

**Wahpeton City Council**  
**May 20, 2013**  
**5:00 p.m.**

**Present:** Schmidt, Bertsch, Mitskog, Sturdevant, DeVries, Dale, Bajumpaa, and Bohn

**Absent:** Hansey

**Also Present:** Huwe, Lies, Nelson, Thorsteinson, Broadland, Priebe, MacIver, and Gutzmer

Meeting called to order by Mayor Sturdevant.

**PUBLIC HEARINGS / ETC.**

**Hearing Westside Rezoning is pending and shall be continued**

**Second Reading of Ordinance No. 951 Re-zoning a portion of Lot G of the Rosewood Addition**

Mayor Sturdevant asked Huwe if there were any written protests received of which there were none. She explained there had been one inquiry but no protests. Sturdevant then asked if there was anyone present to protest and there was none.

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

**ORDINANCE NO. 951**  
**AN ORDINANCE REZONING FROM HIGHWAY BUSINESS (B-3)**  
**TO RESIDENTIAL MULTI-FAMILY (R-3)**  
**(Part of Rosewood Addition)**

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Bertsch. Motion Carried.

**CONSENT AGENDA ITEMS** (presented by the Mayor) Mayor Sturdevant asked if there were any items to be removed from the consent agenda and there were none.

**Approval of minutes of regular meeting held May 6, 2013**

**Approval of minutes of Council Retreat held April 24, 2013**

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

NDSCS Cat Backers Site Authorization

Other Games of Chance and/or Special Permits

**Presentation/Approval of Reports**

April 2013 Bill Pay Report (\$2,447,001.03 – see below)

April 2013 Financials

Dilapidated Properties Report

RRBC Drainage Tour

Blue Goose Days

**Motion by Mitskog, seconded by DeVries, to approve the Consent Agenda items as presented.**

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

**ITEMS REQUESTED MOVED FROM THE CONSENT AGENDA** None.

**REPORTS FROM CITY OFFICERS AND STAFF**

**FINANCE DIRECTOR**

**NDPERS Health Insurance Rate Increase – request referral to Finance Cmt.** Mayor Sturdevant will refer this item to Finance, Economic Development & Personnel Committee.

**Board and Commission Appointments** Huwe said a current Municipal Directory had been provided which contains the Boards and Commissions, their members and their terms. She said there are several terms that will be expiring as of July 1<sup>st</sup>. Huwe said she has received requests and inquiries regarding several positions, including the Airport Authority and the Golf Board, but for some of the other positions it needs to be found out if those current members are interested in continuing or if will need to seek out new committee members. She said any inquiries should be directed to her and in June the Mayor will be presented with a list of those requesting re-appointment and can identify vacancies at that time.

**City Hall Closed May 27<sup>th</sup> in observance of Memorial Day** Huwe noted with the closing of City Hall on Monday, May 27<sup>th</sup> in observance of Memorial Day, the Committee meetings scheduled for Monday and Tuesday would be moved to Tuesday and Wednesday.

## **ECONOMIC DEVELOPMENT DIRECTOR**

### **Economic Development Commission Report and Motions**

**1. 400 Block Proposal – motion to approve concept agreement with additional negotiation by Development Team** – Priebe said a Joint meeting of the Finance Committee and EDC was held on May 13<sup>th</sup>, who met in closed session with respect to a Downtown Revitalization Project in negotiating the terms and conditions and funding related to the project. Priebe said just prior to tonight's meeting the committees met again in open session and the recommendation is that the City Council approve the Developer's Agreement between the City of Wahpeton and Phoenix Housing II LLC to include a \$700,000 forgivable Sales Tax Loan, a \$240,000 Sales Tax Loan, and approximately \$70,000 FLEX PACE in the form of an interest buydown, contingent upon all the terms and conditions being met as outlined in the Developer's Agreement. Priebe said a proposal overview was provided, which is to renovate 7 buildings known as the 400 Block located along the north side of Dakota Avenue between 4<sup>th</sup> Street and Town Centre Square. She said also provided were the project scope, the financial piece, and the sources and uses of funds being proposed, along with the necessary agreements that need to be signed. Mayor Sturdevant then expound on the project information. He felt it was a good investment for the City. **Motion by Mitskog, seconded by Bertsch, to approve the Developer's Agreement between the City of Wahpeton and Phoenix Housing II LLC to include a \$700,000 Forgivable Sales Tax Loan, a \$240,000 Sales Tax Loan, and approximately \$70,000 FLEX PACE Loan in the form of an interest buydown (all at a 1% interest rate), contingent upon all the terms and conditions being met as outlined in the Developer's Agreement.** Discussion held. **Roll Call vote 7-0. Motion Carried.** Priebe noted it is hoped to close on the property on May 28<sup>th</sup>.

**2. NDREC Correspondence regarding Biodiesel Task Force – motion to request return of previously approved funding \$2,377.60** – Priebe said she received correspondence from the ND Rural Electric Cooperative regarding the Biodiesel Task Force. She said a few years ago feasibility studies were conducted, engaged with Terry Goerger from Mantador who also was on the Task Force, and they did not utilize all of the funding so the EDC requests the return of the previously approved funding in the amount \$2,377.60. **Motion was made by Bohn, seconded by Bajumpaa, to approve the request to return the unused funds to the EDC regarding the Biodiesel Task Force. Motion Carried with all voting 'aye'.**

## **POLICE CHIEF**

**Blue Goose Day Parade Request** Police Chief Thorsteinson said in conjunction with Blue Goose Days he has a request to hold a parade on Dakota Avenue on Saturday, June 1<sup>st</sup> starting at 10:00 am, with the parade lining up on 11<sup>th</sup> Street North, proceeding east in the west bound lanes, then north on 2<sup>nd</sup> Street which is the route that has been taken many times in the past so he had no difficulty with doing it again. **Motion by DeVries, seconded by Bohn, to approve the Blue Goose Day Parade**

**Request for Saturday, June 1<sup>st</sup> starting at 10:00 am, with the parade route on Dakota Avenue starting at 11<sup>th</sup> Street North, proceeding east in the west bound lanes, then north on 2<sup>nd</sup> street. Motion Carried with all voting ‘aye’.**

Police Chief Thorsteinson then introduced the newest member of the department. He said Gypsy was the new K9 and Dustin Hill is the K9 handler, and they just returned from Camp Ripley within the last week where amongst a group of 22 canines from the upper mid-west they went through re-certification and Gypsy got 2<sup>nd</sup> in Tracking and 4<sup>th</sup> in Evidence Procurement.

### **PUBLIC WORKS DIRECTOR**

Nelson requested referral to PW/PS Committee related to the **Commercial Streets Rehabilitation Project and having discussion on setting a time and date for a public input meeting for that project.** Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

Nelson requested referral to PW/PS Committee for a **Professional Services Agreement for Facility Planning and Preliminary Design of the East Side Sanitary Sewer and Lift Stations #2 & #3, Project No. SS08-145.** Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

Nelson requested referral to PW/PS Committee for an **Agreement for Outdoor Lighting Services with OtterTail Power Company.** Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

Nelson requested referral to PW/PS Committee for **Rezoning of Property fronting the West Side of 6<sup>th</sup> Street South from 7<sup>th</sup> Avenue to 11<sup>th</sup> Avenue.** Mayor Sturdevant will refer this item to the Public Works & Public Safety Committee.

### **REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS**

**Finance, Personnel & Economic Development Committee Report** (First item in joint meeting with EDC)

Bohn said the Finance, Personnel & Economic Development Committee met at noon on May 13<sup>th</sup>. **400 Block Proposal – motion** to concur with EDC recommendation to approve concept agreement with additional negotiation by Development Team – Bohn said this had been covered by Economic Development Director Priebe earlier in the meeting.

**Easement for S. Side Storm Sewer – motion** to pursue negotiation as presented – **Motion by Bohn, seconded by Mitskog, to Approve Pursuing Negotiation for the Easement for S. Side Storm Sewer as Presented. Motion Carried with all voting ‘aye’.**

**Fireworks License Inquiry – discussion**

**Leadership Code Update – discussion on changes**

**Public Works Director Position - discussion**

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

DeVries said the Public Works Public Safety Committee met at noon on May 14<sup>th</sup>.

**Cost Participation & Mtc. Agreement for RR Crossing Improvements for 6<sup>th</sup> St. Shared Used Path – motion** to recommend approval of \$18,000 in mtc. expenses – **Motion by DeVries, seconded by Dale, to approve Urban Agreement for Construction of Federal Aid Project RSU0039040 with ND Department of Transportation for 6<sup>th</sup> Street South Shared Use Railroad Crossing with the City agreeing to fund 10% of the total project cost of \$18,010.16 with the City’s share being**

**\$1,801.00, and to approve authorization to participate in funding for the remainder of a full width railroad crossing improvements at 6<sup>th</sup> Street South in an amount of up to \$10,000.00. Roll Call vote 7-0. Motion Carried.**

**Request for Dedicated Parking in Right-of-Way for 121 5<sup>th</sup> Ave. N. – discussion**

**Waste Management Contract – motion to negotiate as stated – Motion by DeVries, seconded by Dale, to approve negotiating the Waste Management Contract Renewal for a 5-year term with the option with 3% fuel tables and requesting that weight tickets be reviewed twice a year during regular business hours. Discussion held. Motion Carried with all voting ‘aye’.**

**Leadership Coe Updates – discussion to include appointed officials**

**Dilapidated Properties Report – discussion**

**Property Maintenance in Southside Industrial Park – discussion**

**Disposition of City Owned Lots – ongoing discussion**

April 2013 Bill Pay Report

<b>DISBURSEMENTS FUND</b>	<b>ACCOUNTS PAYABLE</b>	<b>PAYROLL &amp; GL</b>	<b>TOTAL</b>
101 GENERAL FUND	\$257,652.20	\$28,877.21	\$286,529.41
201 WATER OPERATING FUND	\$40,183.91	\$31,943.89	\$72,127.80
202 SANITARY SEWER OPERATING FUND	\$28,916.35	\$19,231.80	\$48,148.15
203 WASTE REMOVAL OPERATING FUND	\$20,116.63	\$715.52	\$20,832.15
205 VECTOR CONTROL FUND	\$13.39	\$1,296.44	\$1,309.83
206 STREET LIGHTING	\$9,387.29		\$9,387.29
209 LIBRARY LEVY FUND	\$9,257.83	\$14,021.65	\$23,279.48
213 ADVERTISING LEVY FUND	\$5,654.48		\$5,654.48
216 AIRPORT 4-MILL LEVY FUND		\$449.98	\$449.98
217 PLANN COMMISSION LEVY FUND	\$906.30	\$1,000.68	\$1,906.98
227 ANNUAL RESERVE WH FUND		-\$2,859.00	-\$2,859.00
229 CAPITAL IMPROVEMENTS FUND	\$4,000.00	\$9.95	\$4,009.95
231 FD BLDG & EQUIP LEVY FUND	\$5,409.99		\$5,409.99
235 SNOW/FLOOD EMERG LEVY FUND	\$28,212.25		\$28,212.25
236 LEVEE MAINTENANCE	\$3,352.15	\$5,856.42	\$9,208.57
261 UNEMPLOYMENT COMP RESERVE FUND	\$1,057.12		\$1,057.12
271 ECONOMIC DEVEL DEPT FUND	\$1,542.59	\$11,258.72	\$12,801.31
303 MISCELLANEOUS FUND	\$28.45		\$28.45
319 LODGING TAX FUND	\$7,029.84		\$7,029.84
320 SALES TAX OPERATING FUND	\$23,432.89	-\$23,319.42	\$113.47
321 SALES TAX RESERVE FUND	\$11,233.94		\$11,233.94
322 SALES TAX DEFAULTS RES FUND		\$23,319.42	\$23,319.42
323 SALES TAX DEVELOPERS AGMNT RES	\$4,325.00		\$4,325.00
340 HANDICAPPED PARKING FINES	\$200.00		\$200.00
361 GASOLINE,OIL,ETC	\$20,724.00	-\$4,855.20	\$15,868.80
390 CLUBHOUSE MAINTENANCE	\$99.39		\$99.39
393 DOWNTOWN CARE & MTC FUND	\$6,754.58		\$6,754.58
395 CERT	\$102.00		\$102.00
453 R/I #10708 WESTSIDE TIF	\$180,433.50		\$180,433.50
454 R/I #10809 REFI 5 ISSUES	\$473,555.00		\$473,555.00
455 R/I #10910 SERIES 2010	\$484,317.87		\$484,317.87
456 R/I #11011 SERIES 2011	\$153,471.50		\$153,471.50
457 R/I #11111 SERIES B 2011	\$256,586.75		\$256,586.75
458 R/I #11212 SERIES A 2012	\$234,689.25		\$234,689.25
574 5-2-97 (FLOOD PHASE II)	\$398.51		\$398.51
605 8-1-06 DAKOTA AVE	\$4,255.69		\$4,255.69
608 08-02-03 SSIDE STORM SEWER	\$391.46		\$391.46
611 S SIDE DRAINAGE IMP DR09-150	\$19,286.50		\$19,286.50
615 CUL DE SAC IMPROVEMENTS	\$24,064.20		\$24,064.20
622 3RD AVE N. RECON PROJ	\$713.00		\$713.00
624 WTP ENERGY EFF IMP.	\$500.00		\$500.00
631 11TH ST. N. AVE B TO 16TH AVE	\$3,757.60		\$3,757.60
635 LIFT STATION NO. 5 SS12-192	\$1,531.50		\$1,531.50
636 16TH AVE. 11TH ST TO HWY 210	\$11,898.57		\$11,898.57
637 E. CENTRAL STREETS 12-01-04	\$356.50		\$356.50
638 N. CENTRAL STRTS 2013 13-01-04	\$253.00		\$253.00
<b>TOTAL</b>	<b>\$2,340,052.97</b>	<b>\$106,948.06</b>	<b>\$2,447,001.03</b>

## **SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Finance Committee May 28<sup>th</sup>, 12:00 Noon
- b. PW/PS Committee May 29<sup>th</sup>, 5:00 P.M.
- c. Planning Commission June 3<sup>rd</sup>, 4:00 P.M.

**Motion by Mitskog, seconded by Bertsch, to adjourn at 5:33pm.**

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Mayor Sturdevant

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Lynelle Amos, Finance Assistant