story time resumes tomorrow with virtual story time being offered as well. Kercher will read on the library’s Facebook Live page during the lunch hour Tuesdays and Thursdays. A children’s movie will be shown on Friday, June 11<sup>th</sup>. The library’s calendar of events/programs is available on the library website.

**POLICE CHIEF**

**NDSCS Homecoming Parade Request – Sept. 25, 2021** – Thorsteinson said a request for street closure has been made to accommodate the 2021 NDSCS Homecoming Parade on September 25, 2021 beginning at 10:00 am. A new route has been proposed this year with the only change being on the Breckenridge side which Thorsteinson did not see any difficulty with. **Motion by Carlson, seconded by Goltz, to approve the street closure of Dakota Avenue starting at 10:00 am on Saturday, September 25, 2021 for the NDSCS Homecoming Parade. Motion carried with all voting ‘aye’.**

**PUBLIC WORKS DIRECTOR**

**Public Works Report** –

**Loy Ave. & 12<sup>th</sup> St. N. Proj. ST19-249 SRF Loan Forgiveness – request referral to PW Cmt.** – Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of the Contract with Jay Schnell for Composting of Yard Waste Materials.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of the South Side Fire Station Alley and Parking Lot Improvements.** Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of Updates to the Pond Operations & Maintenance Manual.** 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.

[DeVries exit at 5:45 pm]

## **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 May 24<sup>th</sup>. **400 Block Property Management Contract – motion to approve the Management Service Contract – Motion by Wateland, seconded by Goltz, to approve the 400 Block Property Management Contract with Management Services Inc. Motion carried with a roll call vote of 8-0.**

**2022 Budget – motion to approve the budget premises – Motion by Wateland, seconded by Fobb, to approve the Preliminary 2022 Budget Premises as presented. Motion carried with a roll call vote of 8-0.**

**Housing Study Recommendations Westdale III – motion to purchase 14.37 acres for \$57,480 – Motion by Wateland, seconded by Goltz, to approve purchasing the 14.37 acres in Westdale III for \$57,480 from the Housing Development Reserve Fund. Discussion held regarding the location of the property. Motion carried with a roll call vote of 8-0.**

**Policy on the Use of Sales Tax Funds - discussion**

**Ord. 1021 Business Licensing – discussion**

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

Bohn said the Public Works & Public Safety Committee met at 5:00 p.m. on May 25<sup>th</sup>.

**Central School Site Redev. Proj. ST20-256 Comstock Construction CCO#1 – motion to approve specification changes required by NDDOH – Motion by Bohn, seconded by Woods II, to approve Change Order #1 with Comstock Construction for the Central School Site Redevelopment Project ST20-256 and update the testing requirements as required by NDDOH. Motion carried with all voting ‘aye’.**

**14<sup>th</sup> St. N. Sidewalk Proj. ND Dept. of Transportation TA Grant Award – motion to accept grant funds up to \$107,147 – Motion by Bohn, seconded by Lambrecht, to approve to accepting the ND Department of Transportation TA Grant Award of up to \$107,147 for the 14<sup>th</sup> Street North Sidewalk Project estimated to be completed in 2024. Motion carried with a roll call vote of 8-0.**

**Dakota Ave. Side Streets Ph. II Proj. ND DOT Cost Participation, Construction, and Mtc. Agmnt – motion to approve – Motion by Bohn, seconded by McNary, to approve the Cost Participation, Construction and Maintenance Agreement with the NDDOT for Phase II of the Dakota Avenue Side Streets Project. Motion carried with a roll call vote of 8-0.**

**City Owned Street Light Electric Line Locating Agreement with Scott's Electric – motion to approve – Motion by Bohn, seconded by Carlson, to approve the City Owned Street Light Electric Line Locating Agreement with Scott's Electric. Motion carried with a roll call vote of 8-0.**

**Legal Drain Maintenance Agreement with Richland County – discussion**

**Yard Junk/Clutter Updates**

**Building Official Updates – discussion**

**Drive Thru Request for Coffee Shop at 530 11<sup>th</sup> St. N. – discussion**

**Referrals – see PW Director Report & City Attorney Report**

**NEW BUSINESS**

**Mayor's Minute Update** – Mayor Dale provided a brief update on recent events attended which included a luncheon at Wil-Rich who has changed ownership and are excited about their future, an invitation to the Richland County Courthouse to observe rehab court, Rec Center Ad-hoc Committee presentation, Loy Avenue and 12<sup>th</sup> Street North Project public input meeting, golf course bridge concerns and possible solutions, and it was reported 18 new building permits have been issued as of last Friday, and today in Westdale there are two different builders working with two different contractors with 13 lots having water and sewer going in so lots of activity out there.

**SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Finance Committee June 14<sup>th</sup>, 5:00 PM
- b. Public Works Committee June 15<sup>th</sup>, 5:00 PM

**Adjournment**

**Motion by Wateland, seconded by Lambrecht, to adjourn at 6:05 p.m. Motion carried.**

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Mayor Steve Dale

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Lynelle Amos, Finance Assistant