

**Wahpeton City Council**  
**May 4, 2020**  
**5:00 p.m.**

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

**Absent:** None

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

**Others Present:** Damon DeVillers and Frank Stanko of the Daily News (via teleconference)

**CALL TO ORDER**

Meeting called to order by Mayor Dale.

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

**Mayor's Executive Order 2020-2 COVID-19 City Operations** ó Dale explained with the change in circumstances including Governor Burgums' entry of Executive Order 2020-06.4, it was found necessary to amend the Mayor's Executive Order 2020-01. A copy of the Mayor's Executive Order 2020-02 was provided for review. It would allow certain businesses to re-open on May 1<sup>st</sup> if they so choose.

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

**Approval of minutes of regular meeting held April 20, 2020**

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

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

Cat Backers Letterwinner Club/NDSCS ó Site Authorization

Southern Valley Figure Skating Club Inc. ó Site Authorization at Driftwood Lounge, LLC

**Presentation/Approval of Reports**

Waste Management Service Hours Modification

City Wide Cleanup Week May 11<sup>th</sup> ó 15<sup>th</sup>

Executive Order 2020-06.4 Modifying Business Closures May 1, 2020

Mayor Dale asked if there were any items to be removed from the consent agenda and there were none. **Motion by Miller, 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**

**Request to Modify Growler Ordinance 1003** ó Huwe said City Brew Hall and the Boiler Room have inquired about the interpretation of the City's ordinance on the sale of growlers of beer. The Council adopted Ordinance No. 1003 March 18, 2019 creating liquor license Classification E allowing the sale of growlers by liquor license holders Class A, B and C. Resolution 3716 also adopted on March 18<sup>th</sup> includes a \$25 annual fee to add the Class E endorsement for growlers. Currently the ordinance as adopted requires the license holder to produce 10,000 barrels or less of craft beer or wine, and the inquiries have requested the interpretation of the ordinance to allow existing license holders to sell tap beer and growlers. Following much discussion it was decided this item will be tabled to the next meeting to allow the City Attorney to further research the language to be used in the ordinance to allow for the sale of growlers of beer.

**Capital Improvements Plan Review – request special meeting Monday, May 11<sup>th</sup> at 5:00 p.m.** ó Huwe reported staff has created a working draft of the 2021-2024 Capital Improvements Plan, including a projected \$45.7 million in projects. She requested a special meeting of the Council on Monday, May 11<sup>th</sup> at 5:00 to review the draft plan. The meeting was scheduled after a consensus of the Council members.

**June 9<sup>th</sup> Election Reminder** ó Huwe said there are only 36 days until the June 9<sup>th</sup> election. The election will be a ðvote by mailð process per Governor Burgumð Executive Order No. 2020-13. A ballot application has been sent from the ND Secretary of Stateð 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. The process is intended to work like the absentee voter process. If you did not receive an application you may request one through the ND Secretary of Stateð website or call the Richland County Auditorð Office. Candidates for City Office will be required to complete and file a Campaign Disclosure Statement reporting donations received in excess of \$200. Every City candidate is required to complete this filing and return it to Huwe by Friday, May 8<sup>th</sup>. Huwe will send an email reminding all candidates of the filing requirements.

### **COMMUNITY DEVELOPMENT DIRECTOR**

**Community Director Report** ó DeVries reported he has seen some really fun and exciting plans from some hospitality businesses that have applied for the Hospitality Industry COVID-19 Response Grant approved by Council at their last meeting. When things start opening up in the next few weeks he felt there will be some exciting things around town to look forward to.

DeVries said he is going to continue to talk about the census. Since they have started keeping track of the responses, Wahpeton has been in the top half for the response rate of the larger cities in North Dakota with over 50% response so far. They will continue getting the word out to try to get people to respond and have a good turnout despite the limitations we are currently facing.

DeVries announced the City will once again partner with Gate City Bank for the Home Improvement Partnership Program (HIPP). It was not done last year due to low response and the APR not being at a favorable level. Gate City now has rates as low as 2.99%, with 10 or 15 year options, on \$10,000 to \$50,000. Those interested in applying may contact Community Development at City Hall. Qualifying home improvement projects include general home improvements, health and safety code deficiency corrections, accessibility modifications for persons with disability or frail elderly heads of households, structural improvements, and weatherization and energy efficiency.

DeVries said due to COVID-19 Governor Burgum has declared distance learning for the rest of the school year. He thanked the School District and teachers for how well they have handled dealing with the distance learning during the pandemic. As things start opening up, it was noted Chahinkapa Zoo will open Saturday, May 9<sup>th</sup>. DeVries then gave a general overall -Thank Youð to the community who he felt has handled the pandemic as well as can be expected. Residents in the community have come out in some great ways by ordering meals for carry-out at local restaurants and also by purchasing gift certificates. He gave encouragement by saying we will get through this, survive, and be stronger.

### **PUBLIC WORKS DIRECTOR**

#### **PW Report**

**E. Side Sanitary Sewer Ph. B Bid Recommendation** ó Rogahn said bids for the East Side Sanitary Sewer Phase B Project were opened April 1, 2020 and three contractors submitted bids. The low bidder was Kindred Plumbing and Heating, Inc. with a base bid of \$5,651,805 which was about \$1 million higher than estimates that were used to calculate rates and assessments. Interstate Engineering checked with Kindred Plumbing and Heating on ways to cut costs on the project and were able to come up with a little over \$670,000 in cost savings with various changes on the project. These ideas would be incorporated into the plans if it is rebid this fall. The recommendation was to reject all bids and then rebid the project this fall. **Motion by Bajumpaa, seconded by McNary, to approve rejecting all bids for the East Side Sanitary Sewer Phase B Project and rebid in the fall of 2020. Motion carried with all voting ‘aye’.**

**Water Treatment Plant Roof Replacement Bid Recommendation** ó Rogahn explained when previous estimates for the Water Treatment Plant Roof Replacement Improvements were received and reviewed by the Public Works Committee it was found the quotes were not prepared on an equitable basis, and subsequently new specifications were prepared and new quotes were solicited. Three new quotes were received on April 29<sup>th</sup>, 2020 from roofing contractors. Herzog Roofing had the low quote in the amount of \$56,529. The funding for the roof replacement project will come from the Water Enterprise Fund. The flat roof improvements include the removal of the flat roof on the north side of the Water Treatment Plant and installation of new insulation and membrane roof. **Motion by Bohn, seconded by Remily, to approve awarding the Water Treatment Plant Roof Replacement Project to Herzog Roofing Inc. in the amount of \$56,529.00 from the Water Enterprise Fund.** Discussion held. **Motion carried with all voting ‘aye’.**

**2020 Sealcoat – Additional Areas Recommendation** ó Rogahn said he contacted the Project Manager for Pearson Brothers regarding additional areas to possibly be added to the 2020 Sealcoat Project, which they agreed to. Those areas would be 1<sup>st</sup> Street North from Dakota Avenue to 2<sup>nd</sup> Street North, 4<sup>th</sup> Street North from 4<sup>th</sup> Avenue to 5<sup>th</sup> Avenue, and the City owned Parking Lot off 4<sup>th</sup> Street South from 4<sup>th</sup> Street South to 5<sup>th</sup> Street South. Discussion held. **Motion by Miller, seconded by McNary, to approve the 2020 Sealcoat Project Additional Areas at 1<sup>st</sup> Street North, 4<sup>th</sup> Street North, and the Parking Lot off 4<sup>th</sup> Street South as presented.** **Motion carried with all voting ‘aye’.**

**ND DOT Cost Share Agreement for Dakota Ave. Side Street Project** ó Rogahn explained this is the standard cost share with the ND DOT for Urban Roads Projects. This project was part of Governor Burgum’s Downtown Initiative. It is planned to include some amenities to compliment those on Dakota Avenue and make downtown even more inviting to the public. The cost share is Federal funding of 80.93% for the street, storm sewer and construction engineering, sanitary sewer, water main, and design engineering, and the remaining 19.07% of the street and storm sewer items would be City costs which are proposed to be special assessed to the benefitting properties, with a portion of the amenities paid for with the 1% Restaurant Tax. The project is scheduled for 2022. Interstate Engineering is working on a proposal for design engineering services on the project. The total estimated cost of the project is \$2,271,000, with the ND DOT portion being \$1,506,000, and local portion of \$765,000. **Motion by Bohn, seconded by Bajumpaa, to approve the City of Wahpeton enter into a Cost Participation, Construction, and Maintenance Agreement with North Dakota Department of Transportation for LPA Federal Aid Project No. UGP-8-99(036) for 3<sup>rd</sup> St N (Dakota Ave to 2<sup>nd</sup> Ave), 6<sup>th</sup> St N (Dakota Ave to 2<sup>nd</sup> Ave), 9<sup>th</sup> St N (Dakota Ave to 2<sup>nd</sup> Ave N), 11<sup>th</sup> St N (Dakota Ave to 2<sup>nd</sup> Ave) and 4<sup>th</sup> St S (Dakota Ave to Railroad Tracks).** **Motion carried with all voting ‘aye’.**

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

#### **SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Special City Council Meeting May 11<sup>th</sup>, 5:00 P.M.
- b. Finance Committee . PENDING
- c. Public Works Committee . PENDING

#### **Adjournment**

**Motion by Wateland, seconded by Bohn, to adjourn at 5:34 p.m. Motion carried.**

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Mayor Steve Dale

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Lynelle Amos, Finance Assistant