

Wahpeton City Council
May 18, 2020
5:00 p.m.

Present: Miller, Wateland, Dale, and Via teleconference: Bajumpaa, Bohn, Remily, and McNary

Absent: None

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

Others Present (via teleconference): Damon DeVillers and Matt Lower of Interstate Engineering Inc., and Frank Stanko of the Daily News

CALL TO ORDER

Meeting called to order by Mayor Dale.

BIDS / OFFERS / QUOTES

Dale asked for a motion to suspend the rules to discuss an item not on the agenda. **Motion by Wateland, seconded by Bohn, to suspend the rules to discuss an item not on the agenda. Motion carried with all voting 'aye'.** Dale explained the bid opening for the KC Hall Demolition Project was Friday, May 15, 2020 with bids received from three contractors. The low bidder was Rachel Contracting, LLC at \$111,216. Discussion held. **Motion by Bohn, seconded by Remily, to approve the bid from Rachel Contracting, LLC for the KC Hall Demolition Project in the amount of \$111,216.00. Motion carried with all voting 'aye'.**

CONSENT AGENDA ITEMS (presented by the Mayor) ó

Approval of minutes of regular meeting held May 4, 2020

Approval of minutes of special meeting held May 11, 2020

Games of Chance Licenses, Site Authorizations & Special Permits:

Other Games of Chance and/or Special Permits:

Rocky Mountain Elk Foundation Minndak Inc. ó Site Authorization at Wahpeton Event Center

Presentation/Approval of Reports

April 2020 Bill Pay Report (\$3,099,395.40) ó see below (includes \$1,768,645.53 in bond payments)

April 2020 Financial Statements

April 2020 Departmental Statistics

Primary Election Ballot Information

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

Motion by McNary, 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

City Financial Update ó Huwe reported a national emergency was declared on March 13, 2020 in response to the public health threat associated with COVID-19. Governor Doug Burgum issued Executive Order 2020-06 effective March 20th limiting public access to bars, restaurants, recreational facilities, and state agencies. ND Smart Restart began on May 1st. The implications of the 40-day hiatus from our usual routines is not yet known. The General Fund revenue through April 30th is benchmarking at 57.72%, and it was at 57% in April of 2019. Currently it appears revenues received from the State of ND may be the most greatly impacted with reductions in state sales tax and fuel tax

collections being reflected in the formula payments received by the City. Of the \$1.6 million in budgeted uncollected revenue these two sources account for approximately \$609,094 or 38%. Revenue sensitivity analysis have been prepared based on economic declines in 5% increments. As more information becomes available we will be able to determine a specific response. Expense reduction measures implemented include a hiring freeze, no unnecessary travel or training, and suspension of discretionary expenditures. Currently it appears we will be preparing the 2021 budget with less revenue than the 2020 budget. We will work together with City department heads to propose alternatives for Council consideration prior to the August 10th tax levy certification deadline. A conference call with the Governor's office will be held later this week and updates will be provided as they become available.

Capital Improvements Plan 2021-2025 ó Huwe said Council reviewed the draft 2021-2025 Capital Improvements Plan on May 11th. Inquiries have been received on 10 separate projects regarding the justification, the timing, and/or the funding source. Staff will review those projects and follow up with the Council. Adoption of the plan will be targeted for the June 1st Council meeting.

Modify Growler Ordinance 1003 – offer first reading Ord. 1017 ó Huwe said the City Attorney's Office has prepared a revised draft of the City's ordinance on the sale of growlers of beer or wine. Draft Ordinance 1017 would allow liquor license holders Class A, B and C to purchase a Class E license allowing the sale of mixed cocktails, tap beer and/or wine in a growler. The fee for a Class E endorsement is \$25. Council input is being sought and/or the offering of first reading of Ordinance 1017. Discussion held regarding the sale of growlers of mixed drinks, and also requiring the beverage container to be professionally sanitized before it's refilled.

Council member Wateland offered the first reading of the following Ordinance, with the deletion of mixed cocktails:

ORDINANCE NO. 1017
AN ORDINANCE AMENDING ORDINANCE NO. 1003
SECTION 22-49. ALCOHOLIC BEVERAGES, GENERALLY, DEFINITIONS
AND SECTION 22-104. LICENSES AND PERMITS, CLASSIFICATIONS

City Hall Server Replacement ó Huwe explained the City contracts with the ND Association of Counties Resource Group (NRG) for managed information technology services. The server located at City Hall was purchased in 2014, and it provides IT access to 37 computers and hosts the City's email exchange server. Both servers are virtualized and backed up daily on a datto storage device and to the cloud. The server, email server, and internet switch are budgeted for replacement in the 2020 budget. Limitations of the current system have become evident as we have tried to create alternative work from home arrangements. NRG has prepared quotes for the server, switch, datto backup, transition to Office 365, and replacement of two PC workstations for a total amount of \$25,700, which is \$4,300 less than the \$30,000 budgeted amount. Huwe requested a motion to accept the quotes and proceed with the equipment replacements. **Motion by Miller, seconded by Wateland, to approve accepting the quotes from ND Association of Counties Resource Group (NRG) for the server, switch, datto backup, transition to Office 365 and replacement of two PC workstations in the amount of \$25,700 and proceed with the equipment replacements. Motion carried with all voting 'aye'.**

June 9th Election Reminder ó Huwe announced there are only 22 days until the June 9th election. The election will be a ÷vote by mailö process per Governor Burgum's Executive Order No. 2020-13. A ballot application has been sent from the ND Secretary of State's Office to every voter in the registered voter file with a pre-paid envelope. If you want to vote, return the ballot application and the County Auditor will mail you a ballot. Ballots may be dropped off in a secured drop box located at the northwest corner of the Richland County Courthouse or mailed to the Richland County Auditor's Office.

ATTORNEY

Downtown Side Streets Project ST20-255 Resolutions ó Lies explained some resolutions were needed for the Downtown Side Streets Project.

Council member Bohn offered the following and moved its adoption:

RESOLUTION NO. 3747
RESOLUTION CREATING
STREET AND UTILITIES IMPROVEMENT DISTRICT
(Downtown Side Streets Reconstruction Project No. ST20-255)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Remily. Motion carried with a roll call vote 6-0.

Council member Bohn offered the following and moved its adoption:

RESOLUTION NO. 3748
RESOLUTION DIRECTING PREPARATION OF
ENGINEER'S REPORT FOR THE IMPROVEMENT IN
STREET AND UTILITIES IMPROVEMENT DISTRICT
(Downtown Side Streets Reconstruction Project No. ST20-255)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Remily. Motion carried with a roll call vote 6-0.

Council member Bohn offered the following and moved its adoption:

RESOLUTION NO. 3749
RESOLUTION OF THE CITY OF WAHPETON RELATING TO
THE ISSUANCE OF BONDS AND THE REIMBURSEMENT OF CERTAIN
EXPENDITURES FOR STREET AND UTILITIES IMPROVEMENT DISTRICT
(Downtown Side Streets Reconstruction Project No. ST20-255)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Remily. Motion carried with a roll call vote 6-0.

400 Block Update ó Lies reported the City has acquired the judgment. Starion Bank had been in a summary judgment that a couple of weeks back the City, pursuant to a prior motion that had passed, had acquired that interest in the summary judgement so now are succeeding the plaintiff bank and are in first position on the mortgage. The Sheriff's sale is set for June 11th at 2:00 p.m. The City is also in second position by stipulation that it was achieved as the City has also acquired EDHA's mortgage by stipulation as they gave it to the City at no cost. The City is currently in first, second and third position on the foreclosure proceedings. The City will need to decide how it wants to sell the property once it becomes the owner. The City will not have full title until 60 days after June 11th as there is a redemption period where the mortgagor could come in and redeem the property. For those 60 days the City cannot do anything with the property other than collect the rents. The City will continue with the management contract that Starion Bank had with Management Services so the tenants won't notice any difference. Discussion held.

COMMUNITY DEVELOPMENT DIRECTOR

Community Development Report ó DeVries presented his new report called "The Win Column" which featured an update regarding the current residential housing being constructed.

DeVries then talked about a funding request for an opportunity that has presented itself. He said with the demolition of the old KC Hall building the north part which formerly housed the Chamber of Commerce is brick in the front but is all cinder block on the side adjacent to the old KC Hall. Roger Jensen has been in communications with the building's owner Jerry Meide and artist Shawn McCann who was willing to provide a good deal adding another mural in town onto the building at an estimated cost of \$8,000. Funding is proposed from the 1% Lodging Tax Fund line items with \$5,000 from Art for Public Spaces and \$3,000 from Capital Improvements. It was noted Meide has offered to do the base coat. Dale suggested checking with Three Rivers Art Council (TRAC) to see if they plan to do the signal box art this year as they had requested to use the Art for Public Spaces funds. DeVries said TRAC had some alternate ideas being considered to save money. He noted the mural would add something to the building to make it more aesthetically pleasing for a fairly busy part of town. Dale felt the decision should wait until it is found out where TRAC is on their proposed project. DeVries commented McCann would like to do the mural when he is in town for Chalk Fest if the building is down in time. He will talk to TRAC and report back to the Council. It was requested some sort of rendering of what the mural will look like be provided. Discussion was also held regarding the future plans for the lot after demolition.

PUBLIC WORKS DIRECTOR

Comprehensive Plan Update – Recommendation from Planning Commission ó Miranowski said at the last Planning Commission meeting they considered a proposal from Interstate Engineering Inc. (IEI) to update the City's Comprehensive Plan, which was last done in 2010. A copy of the proposal was provided. Staff worked with IEI to identify the scope for the Comp Plan. Miranowski felt the proposal was a solid proposal and that it will be a great document once the updates are completed. The Planning Commission did not make a recommendation as consideration was given to hold off up to 90 days to enter into an agreement with IEI due to COVID-19 and social distancing and the Comp Plan being a very interactive document requiring a lot of input from the community. The Council needs to decide if they want to move ahead with it or hold off. Miranowski's recommendation was to hold off for now. Dale agreed, commenting there would be new Council members in a month so it may be better to wait until after the election. It was noted funding would come from Sales Tax for Economic Development. Consensus was to hold off on the Comprehensive Plan Update for now.

Professional Services Agreement Downtown Side Streets Proj. ST20-255 ó Rogahn explained a Professional Services Agreement between the City and Interstate Engineering is needed for the design engineering (to include the project concept report, environmental documentation as required by NDDOT, plans and specifications, and bringing the project to the bidding phase) for the Downtown Side Streets Reconstruction Project at the estimated cost of \$206,188.71. **Motion by Bajumpaa, seconded by Remily, to approve the Professional Services Agreement between the City of Wahpeton and Interstate Engineering Inc. for the Downtown Side Streets Reconstruction Project at the cost of \$206,188.71. Motion carried with all voting 'aye'.**

REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS – No Committee Meetings due to COVID-19.

April 2020 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$284,856.90	\$35,954.14	\$320,811.04
201 WATER OPERATING FUND	\$61,761.97	\$43,787.73	\$105,549.70
202 SANITARY SEWER OPERATING FUND	\$41,199.05	\$27,768.57	\$68,967.62
203 WASTE REMOVAL OPERATING FUND	\$27,058.13	\$1,073.56	\$28,131.69
204 WASTE REDUCTION FUND	\$1,014.57		\$1,014.57
205 VECTOR CONTROL FUND	\$17,539.33	\$1,300.84	\$18,840.17
206 STREET LIGHTING	\$13,646.60		\$13,646.60
209 LIBRARY LEVY FUND	\$3,905.61	\$13,921.83	\$17,827.44
216 AIRPORT 4-MILL LEVY FUND		\$494.96	\$494.96
226 EMPLOYEE SAFETY COMMITTEE	\$506.99		\$506.99
227 ANNUAL RESERVE WH FUND		-\$3,315.74	-\$3,315.74

229 CAPITAL IMPROVEMENTS FUND	\$22,590.82		\$22,590.82
234 SPECIAL STREET MAINT FUND	\$198.36		\$198.36
235 SNOW/FLOOD EMERG LEVY FUND	\$2,042.75		\$2,042.75
236 LEVEE MAINTENANCE	\$24,702.58	\$8,945.55	\$33,648.13
253 METER DEPOSITS TRUST FUND	\$119.87		\$119.87
271 ECONOMIC DEVEL DEPT FUND	\$3,973.97	\$11,120.72	\$15,094.69
303 MISCELLANEOUS FUND	\$78.00		\$78.00
315 TAX INCREMENT FUND	\$1,250.00		\$1,250.00
319 LODGING TAX FUND	\$1,284.99		\$1,284.99
320 SALES TAX OPERATING FUND	\$236,458.25		\$236,458.25
321 SALES TAX RESERVE FUND	\$10,000.00		\$10,000.00
324 SALES TAX MINI MATCH RSRV FUND	\$19,105.54		\$19,105.54
326 REVOLVING LOAN FUND	\$209,558.32		\$209,558.32
328 150TH ANNIVERSARYRESERVE	\$300.00		\$300.00
390 CLUBHOUSE MAINTENANCE	\$15,624.00		\$15,624.00
393 1% RESTAURANT TAX FUND	\$845.57		\$845.57
401 BDSGC CART SUBLEASE	\$3,499.00		\$3,499.00
453 R/I #10708 WESTSIDE TIF	\$200,167.50		\$200,167.50
457 R/I #11111 SERIES B 2011	\$286,101.25		\$286,101.25
458 R/I #11212 SERIES A 2012	\$223,125.00		\$223,125.00
459 R/I #11314 SERIES 2014	\$112,612.50		\$112,612.50
460 R/I #11415 SERIES 2015	\$49,103.75		\$49,103.75
461 R/I #11516 SERIES 2016	\$390,032.50		\$390,032.50
462 R/I #11617 SERIES 2017	\$231,185.00		\$231,185.00
464 R/I #11817 BND LOAN 2017	\$265,092.03		\$265,092.03
467 R/I# 12118 SERIES 2018E	\$11,226.00		\$11,226.00
574 5-2-97 (FLOOD PHASE II)	\$4,755.00		\$4,755.00
646 VECTOR CTRL CAP EQUIP	\$7,674.18		\$7,674.18
652 DANGEROUS BLDG 120 6TH ST N	\$2,774.08		\$2,774.08
661 ROSEWOOD TRAIL SW18-241	\$1,485.00		\$1,485.00
665 E. SAN. SEWER PH B SS18-243	\$143,138.05		\$143,138.05
668 JR FIELD PARKING LIT & HUGHES DR	\$16,130.26		\$16,130.26
672 8TH AVE. N PROJ. ST19-248	\$1,949.00		\$1,949.00
673 LOY AVE & 12TH ST PROJ ST19-249	\$1,235.38		\$1,235.38
675 WELL FIELD RECLO PROJ W19-251	\$7,435.59		\$7,435.59
TOTAL	\$2,958,343.24	\$141,052.16	\$3,099,395.40

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Finance Cmt. PENDING
- b. Public Works Cmt. PENDING

ADJOURNMENT

Motion by Wateland, seconded by Miller, to adjourn at 5:47 p.m. Motion carried.

Mayor Steve Dale

Lynelle Amos, Finance Assistant