

**Wahpeton City Council**  
**May 7, 2012**

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

**Absent:** None

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

Meeting called to order by Mayor Sturdevant.

**CONSENT AGENDA ITEMS** (presented by the Mayor) Mayor Sturdevant asked if there were any items to be removed from the consent agenda, and Hartman asked that “Policy on Use of Hydrants for Construction Related Purposes” be removed from the Consent Agenda and addressed by the Public Works Director during his report prior to approving. Sturdevant then continued reviewing the remainder of Consent Agenda items.

**Approval of minutes of regular meeting held April 16, 2012**

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

St. John’s School – Site Authorization

Other Games of Chance and/or special permits

**Presentation/Approval of Reports**

Q1 Convention & Visitors Bureau Report

Wahpeton Breckenridge Chamber Newsletter

2012 Water Tours

Policy on Use of Fire Hydrants for Construction Related Purposes (**Removed**)

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

**ITEMS REQUESTED MOVED FROM THE CONSENT AGENDA**

Policy on Use of Fire Hydrants for Construction Related Purposes

**REPORTS**

**FINANCE DIRECTOR**

**June 12<sup>th</sup> Primary Election Sample Ballot** Huwe said a sample ballot was provided to the City Council and staff, noting it was specific to Ward 3. She said the Secretary of State website ([www.nd.gov/sos](http://www.nd.gov/sos)) has a new update under the election tab where additional ballot information can be found. Huwe then talked about the new Ward boundaries for Wards 2, 3 and 4, and said a new Ward boundary map will be printed in the local paper prior to June 12<sup>th</sup> and can also be found on the City of Wahpeton website ([www.wahpeton.com](http://www.wahpeton.com)). Huwe then elaborated on the fact that this is a primary election and the party voting requirements involved.

**Quotes for City Hall Fleet Vehicle – request referral to PW Cmt.** Mayor Sturdevant will refer this item to Public Works & Public Safety Committee.

**ECONOMIC DEVELOPMENT DIRECTOR**

**Recommendations from Economic Development Commission**

**WCCO Belting PACE Interest Buy Down** – Priebe said an application for a \$39,745.77 PACE interest buydown on a \$600,000 PACE loan was reviewed by the EDC with Dale Formanek for a large piece of equipment, press number 14. The additional equipment will create 6 full-time positions. The press is used and if purchased brand new would cost 3 times as much. WCCO plans

to have the press up and running by July 1<sup>st</sup>, 2012. WCCO Belting is preapproved by the Bank of ND and their lead lender, Bremer Bank. Priebe said the EDC members discussed the merits of the loan for equipment, jobs created, type and quality of the positions, production and economic impact. The EDC discussed the possibility of a faster turn around on the payback as well as a minimum of 1% interest charged. For buydowns on equipment, the community's share is typically paid back at the end of the term of the loan, in this case 7 years. **Motion by Mitskog, seconded by Bohn, to approve a PACE interest buydown not to exceed \$39,745.77 for WCCO Belting pending negotiated terms and conditions, with funds from Sales Tax for Economic Development. Roll call vote 8-0. Motion Carried.** Priebe noted that WCCO Belting has some interest buydown loans coming due this year so she will work with Formanek on terms and conditions for this loan as well.

**Reallocation for Appearance Grants** – Priebe said the EDC reviewed the Appearance Grant Program which expired December 31, 2012. This program assists owners in beautifying storefront appearance along Dakota Avenue from 3<sup>rd</sup> Street to 8<sup>th</sup> Street and any other historical building outside of the district along our main street corridor. A total grant of up to \$21,500 per 25 feet of frontage is potentially available to taxpayers in good standing whose rooftops are in good condition for storefront improvements specified in the program guidelines. The program was initially funded out of Sales Tax for Economic Development in 2009 in the amount of \$150,000. Grant Awards and Pre-approvals are calculated as follows: Total Awarded 8 active, 3 inactive - \$318,374.00; Paid out to date on 8 active projects – [\$104,716.15]; Balance IF All Projects fully funded - \$213,657.85; Remaining from Original Allocation – [\$45,283.85]; Total Unallocated - **\$168,374.00**. EDC members questioned how long commitments have been made and if there is an expiration date for inactive projects which currently total \$146,000. The only expiration date set was the program itself, not grant awards. Money has been set aside for up to a year or more for some projects and the EDC would like to see owners reapply. A request for an additional \$150,000 set aside was made. Grant Award guidelines will now read “funds awarded need to be used by the end of the budget year”. If no progress has been made, re-application is necessary and new quotes for improvements. **Motion by Bohn, seconded by Mitskog, to approve a \$150,000 allocation toward the Appearance Grant Program stipulating project guidelines now read “funds awarded need to be used by the end of the budget year”, with funds from Sales Tax for Economic Development.** Discussion was then held in regard to setting a deadline on the grant and a completion date given for the projects. Priebe explained that each project has 120 working days to be completed from the date the building permit is taken out. Hartman said he would like to see a deadline where some action can be taken if a project isn't completed in a timely matter. It was suggested the EDC address this issue at a future meeting. It was noted the importance of the timeliness of reallocating these funds with construction season upon us. **Bohn amended the motion, seconded by Mitskog, to approve a \$150,000 allocation toward the Appearance Grant Program, with funds from Sales Tax for Economic Development. Roll call vote 8-0. Motion Carried.** The EDC will review the Appearance Grant guideline.

**Aerial Photography for GIS Additional Funding** – Priebe said at the March 19<sup>th</sup> Council meeting, approval was given for funding for digital orthophotography and topographic mapping with Fugro EarthData Inc. of Rapid City, SD in an amount not to exceed \$85,000 with the following breakdown: 50% (\$42,000) from Sales Tax for Economic Development; 25% (\$21,250) from Sales Tax for Flood Protection/Levy Maintenance; and 25% (\$21,250) from Capital Improvement Fund/General Fund. The initial request to the EDC and subsequent Council meeting in April 2009 was for \$30,000 from Sales Tax for Economic Development. The EDC heard a request for an additional \$12,500 to meet project funding needs. **Motion by Hartman, seconded by Mitskog, to approve an additional \$12,500 for the Aerial Imagery Project, with funding from Sales Tax for Economic Development. Roll call vote 8-0. Motion Carried.**

Priebe then reported that the Tour of Manufacturing went well with 1,934 total visitors to the 8 companies in Wahpeton and Fergus Falls, with 1,237 visits in Wahpeton. Priebe felt it was a worthwhile event and it is hoped it can be held again in the future.

**PUBLIC WORKS DIRECTOR NELSON**

**Bids for Town Centre Square Alley Rehabilitation, Project No. ST12-198; Bid opening 5-15-12 – request referral to PW Cmt.** Mayor Sturdevant will refer this item to Public Works & Public Safety Committee.

**Bids for Leach Library Basement Walls Waterproofing & Grounds Improvement, Project No. L10-176; Bid opening 5-15-12 – request referral to PW Cmt.** Mayor Sturdevant will refer this item to Public Works & Public Safety Committee.

**Joint Powers Agreement with Park Board for Maintenance of Hanging Baskets on Dakota Avenue – request referral to PW Cmt.** Mayor Sturdevant will refer this item to Public Works & Public Safety Committee.

Nelson asked for referral to Public Works Committee for **Supplemental Agreement No. 1 to the Professional Services Agreement with Interstate Engineering for Southside Drainage Improvements, Project No. DR12-191**, for construction management inspection. Mayor Sturdevant will refer this item to Public Works & Public Safety Committee.

Nelson asked for referral to Public Works Committee for **Supplemental Agreement No. 1 to the Professional Services Agreement with Interstate Engineering for the Cul de sac Street Improvements, Project No. SD10-161, Assessment District 10-2-04**, for preparation of construction plans specifications and bidding documents for several cul de sac street improvements. Mayor Sturdevant will refer this item to Public Works & Public Safety Committee.

Nelson then announced that the 6<sup>th</sup> Street South Shared Use Path bid opening has been moved by the NDDOT to November. Construction will not occur this year, but has been delayed as a result of funding at the federal level has not appeared.

Nelson then addressed the Policy on Use of Fire Hydrants for Construction Related Purposes that had been removed from the Consent Agenda. He explained that the Public Works Committee had reviewed this policy which has the purpose of preventing contamination of the City's public water supply from cross-connections to prevent damage to fire hydrants to count for all finished water and to collect all revenues due to the City. A final policy document was provided to those present. Nelson said the document was revised slightly since the discussion at PW in the penalties area, which refers to any violations to the policy would be subject to penalties provided by Chapter 44 of City of Wahpeton Code of Ordinances. He said this revision was a recommendation by the City Attorney. Nelson explained that the policy identifies the situations in which a fire hydrant may be used to take water from the City's distribution system for construction purposes, requirements established for backflow prevention and equipment to prevent contamination of water distribution system, requirements for metering, identifies who operates what, set-up requirements, and identifies fees and charges. Discussion held. **Motion by Hansey, seconded by DeVries, to approve adoption of the Policy on Use of Fire Hydrants for Construction Related Purposes as presented.** Hartman asked for an amendment to the motion requiring that a copy of the policy be sent to all licensed contractors it may affect. **Hansey amended the motion, seconded by DeVries, to approve adoption of the Policy on Use of Fire Hydrants for Construction Related Purposes**

as presented, and to provide a copy of the policy to all licensed contractors in the City it may affect. Further discussion held. **Roll call vote with Bertsch, Hartman, Mitskog, DeVries, Dale, Bajumpaa, and Bohn voting ‘aye’; and Hansey voting ‘nay’. Motion Carried.**

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

#### **Council Member Bertsch report on Convention & Visitors Bureau, National Travel & Tourism Week and CVB Website**

Bertsch said the Wahpeton CVB has a new website which provides information on upcoming events, attractions, hotels, camping, recreation, and restaurants. She announced that this week, May 5<sup>th</sup>-13<sup>th</sup>, is National Travel & Tourism Week. The CVB has promotions on their new website, visitwahpeton.com, and will be giving away North Dakota Legendary apparel to the top 3 winning photos of Wahpeton attractions. The Wahpeton Convention & Visitors Bureau can also be found on Facebook.

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

#### **Finance, Personnel & Economic Development Committee Report**

Bohn said the Finance Committee did not meet on April 23<sup>rd</sup>.

#### **CVB Welcome to Wahpeton Sign Lease Agreement – ongoing discussion**

#### **Funding Dakota Ave. Care & Mtc. – ongoing discussion**

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

Hansey said the Publics Works Public Safety Committee met at 5:00 pm on April 24<sup>th</sup>.

#### **Use of Public Right of Way on 100 Block of 11<sup>th</sup> St N – discussion**

**Review of Bids for Southside Drainage Imp. – Ph C Proj. No.DR12-191 – motion to recommend award of contract to Rising Sun Construction, Inc. for \$187,334 – Motion by Hansey, seconded by Hartman, to accept the bid from Rising Sun Construction, Inc. for the Southside Drainage Improvements – Phase C, Project No. DR12-191, in the amount of \$187,334. Roll call vote 8-0. Motion Carried.**

#### **Review of proposals for Automated Meter Reading Equipment Proj. No. W12-195 – discussion**

**Request permission to advertise for bids for Town Centre Square Alley Repairs Proj. No. ST12-198 – motion to recommend approval – Motion by Hansey, seconded by Dale, to approve Permission to Advertise for Bids for Town Centre Square Alley Repairs, Project No. ST12-198. Roll call vote 8-0. Motion Carried.**

**Policy for Use of Fire Hydrants for Construction Related Purposes – motion to recommend approval of policy – addressed early in the meeting**

**Contract for Leads On-Line – motion to recommend approval of contract totaling \$1,758 – Motion by Hansey, seconded by Hartman, to approve entering into a contract and amending the Police Department budget to allow for Leads On-Line in the amount of \$1,758 per year. Roll call vote 8-0. Motion Carried.**

**Ordinance No. 940 – Amendment to City Ordinance Ch. 38, Subdivision Regulations for Minor Replats – motion to offer second reading and adoption. Attorney Lies gave a brief overview of the ordinance.**

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

**ORDINANCE NO. 940**  
**AN ORDINANCE AMENDING CHAPTER 38-24 OF THE**  
**REVISED ORDINANCES OF THE CITY OF WAHPETON**

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

**SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Finance Committee May 14<sup>th</sup>, 12:00 Noon
- b. Public Works Committee May 15<sup>th</sup>, 12:00 Noon
- c. Planning Commission May 17<sup>th</sup>, 4:00 p.m.

Mayor noted that Flood Committee will be meeting at noon on May 18<sup>th</sup>. Bohn requested that the Finance Committee meeting be moved to 5:00pm on May 14<sup>th</sup> to accommodate members' schedules.

**Motion by Mitskog, seconded by Hartman, to adjourn.**

---

Mayor Sturdevant

---

Lynelle Amos, Finance Assistant