

**Wahpeton City Council**  
**March 2, 2020**  
**5:00 p.m.**

**Present:** Miller, Bajumpaa, Dale, Bohn, Wateland, and McNary

**Absent:** None

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

**CALL TO ORDER**

Meeting called to order by Mayor Dale.

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

**Resignation of Ward 1 Councilmember Rory McCann** ó Mayor Dale addressed the resignation of Councilmember Rory McCann representing Ward 1 who has conflicts with his job and is not able to serve in the capacity that he would like. **Motion by Bohn, seconded by Wateland, to accept the Resignation of Ward 1 Councilmember Rory McCann. Motion carried with all voting 'aye'.**

**Colorectal Cancer Awareness Month Proclamation** ó Bohn read a Proclamation declaring March 2020 as Colorectal Cancer Awareness Month.

With the resignation of McCann, Dale requested approval of the appointment of Jeremy Remily to the Ward 2 vacancy until the June election (approximately 3 months). Discussion held. **Motion by Bohn, seconded by McNary, to appoint Jeremy Remily as Council Representative for Ward 2 until the City election in June 2020. Motion carried with all voting 'aye'.**

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

**Approval of minutes of regular meeting held February 18, 2020**

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

Wahpeton Fire Dept. ó Raffle Permit

**Presentation/Approval of Reports**

1% Restaurant Tax Q4 Report 2019

NDRAM Risk Assessment Tool [www.ndram.swc.nd.gov](http://www.ndram.swc.nd.gov)

Coronavirus Info Sheet

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

**REPORTS FROM CITY OFFICERS AND STAFF**

**FINANCE DIRECTOR**

**19<sup>th</sup> St. N. Development Proposals – request referral to Finance Cmt.** ó Huwe said proposals for the development of 12 residential lots targeting single family homes with a final selling price of \$199,000 or less are due this Friday at 4:00 p.m. The requests for proposals were e-mailed to parties that had inquired or expressed interest in the site and advertised in the Daily News on February 16<sup>th</sup>. She requested this be

referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Cost Share Agreement for Dilapidated Property – request referral to Finance Cmt.** ó Huwe reported the City Attorney has prepared a joint powers agreement between the City and Richland County to address the cost share and mitigation of a large scale, tax forfeited dilapidated property at 120 6<sup>th</sup> Street North. She requested this be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Chapter 22 City Licenses Inquiries – request referral to Finance Cmt.** ó Huwe explained the ordinances pertaining to City licenses may be affected by changes in the state and federal laws, such as the December federal legislation changing the national legal age to purchase tobacco and tobacco products from 18 to 21. Several of our business licenses still require a bond in addition to proof of liability insurance and/or a state issued license. She requested this be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Additional Item: Update on the 400 Block** ó Huwe explained Starion Bank is the receiver for the 400 Block Project loan default, and they have presented several alternatives for resolution of the outstanding loans and subsequent disposal of the property for the Council's consideration. She requested this be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Additional Item: Bois de Sioux Golf Club Equipment Capital Lease with Option to Purchase** ó Huwe said the Bois de Sioux Golf Board is requesting consideration of the Council to enter into a capital lease agreement for the purpose of acquiring a new beverage club car. The agreement is similar to the current rental cart fleet agreement entered into on March 5, 2017. The golf club reimburses the City fully for each lease payment made. She requested this be referred to the Finance Committee. Mayor Dale will refer this item to the Finance, Economic Development & Personnel Committee.

**Election 2020** ó Huwe said the city of Wahpeton contests on the June 9<sup>th</sup>, 2020 ballot include Ward 1 (unexpired term ending 2022), Ward 2, Ward 3 (unexpired term ending 2022), Ward 4 and (2) At-Large Positions, the continuation of publication of minutes in the official newspaper, and 2 At-Large Park Board Commissioners. Information and the required filing forms are available on the City's website and at City Hall. Candidates' petition and certificates of interest are due to City Hall by 4:00 p.m. on April 6<sup>th</sup>.

#### **ASSESSOR/BUILDING CODES**

**Board of Equalization** ó Broadland announced a Board of Equalization meeting will be held Tuesday, April 14<sup>th</sup> at 5:00 p.m. She asked that those unable to attend let her know as a quorum is needed.

#### **ATTORNEY**

**Off Highway Vehicle Regulations Article XII, Ch. 4 Ord. 1014 – second reading** ó Hatting requested approval of the following ordinances and resolution.

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

#### **ORDINANCE NO. 1014** **AN ORDINANCE GOVERNING OFF-HIGHWAY VEHICLES**

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember McNary. Motion carried with a roll call vote 5-0.

Council member Bajumpaa offered the following and moved its adoption:

**RESOLUTION NO. 3741**  
**RESOLUTION ESTABLISHING FEES FOR**  
**VIOLATION OF ORDINANCE 1014**  
**(CHAPTER 4, ARTICLE XII – OFF-HIGHWAY VEHICLES)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Bohn. Motion carried with a roll call vote 5-0.

**Snow Emergency Declaration Ch. 42 Ord. 1015 – second reading**

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

**ORDINANCE NO. 1015**  
**AN ORDINANCE PROVIDING THE AMENDMENT AND ENACTMENT**  
**OF SNOW REMOVAL PARKING ORDINANCES**  
**AND SNOW EMERGENCY DECLARATION**

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Bajumpaa. Motion carried with a roll call vote 5-0.

**COMMUNITY DEVELOPMENT DIRECTOR**

**Community Director Report** ó DeVries reported Roger Jensen approached him about creating an iconic sculpture in Wahpeton and a 30øtree sculpture has been suggested as Wahpeton is the tree villageø Jensen is in the process of obtaining some costs. Funding will be considered at a later date.

**Convention & Visitors Bureau Appointment** ó DeVries said City Brew Hall has expressed interest in having a staff member on the CVB. With a current member wanting to step down due to issues with the time commitment this has created an opening which Karissa Etton of the City Brew Hall is interested in filling. **Motion by Miller, seconded by Bohn, to approve appointing Karissa Etton of the City Brew Hall to the Wahpeton Convention & Visitors Bureau. Motion carried with all voting ‘aye’.**

**Banner for Dakota Ave.** ó DeVries asked for referral to the Public Works Committee of consideration of an entity utilizing the banner poles on the east end of Dakota Avenue to hang a banner for the month of April. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

**LIBRARY DIRECTOR**

**Library Report** ó Bakken reported programming at the library is back to normal. Scheduling this week includes story time and a computer class on how to navigate the internet, and next week a family movie, story time, a STEM class on catapults, an outreach visit to Twin Town Villa, and a pre-kindergarten craft session. A reminder was given for those who know anyone who lives in Sienna Court or Twin Town Villa that the library offers an outreach program that includes a craft and book selection once a month at each facility and it is hoped residents will be encouraged to attend these programs being offered at their facilities. Bakken also noted the library has federal tax forms available for the 2019 tax season. She then announced Leach Library was notified it will receive a \$1,000 donation from Judy Benn in memoriam of her motherø day of passing. This donation is to be used in the Childrenø Library, aptly named the Polly Benn Groneman Childrenø Library or Pollyø Place. Bakken then reminded all citizens of Wahpeton and Richland County that beginning March 12, Census Day, the library can be used as a hub for information and a useful tool in their completion of the 2020 Census. The library offers free WIFI and internet access

and library staff can assist patrons in getting to the correct website. Leach Library is a member of the Richland County Complete Count Committee and encourages all to complete the 2020 Census.

### **POLICE CHIEF**

#### **Request for Dakota Ave. Street Closure for Operation Zero 11 A.M. to Midnight on Aug. 22, 2020**

Thorsteinson said Operation Zero Project, a suicide prevention and awareness program for veterans, has requested street closure of Dakota Avenue from 3<sup>rd</sup> Street to 4<sup>th</sup> Street on August 22<sup>nd</sup> from 11:00 a.m. to midnight to hold activities including a motorcycle show along with other small events in the afternoon to be followed by a street dance in support of Operation Zero. This has been done in the past with no issues and it was felt it's a very worthwhile effort. **Motion by Bajumpaa, seconded by Miller, to approve the Dakota Avenue Street Closure from 3<sup>rd</sup> Street to 4<sup>th</sup> Street on August 22<sup>nd</sup>, 2020 from 11:00 a.m. to midnight as requested by the Operation Zero Project. Motion carried with all voting 'aye'.**

### **PUBLIC WORKS DIRECTOR**

#### **PW Report**

Rogahn requested referral to Public Works Committee **of a Rental Agreement for Additional Flood Pumps**. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Rogahn requested referral to Public Works Committee **of a Rental Agreement for Tractors for backup at the flood pump stations**. Mayor Dale will refer this item to the Public Works & Public Safety Committee.

Rogahn gave a reminder a Public Input Meeting on the East Side Sanitary Sewer Phase B Project will be held Tuesday, March 3<sup>rd</sup> at 5:00 p.m. at City Hall in the Council Chambers.

Mayor Dale referred **Electric Vehicle Charging Stations** to the Public Works & Public Safety Committee.

Mayor Dale referred **the Potential of a Water Filling Station** to the Public Works & Public Safety Committee.

### **COMMUNICATIONS FROM THE MAYOR & COUNCIL**

**Recreation Center Concept Meetings** Dale said a joint meeting of the City Council and Park Board will be scheduled in the near future to discuss the recreation center concept.

### **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 February 24<sup>th</sup>.

**Former Central School Site Request for Proposals**

**Council Chambers Technology Updates**

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

Bohn said the Public Works & Public Safety Committee met at noon on February 25<sup>th</sup>.

**SIRN 2020 Statewide Interoperable Radio Network**

**East Side Sanitary Sewer Proj. Ph. B. – motion** to proceed to advertise for bids and offer the required project resolutions

Council member Bohn offered the following and moved its adoption:

**RESOLUTION NO. 3742**  
**RESOLUTION RECEIVING AND APPROVING  
ENGINEER'S REPORT IN PHASE B FOR THE IMPROVEMENT IN  
EASTSIDE SANITARY SEWER IMPROVEMENT DISTRICT 13-02-02  
(Eastside Sanitary Sewer Improvement Project, Phase B, NO. SS18-243)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember McNary. Motion carried with a roll call vote 5-0.

Council member Bohn offered the following and moved its adoption:

**RESOLUTION NO. 3743**  
**RESOLUTION DIRECTING PREPARATION OF PLANS  
AND SPECIFICATIONS AND ESTIMATE OF COST FOR THE IMPROVEMENT  
IN EASTSIDE SANITARY SEWER IMPROVEMENT DISTRICT 13-02-02  
(Eastside Sanitary Sewer Improvement Project, Phase B, NO. SS18-243)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember McNary. Motion carried with a roll call vote 5-0.

Council member Bohn offered the following and moved its adoption:

**RESOLUTION NO. 3744**  
**RESOLUTION APPROVING PLANS AND SPECIFICATIONS  
AND ESTIMATE OF COST FOR PHASE B OF  
EASTSIDE SANITARY SEWER IMPROVEMENT DISTRICT 13-02-02  
(Eastside Sanitary Sewer Improvement Project, Phase B, NO. SS18-243)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember McNary. Motion carried with a roll call vote 5-0.

Council member Bohn offered the following and moved its adoption:

**RESOLUTION NO. 3745**  
**RESOLUTION DIRECTING PUBLICATION OF ADVERTISEMENT  
FOR BIDS FOR CONSTRUCTION PHASE B OF AN IMPROVEMENT IN  
EASTSIDE SANITARY SEWER IMPROVEMENT DISTRICT 13-02-02  
(Eastside Sanitary Sewer Improvement Project, Phase B, NO. SS18-243)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember McNary. Motion carried with a roll call vote 5-0.

**Vector Control Kubota and Mist Sprayer – motion to recommend to purchase up to \$38,000 – Motion by Bohn, seconded by Bajumpaa, to approve the purchase of a new Kubota, Monitor 5 GPS and A1 Ranger Mist Sprayer of up to \$38,000 from the Vector Control Fund. Motion carried with a roll call vote of 5-0.**

**Bois de Sioux Golf Clubhouse Mtc. Issues – motion to recommend up to \$18,000 from Rec Sales Tax to Clubhouse Mtc. For carpet replacement with contingencies 6**

**Motion by Bohn, seconded by McNary, to approve the transfer of \$20,000 from the Sales Tax for Recreation Fund to the Club House Maintenance Fund. Motion carried with a roll call vote of 5-0.**

**Bohn offered a motion, seconded by Bajumpaa, for the approval of up to \$18,000 for carpet replacement at the Bois de Sioux Clubhouse with contingencies, pending discussion. Two bids were received and reviewed. Discussion held. Motion by Miller, seconded by McNary, to approve the bid from Three Rivers Decorating for carpet replacement at the Bois de Sioux Golf Clubhouse at the cost of \$15,474.00. Motion carried with a roll call vote of 5-0.**

**Dakota Ave. Sidewalk Snow Removal – discussion**

**Waste Water Ponds Best Management Practices/Pond Operations and Mtc.**

**Off Highway Vehicle Regulations Article XII, Ch. 4 Ord. 1014**

**Parking Violation Fees**

**Storm Water Utility**

**Yard Junk/Clutter Updates**

**Building Official Updates**

**Referrals – Adoption of the 2018 North Dakota Building Code**

The need for replacement of kitchen equipment at the Bois de Sioux Clubhouse will be reviewed at a later date also.

### **SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Public Meeting on Eastside Sanitary Sewer Proj. Phase B . March 3<sup>rd</sup> 5:00 PM
- b. Finance Committee March 9<sup>th</sup>, 5:00 PM
- c. Public Works Committee March 10<sup>th</sup>, 12:00 Noon (this may be moved to 5:00 PM)

### **Adjournment**

**Motion by Wateland, seconded by McNary, to adjourn at 5:48 p.m. Motion carried.**

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Mayor Steve Dale

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Lynelle Amos, Finance Assistant