

Wahpeton City Council

October 20, 2014

5:00 p.m.

Present: Schmidt, Lambrecht, Bertsch, Mitskog, Hansey, DeVries, Dale, and Wateland

Absent: Bajumpaa

Also Present: Huwe, Lies, Miranowski, Thorsteinson, Broadland, Priebe, Guck, Rogahn, Amos, and Johannessen

Meeting called to order by Mayor Hansey.

PUBLIC HEARINGS/ETC.

Proclamation – ND Teacher of the Year Dean Aamodt ó Schmidt, on behalf of Hansey, read a proclamation recognizing “2015 North Dakota Teacher of the Year Dean Aamodt. The proclamation stated North Dakota has one of the best educational systems in the nation and that is due in large part to the great work that is going on in classrooms across the state, and the City of Wahpeton wishes to congratulate Dean Aamodt who as quoted by Governor Jack Dalrymple, “exemplifies the innovative and aspiring work being done by North Dakota’s teachers and their dedication to shaping the lives and futures of our young people. Wahpeton Public Schools are an essential part of a thriving community, the contributions of a leader in music education encouraging students with his passion, honesty and humility and a willingness to push students to their full potential is invaluable. Mr. Aamodt’s dedication to students and education earned him recognition as the 2015 North Dakota Teacher of the Year, the oldest and most prestigious commendation by the North Dakota Department of Public Instruction. Schmidt, on behalf of Mayor Hansey, the entire City Council and the Wahpeton community commended Dean Aamodt for his professional recognition being named 2015 North Dakota Teacher of the Year. Appreciation was shown through a round of applause.

Proclamation – Manufacturing Day ó Mayor Hansey read a proclamation declaring “Manufacturing Day October 22nd. The proclamation stated the City of Wahpeton through its Economic Development Department and local Job Service have partnered with the ND State College of Science, ComDel Innovation, Heartland Precision, Bobcat, and WCCO Belting and organized tours for Juniors and Seniors of Wahpeton High School in the first ever Manufacturing Day program as introduced by Dakota Manufacturing Extension Partnership. The region is driven by its manufacturing base and seeks to provide area manufacturers with highly skilled well-educated workers with the hope the tours put youth on a successful career path. Manufacturers employ and pay above average wages to our family, friends and neighbors and has a long history in Wahpeton in providing significant jobs for thousands of people. Manufacturing Day salutes all of the manufacturers and recognizes the contributions they and their employees and family members provide. On October 22nd, hundreds of students will be touring and learning first-hand about career choices local manufactures provide, and by joining together and participating in the National Manufacturing Day Program these partners have already brought greater attention to our community and the on-going efforts to educate current and future talent to be successful leaders who will shape our nation and help grow the economy. Mayor Hansey proclaimed October 22nd as: “Manufacturing Day in the City of Wahpeton” and urged all citizens to recognize that when our manufacturing base is strong, our entire economy is strong. Priebe accepted the award on behalf of the Manufacturing Day committee and was recognized through a round of applause.

Special Assessment Confirmation Hearing – Resolution ó Lies explained the purpose of this hearing is to consider any appeals that have been noticed on the six projects that are before the Council, to decide whether or not the Special Assessment Commission properly levied on each parcel. Proceeding in project order, Assessment District 08-02-03 South Side Storm Sewer District Phase B (7th Avenue South & Center Street) was addressed first. Hansey asked if any protests were received, written or oral. Huwe said City Engineer Rogahn and City Assessor Broadland have worked with multiple residents in

addressing their issues so any protests that are aware of Rogahn will present. It was noted that residents were in attendance who wished to protest. Shane Klosterman, whose address is 82 7th Avenue South, addressed the Council regarding this project, and Rogahn explained that after the Assessment meeting in September he met with Klosterman at the site of his property and based on a survey of the site it appears the water from his yard flows east toward the river so felt Klosterman had a valid argument that the south side storm sewer west of 7th Avenue would not benefit his property. Klosterman's assessment amount was \$1,512.60. The project was partially funded by sales tax for infrastructure and Rogahn suggested buying down that amount with sales tax for infrastructure funds. Discussion held. It was noted 1st Street is lower than the alley and 7th Avenue, so the alley should have been the break point. When asked, Lies explained that if a property is removed from the project those specials will either need to be spread to the remaining properties or sales tax for infrastructure funds will need to be used. **Motion by Mitskog, seconded by Wateland, to approve removing Shane Klosterman parcel #50-0201-13360-000 (Riverside Addition S12' Lot 13 & All Lot 14-16 Block 8) from Project 08-02-03 South Side Storm Sewer Phase B.** Discussion held regarding the use of sales tax for infrastructure funds and other possible sources of funding for the total amount of \$4,777.80 being requested to be removed from this special assessment district. **Motion carried roll call vote 7-0.**

Steve Zoucha, whose address is 85 7th Avenue South, addressed the council saying their property is located south across the street from Klosterman's and have the same issue with their water draining east or south, not west. Rogahn agreed. Zoucha's assessment amount was \$950.60. Lies noted that Zoucha's have never made any notice of their appeal so it can be granted, but the Council does not have to grant it. Zoucha explained that he did not appeal as he took for granted Klosterman was speaking on behalf of all 3 residents with the same issue. **Motion by Mitskog, seconded by Lambrecht, to approve removing Steven Zoucha parcel #50-0201-13363-000 (Riverside Addition Lot 1, 2 & 3 Block 9) from Project 08-02-03 South Side Storm Sewer Phase B.** **Motion carried roll call vote 7-0.**

Matthew Schiltz, whose address is 603 1st St SE, then addressed the Council saying their water drains to the east to the river also. Schiltz's assessment amount is a total of \$2,314.60 for all three parcels. Rogahn agreed that Schiltz's 3 parcels had the same situation as the two previous residents. **Motion by DeVries, seconded by Dale, to approve removing Matthew Schiltz parcels #50-0201-13345-000 (Riverside Addition Lot 1-5 and All Lot 6 Exc. 58x16' Block 8), 50-0201-13345-100 (Com NE Corner Lot 1 Riverside Addition; W 150' N 40' E 150' S 40' POB) & 50-0201-13359-000 (Riverside Addition N32' Lot 13 Block 8) from Project 08-02-03 South Side Storm Sewer Phase B.** **Motion carried roll call vote 7-0.**

Council member Mitskog offered the following and moved its adoption:

RESOLUTION NO. 3551
CITY OF WAHPETON, NORTH DAKOTA
RESOLUTION CONFIRMING ASSESSMENTS AND
DIRECTING CERTIFICATION AND LEVY
FOR ASSESSMENT DISTRICT 08-02-03
SOUTH SIDE STORM SEWER DISTRICT
PHASE B (7TH AVENUE SOUTH & CENTER STREET)
(EXCEPT FOR THE GRANTING OF THE APPEAL FOR THE OWNERS OF 3
PROPERTIES REMOVED FROM THE LEVY)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Lambrecht. Motion carried with a roll call vote 7-0.

Regarding the other five other districts, Hansey asked if there were any written or oral protests received, of which there were none. Hansey then asked if there was anyone present to protest, and there was none. When asked, Rogahn said he addressed all the protests he had been presented. Huwe said there were no additional protests.

Council member Schmidt offered the following and moved its adoption:

RESOLUTION NO. 3552
CITY OF WAHPETON, NORTH DAKOTA
RESOLUTION CONFIRMING ASSESSMENTS AND
DIRECTING CERTIFICATION AND LEVY
FOR ASSESSMENT DISTRICT 08-02-03
SOUTH SIDE STORM SEWER DISTRICT
PHASE C (6TH STREET SOUTH & 7TH AVENUE SOUTH)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Mitskog. Motion carried with a roll call vote 7-0.

Council member Schmidt offered the following and moved its adoption:

RESOLUTION NO. 3553
CITY OF WAHPETON, NORTH DAKOTA
RESOLUTION CONFIRMING ASSESSMENTS AND
DIRECTING CERTIFICATION AND LEVY
FOR ASSESSMENT DISTRICT 10-02-04
(CUL-DE-SAC STREET IMPROVEMENTS)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Mitskog. Motion carried with a roll call vote 7-0.

Council member Schmidt offered the following and moved its adoption:

RESOLUTION NO. 3554
CITY OF WAHPETON, NORTH DAKOTA
RESOLUTION CONFIRMING ASSESSMENTS AND
DIRECTING CERTIFICATION AND LEVY
FOR ASSESSMENT DISTRICT 10-03-04
(ALLEY IMPROVEMENTS VARIOUS LOCATIONS)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Mitskog. Motion carried with a roll call vote 7-0.

Council member Schmidt offered the following and moved its adoption:

RESOLUTION NO. 3555
CITY OF WAHPETON, NORTH DAKOTA
RESOLUTION CONFIRMING ASSESSMENTS AND
DIRECTING CERTIFICATION AND LEVY
FOR ASSESSMENT DISTRICT 11-01-03
(WESTSIDE NATURAL DRAIN)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Mitskog. Motion carried with a roll call vote 7-0.

Council member Schmidt offered the following and moved its adoption:

RESOLUTION NO. 3556
CITY OF WAHPETON, NORTH DAKOTA
RESOLUTION CONFIRMING ASSESSMENTS AND

**DIRECTING CERTIFICATION AND LEVY
FOR ASSESSMENT DISTRICT 12-04-04
(COMMERCIAL STREET REHAB VARIOUS LOCATIONS)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Mitskog. Motion carried with a roll call vote 7-0.

CONSENT AGENDA ITEMS (presented by the Mayor) ó

Approval of minutes of regular meeting held October 6, 2014

Games of Chance Licenses, Site Authorizations & Special Permits

Other Games of Chance and/or special permits:

Benefit for Lois Waldera ó Games of Chance Permit

Chahinkapa Zoo ó Games of Chance Permit

Presentation/Approval of Reports

September 2014 Financials

September 2014 Bill Pay Report \$1,250,347.65 ó see below

Red River Basin Commission Annual Meeting

7 Mindsets JSEC Seminar

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

Motion by Bertsch, seconded by Schmidt, to approve the Consent Agenda items as presented.

Motion carried with all voting ‘aye’.

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

Bond Sale Scheduled for Nov. 3rd selling \$1,510,000 Refunding Improvement Bonds ó Huwe said the municipal bond sale is scheduled for Monday, November 3rd, and Daugherty and Co. is setting up the sale, which looks like it may be a public sale and interest rates have been favorable. She said the total bond sale is \$1,510,000. The total cost for cost of issuance will be referred to Finance Committee after the bond sale for further discussion, and to evaluate the \$4,777.80 of special assessments that will be absorbed in the project in other ways.

Re-Advertisement of Pay Study Proposals – request referral to Finance Cmt. ó Mayor Hansey will refer this item to Finance, Economic Development & Personnel Committee.

Revised Employment Definitions Policy – request referral to Finance Cmt. ó Mayor Hansey will refer this item to Finance, Economic Development & Personnel Committee.

Reminder – City Hall Taskforce Meeting Oct. 22nd at 12:00 Noon

ASSESSOR/BUILDING CODES

Payment of Special Assessments ó Broadland reminded individuals that special assessments were just confirmed and they have 10 days to prepay without incurring any interest prior to her certification to the County on November 1st.

She then asked for suspension of the rules in reference to the West Briarwood property. **Motion by Lambrecht, seconded by Mitskog, to suspend the rules. Motion carried with all voting ‘aye’.**

Broadland said her question was in reference to the special assessments she will be certifying to the County on November 1st, requesting she not special assess the \$20,471.63 on the West Briarwood property for 2014 as the City owns the property. **Motion by Mitskog, seconded by Dale, to approve**

suspending the 2014 special assessment certification on the West Briarwood property in the amount of \$20,471.63. Motion carried with roll call vote of 7-0.

ECONOMIC DEVELOPMENT DIRECTOR

Economic Development Report ó Priebe said the Renaissance Zone Authority reviewed a request for a New Construction project located at 979 6th Street South. The property is owned by Dan Moderow, a contractor. The business name is Dan Moderow LLC. Moderow plans to construct 2 buildings in two phases for his construction business. A Taxpayer in Good Standing certificate for both the individual and business have been received and Moderow is a licensed contractor in the City of Wahpeton. Preliminary discussions with the State Renaissance Zone manager affirm that this activity does qualify as a Zone Project but would need approval before any work begins from both the local government and from the state department. A 60X40 cold storage unit is the first building to be constructed as soon as possible followed by an office space and insulated shop area which would get started summer 2015. Estimated cost to build the storage unit is \$45,800. Cost to build the office/shop area is \$64,120. Based on these figures, City Assessor Broadland figures a 5 year tax benefit of \$4,162.70 for building 1 and a \$5,827.80 benefit for building 2 (using today's mill rate) for a total of \$9,990.50. The exemptions begin upon completion and new valuation. During the discussion, Building Official Johnson pointed out the front building would need to be moved back toward the west another 20 feet to meet set-backs. Priebe said the RZA recommended approval of the application. **Motion by Bertsch, seconded by Dale, to approve the application from Dan Moderow as a Renaissance Zone Purchase-New Construction project.** Discussion held. **Motion carried with all voting 'aye'.**

Priebe provided copies of the BR&E Survey and reviewed the information, which included a business climate graph, challenges/barriers, Wahpeton's strengths, trends that influence, availability of training, and capital investment. Priebe said the survey can be used as an addendum to the City's comprehensive plan, in the area of developing strategies, supporting documentation for grants, portions can be used to create a quick powerpoint presentation, to make others aware of local issues, and use snippets for Facebook or smaller clips for Twitter, and can be used in Requests for Information/Proposals. Mitskog thanked Priebe, Hetland and former Mayor Sturdevant for their time spent in visiting the businesses and gathering this information, and hoped the Council can take this information and help play a role in addressing some of the issues.

Priebe said the Tri-State Safety Association will be holding a free safety conference with seminars being held throughout the day on October 23rd at NDSCS and encouraged attendance, especially to the Distracted Driving Shatters Lives Seminar being held that night at the Sterns Cultural Center.

LIBRARY DIRECTOR

Chocolate Chocolate Recap ó Guck said Chocolate Chocolate Day was held last Thursday and was very successful. It is put on by the Friends of the Library, and about \$3,500 was raised this year through dessert sales, dues, book sales and a silent auction. She thanked the Friends of the Library for their time and effort in putting on the event, and also to those who attended.

Books in Bars ó Guck said the first -Books in Bars- was held in September with 7 people attending. She said there was good discussion and it was a lot of fun, so felt it is getting off to a good start. The next one will be held tomorrow (Tuesday) at 7:00 p.m.

NDLA ó Guck said the ND Library Association is librarian's professional organization and she recently attended their annual conference. She said a keynote speaker was ND First Lady Betsy Dalrymple, who is involved in a program called -Imagination Libraries- and talked to the librarians about bringing this program to their communities. The program funds books once a month for children ages 0-5. Former ND Senator Byron Dorgan was also a keynote speaker, and he has written 3 works of non-fiction and recently wrote his second work of fiction.

Guck said she ran as president-elect for NDLA and won the election, however the incoming president resigned so Guck is currently the President of NDLA. She noted it is a legislative year so will give her the opportunity to be involved and talk to the legislature to advocate on behalf of the libraries.

POLICE CHIEF

Distracted Driving seminar being held October 23 at 7:00 PM at the Stern Cultural Center

Thorsteinson said this was covered in Priebe's report.

PUBLIC WORKS DIRECTOR

PW Report – Miranowski provided some updates. Regarding the slurry trench at the park, the contractor has completed the placement of the slurry and its backfilled which will set for 10 days then will do final grading of the project. The Community Center sidewalk was completed today. Regarding Well #3 reconstruction, Miranowski said the City applied for a Community Development Block Grant (CDBG) and received \$150,000. The City was then notified that there were additional funds available so applied for and were awarded an additional \$138,000 in CDBG funds, so the entire project for the construction is being funded through the CDBG fund through the State. Contracts for the project have been signed with Comstock Construction with a completion date of December 19th. The 16th Avenue lift station #1 manhole repairs plans and specs are completed, and quotes will be received October 27th by 11:00 a.m. The expected completion date for the project is December 15th. Starting Wednesday of this week 16th Avenue will be closed to through traffic in the project area and Rogahn explained the detour routes. Regarding the 3rd Avenue North reconstruction project, Miranowski said have been working with Interstate Engineering and have decided to hold a public input meeting on November 12th at 5:15 p.m.

Leach Public Library Sidewalk Repairs – Contract Change Order No. 1 – Miranowski provided a proposal request from Foss Architecture in the amount of \$9,860.00 to replace the sidewalk from the steps to the curb, and including the curb, at the library. **Motion by Bertsch, seconded by DeVries, to approve Change Order No. 1 for Leach Public Library Sidewalk Repairs in the amount of \$9,860.00 with Comstock Construction, Inc. Motion carried with roll call vote of 7-0.**

COMMUNICATIONS FROM THE MAYOR & COUNCIL

Mayor Hansey said he has been talking about accountability for the past few months and said he would like to implement that at the Council level. He said he and Wateland will report on what they did while in Minot attending the ND League of Cities (NDLC) Annual Meeting at the next City Council meeting, and at the meeting following that reports will be given by Priebe and Huwe.

REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS

Finance, Personnel & Economic Development Committee Report

Dale said the Finance, Personnel & Economic Development Committee met at noon on October 13th. **Bois de Sioux Golf Club Request for Funding – motion** to recommend loan conversion to grant for \$25,000 and up to \$35,000 in grant funds for operating shortfall from the Rec Set-aside Fund – **Motion by Dale, seconded by Schmidt, to approve satisfying the Bois de Sioux Golf Board's \$25,000 Revolving Loan Fund Loan and converting it to a grant, and, also, to approve providing up to \$35,000 from Sales Tax for Recreation funds to the Bois de Sioux Golf Board to cover predicted budget shortfall, contingent on receiving required documentation. Motion carried with a roll call vote of 7-0.**

Affordable Care Act Implementation – motion to recommend adoption of a compliance plan for employers of 50 or more – **Motion by Dale, seconded by Bertsch, to approve adoption of a compliance plan with the Affordable Care Act for employers of 50 or more. Motion carried with all voting 'aye'.**

Safety Policies – motion to recommend approval of policies regarding PPE and non-compliance – **Motion by Dale, seconded by Wateland, to approve the Policies regarding Personal Protective Equipment (PPE) and non-compliance. Motion carried with all voting 'aye'.**

Ord. No. 964 Disposition of Public Property - discussion

Public Works & Public Safety Committee Report (No meeting held Oct. 14th)

DeVries said the Public Works Public Safety Committee did not meet on October 14th.

September 2014 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$200,638.99	\$51,032.12	\$251,671.11
201 WATER OPERATING FUND	\$137,212.82	\$33,737.14	\$170,949.96
202 SANITARY SEWER OPERATING FUND	\$36,020.66	\$21,462.67	\$57,483.33
203 WASTE REMOVAL OPERATING FUND	\$21,388.34	\$750.30	\$22,138.64
204 WASTE REDUCTION FUND			\$0.00
205 VECTOR CONTROL FUND	\$18.63	\$1,473.64	\$1,492.27
206 STREET LIGHTING	\$9,504.17		\$9,504.17
209 LIBRARY LEVY FUND	\$9,560.33	\$13,923.26	\$23,483.59
213 ADVERTISING LEVY FUND	\$452.95		\$452.95
216 AIRPORT 4-MILL LEVY FUND		\$449.98	\$449.98
217 PLANN COMMISSION LEVY FUND	\$415.00	\$581.54	\$996.54
222 SOCIAL SECURITY LEVY FUND	\$25,419.53		\$25,419.53
224 RETIREMENT FUND	\$31,023.06		\$31,023.06
226 EMPLOYEE SAFETY COMMITTEE	\$1,016.10		\$1,016.10
227 ANNUAL RESERVE WH FUND		-\$2,164.00	-\$2,164.00
229 CAPITAL IMPROVEMENTS FUND	\$84,352.52		\$84,352.52
233 REAL ESTATE LEVY FUND	\$5,440.00		\$5,440.00
234 SPECIAL STREET MAINT FUND	\$1,123.75		\$1,123.75
236 LEVEE MAINTENANCE	\$5,912.98	\$7,111.86	\$13,024.84
253 METER DEPOSITS TRUST FUND	\$152.54		\$152.54
271 ECONOMIC DEVEL DEPT FUND	\$1,617.92	\$11,658.74	\$13,276.66
315 TAX INCREMENT FUND	\$3,750.00		\$3,750.00
317 JOB DEVELOPMENT LEVY FUND	\$8,649.29		\$8,649.29
318 WEED MAINT LEVY FUND	\$5,804.25		\$5,804.25
319 LODGING TAX FUND	\$2,680.50		\$2,680.50
320 SALES TAX OPERATING FUND	\$447,573.65		\$447,573.65
324 SALES TAX MINI MATCH RSRV FUND	\$5,000.00		\$5,000.00
325 SALES TAX H.E.L.P. HOUSING FUND	\$150.50		\$150.50
326 REVOLVING LOAN FUND	\$10,695.44		\$10,695.44
393 DOWNTOWN CARE & MTC FUND	\$172.14		\$172.14
572 SALES TAX FOR FLOOD FUND	\$33,830.71		\$33,830.71
574 5-2-97 (FLOOD PHASE II)	\$923.60		\$923.60
615 CUL DE SAC IMPROVEMENTS	\$2,312.06		\$2,312.06
622 3RD AVE N. RECON PROJ	\$81.50		\$81.50
631 11TH ST. N. AVE B TO 16TH AVE	\$34.50		\$34.50
634 COMMERCIAL STREET REHAB	\$4,847.40		\$4,847.40
636 16TH AVE. 11TH ST TO HWY 210	\$1,915.00		\$1,915.00
639 E. SANITARY SEWER 13-02-02	\$3,495.00		\$3,495.00
640 WELL #3 RISER REPAIRS/WELLHSE	\$7,144.57		\$7,144.57
TOTAL	\$1,110,330.40	\$140,017.25	\$1,250,347.65

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- Franchise Cmt. October 20th, immediately following Council
- Finance Cmt. October 27th, 12:00 Noon
- Flood Cmt. October 28th, 4:30 P.M.
- Public Works Cmt. October 28th, 5:00 P.M.
- Planning Commission November 3rd, 4:00 P.M.

Motion by Mitskog, seconded by Lambrecht, to adjourn at 6:18 p.m.

Mayor Hansey

Lynelle Amos, Finance Assistant