

**Wahpeton City Council
October 17, 2011**

Present: Bertsch, Hansey, Hartman, Mitskog, DeVries, Dale, and Bohn

Absent: Sturdevant and Bajumpaa

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

Meeting called to order by City Council President Mitskog.

PUBLIC HEARINGS/ETC.

Municipal Court Update – Judge Don Krassin Judge Don Krassin said he enjoys serving as Municipal Court judge and felt Municipal Court was functioning well with cooperation from the Wahpeton Police Department and City Attorney's office. He distributed and reviewed a Wahpeton Municipal Court annual report, which showed numbers of some of the cases handled in the past few years. He also reviewed funds remitted to the City of Wahpeton which he explained have been level the last year or so and are dependent on the cases that come before the Municipal Court. Krassin commented that Municipal Court has switched to an Odyssey system, which is a State managed computer system. He concluded that he appreciates serving as Municipal Judge and welcomed any questions or comments, of which there were none.

Confirmation of Special Assessments Hearings & Resolutions

1. Improvement District 08-01-06 Central Business District

Council President Mitskog asked if there were any written protests received of which there were none. Mitskog then asked if there was anyone present to protest and there was none. **Motion by Hansey to approve Confirmation of Special Assessments for the Improvement District 08-01-06 Central Business District.** Lies noted that this would be a resolution.

Council member Hansey then amended his motion and offered the following and moved its adoption:

RESOLUTION NO. 3456

**RESOLUTION CONFIRMING SPECIAL ASSESSMENT LIST FOR
IMPROVEMENT DISTRICT 08-01-06
(Central Business District)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Bertsch. Roll call vote 7-0. Motion Carried.

2. Improvement District 08-02-03 Ph. A 11th Ave. S., 6th St. S. & 8th Ave. S.

Council President Mitskog asked if there were any written protests received of which there were none. Mitskog then asked if there was anyone present to protest and there was none.

Council member Dale offered the following and moved its adoption:

RESOLUTION NO. 3457

**RESOLUTION CONFIRMING SPECIAL ASSESSMENT LIST FOR
IMPROVEMENT DISTRICT 08-02-03
(Southside Storm Sewer District
Phase A – 11th Avenue South, 6th Street South, and 8th Avenue South)**

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Hartman. Roll call vote 7-0. Motion Carried.

3. Improvement District 10-01-14 N. Central Area Streets Rehabilitation

Council President Mitskog asked if there were any written protests received of which there were none. Mitskog then asked if there was anyone present to protest and there was none. Council member Bertsch offered the following and moved its adoption:

RESOLUTION NO. 3458
RESOLUTION CONFIRMING SPECIAL ASSESSMENT LIST FOR
IMPROVEMENT DISTRICT 10-01-14
(North Central Area Streets Rehabilitation, Project No. ST10-160)

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Hansey. Roll call vote 7-0. Motion Carried.

CONSENT AGENDA ITEMS (presented by City Council President) City Council President Mitskog asked if there were any items to be removed from the consent agenda and there were none.

Approval of minutes of regular meeting held October 3, 2011

Games of Chance Licenses, Site Authorizations & Special Permits

Humane Society of Richland/Wilkin – Game of Chance Permit
Wahpeton High School Band/Choir – Game of Chance Permit
Wahpeton High School Band/Choir – Game of Chance Permit
NDSCS Electrical Club Career Exploration Trip – Game of Chance Permit
NDSCS Auto Tech – Game of Chance Permit
HBA Club / NDSCS – Game of Chance Permit
Other Games of Chance and/or special permits

Presentation/Approval of Reports

September 2011 Bill Pay Report (\$741,044.21 – see below)
September 2011 Financials
Dilapidated Properties Report
Senator Kent Conrad's Congressional Update

Motion by Hartman, second by Bertsch, to approve the Consent Agenda items as presented.
Motion Carried.

ITEMS REQUESTED MOVED FROM THE CONSENT AGENDA None.

REPORTS

FINANCE DIRECTOR/AUDITOR

Employee Assistance Program (EAP) Contract Renewal – request referral to Finance Cmt. City Council President Mitskog will refer this item to Finance & Personnel Committee.

Consolidated Fee Schedule Resolution – request referral to Finance Cmt. City Council President Mitskog will refer this item to Finance & Personnel Committee.

Bond Financing of current flood project expenses – request referral to Finance Cmt. City Council President Mitskog will refer this item to Finance & Personnel Committee.

Golf Clubhouse restroom repairs – request referral to Public Works Cmt. City Council President Mitskog will refer this item to Public Works & Public Safety Committee.

St. Francis Healthcare Campus invitation to discuss intersection safety at Hwy. 210 and Hwy 75

Huwe said the City Council has been very proactive in traffic safety throughout the community especially during times of the year when the traffic is heavier, such as during harvest. She said the MN side is also evaluating the same issues. Public Works Director Randy Nelson will be attending this event representing the City along with the MN DOT, and since a large attendance is expected they are requesting RSVP's, so anyone interested in attending should let Huwe know. It is scheduled to be held October 24th at 10:30 am.

ECONOMIC DEVELOPMENT DIRECTOR

Economic Development Report – Priebe said on Thursday, October 20th, at 4:00 pm the Planning Commission, in lieu of a meeting, will be taking a bus tour of the community to give a visual of some of the areas addressed in the new Comprehensive Plan. The bus seats 55 people so anyone interested in attending should contact Priebe.

Recommendation from EDC to fund match from Sales Tax for Rec on 6th St. S. Shared Use Path Project – Priebe said this item was referred to the EDC from the Public Works Committee where action was taken on the Cost Participation, Construction, and Maintenance Agreement with NDDOT for the 6th Street South Shared Use Path which extends from 11th Avenue South to Dakota Avenue along 6th Street South. A TE grant in the amount of \$191,158 was accepted at a Council meeting last June awaiting the commitment of a local match of approximately \$95,000, with a total project cost estimated at \$284,500. The City is responsible for awarding and managing the project with DOT concurrence and also responsible for 100% of the engineering costs. The in-house request to EDC was to set aside \$95,000 of Sales Tax for Recreation funds for this project. The EDC recommend the City Council approve the \$95,000 match contingent on approval of the grant from the state. **Motion by Bertsch, second by Bohn, to approve a grant of \$95,000 from the Sales Tax for Recreation fund for the 6th Street South Shared Use Path project as outlined and contingent upon approval of the grant from the State for this project. Roll call vote 7-0. Motion Carried.**

Priebe then reported that in a separate action, the EDC, acting as the Jobs Development Authority, approved a \$10,000 request from Dan Reilly, SBDC Manager, for the SBDC 2012 Budget with funds pledged out of the JDA mill levy fund.

LIBRARIAN

MacIver thanked those who attended Chocolate-Chocolate and used book sale last week, which was very successful. She then announced that in today's Fargo Forum in the Variety section there is an article on the Roughrider Award and that local Louise Erdrich has made the final 8 round and are now voting on the final 4. MacIver encouraged the public to vote before noon on Friday to try to get this Wahpeton native involved in this award. The voting site is available on the City of Wahpeton website.

PUBLIC WORKS DIRECTOR NELSON

PW Report - Nelson requested referral to PW Committee for Change Order #1 for the Water Treatment Plant Energy Improvements and HVAC Upgrades Phase 2. City Council President Mitskog will refer this item to Public Works & Public Safety Committee.

Nelson then reported on the status of the Stage 3B levy project. He said the levy portion of the work is done, topsoil placed, seeding will be done this week, and Hughes Drive road has been completed and paved but is not yet open. He said there are a couple of weeks of work left on the stability berms in the park area. He said work is progressing well and weather had been cooperative. Nelson said Stage 3A project continues with some minor revisions to the paths taking place and concrete work is not yet complete but expect it to be done yet this fall.

Nelson also gave an update on the Hwy. 210 By-Pass speed study. He said he had verbally contacted the DOT regional office and drafted a letter regarding discussion of the basic format of the speed study, which will go to the district office to be forwarded to Bismarck. Traffic Operations branch of the DOT will conduct the study. Nelson said he would like coordination and role play on MN side before finalizing the letter. As it stands now the project scope would be on the ND side of bridge to the interchange.

Nelson then recognized the service and efforts of the Special Assessment Commission, and noted that Chair person Penny Helgeson, was in attendance at tonight's meeting.

Further discussion was held regarding other current projects.

COMMUNICATIONS FROM THE MAYOR & COUNCIL

Hwy. 210 By-Pass Speed Study – Alderman Mitskog – Addressed earlier by Nelson.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Finance, Personnel & Economic Development Committee Report

Bohn said the Finance Committee met at noon on October 10th.

Purchase Offer on City owned lot at 523 7th St. N. – motion to recommend acceptance of offer for \$2,000 – Motion by Bohn, second by Hartman, to approve the Purchase Offer of \$2,000 for the City owned lot at 523 7th St. N. with a home to be completed within 1 year, contingent on design review by the Finance Committee at their next meeting. Motion Carried.

Potential Bond Refunding R/I Series 2007 – motion to recommend proceeding with refinancing – Motion by Bohn, second by Hartman, to approve authorizing the reinvestment of potential Bond Refunding R/I Series 2007. Huwe commented that earlier in the meeting she had made a referral to Finance Committee that a combination Bond Issue be made where the current expenses are tied up with the refinancing of this outstanding issue which could be a sizable bond issue but with the current rates could be very advantageous so may be back at the next Council meeting to incorporate those outstanding project costs into one single issue rather than two separate issues. **Motion Carried.**

Midcontinent Communications Franchise Agreement Renewal Notice - discussion

Funding Dakota Ave. Care & Mtc. – referral from EDC ongoing discussion

Funding Wahpeton Community Center Improvements from Sales Tax for Rec Set-Aside – referral from EDC, tabled until next meeting

Oakwood Court – discussion

Assessment Report of Old City Hall – no action

Public Works Public Safety Committee Report

DeVries said the Publics Works Public Safety Committee met at noon on October 11th.

Dilapidated Properties Report – motion to recommend notice publication on 406 & 408 17th Ave. property – Motion by Hansey, second by Hartman, to publish public notification to give Notice to Proceed for property at 406 & 408 17th Ave. N. Motion Carried.

Proposed Amendment to City Ordinance Ch. 17, Subdivision Regulations for Minor Replats – motion to recommend second reading Ord. No. 940 – Hansey requested referral to PW Committee for further discussion. City Council President Mitskog will refer this item to Public Works & Public Safety Committee.

Pigeon Control in Central Business District - discussion

Maintenance Contract for Farm Land & Roadside ditches, Lot 4 Block 1 Northside Industrial Park Addition – motion to recommend pursuit of agricultural lease tenant – **Motion by Hansey, second by Dale, to approve actively pursuing a contract for an agricultural lease tenant for 32 acres at \$75-100 per acre to include maintenance of ditch mowing.** Discussion held. **Motion Carried.**

Richland/Wahpeton Water Rescue Team Joint Powers Agreement – discussion

Cost Participation, Construction & Mtc. Agreement w/ND DOT for 6th St. S shared use path – motion to recommend approval – **Motion by Hansey, second by Hartman, to approve proceeding with the Cost Participation, Construction, & Maintenance Agreement with NDDOT for 6th Street South Shared Use Path.** **Motion Carried.**

Riverbank Cleanup North of Hwy 210 – motion to recommend authorization for the City Attorney to draft a contract – **Motion by Hansey, second by Hartman, to approve authorizing City Attorney Lies to draft a contract with the City and Mr. and Mrs. Anthony Martin to allow riverbank cleanup on city property.** Discussion held. **Motion Carried.**

Request to Locate Antenna on Water Tower No. 1 – motion to recommend proceeding with negotiations – **Motion by Hansey, second by Hartman, to approve proceeding with contract with Red River Telephone for installation of an antenna on Water Tower No. 1.** **Motion Carried.**

Change Order No. 1 to Well Pump No. 1 Pump, Motor & Electrical Equip. Replacement with Water Smith – motion to recommend approval of change order to extend completion date – **Motion by Hansey, second by Hartman, to approve Change Order No. 1 to Well No. 1 Pump, Motor & Electrical Equipment Replacement, Project No. W11-182, with Water Smith, Inc.** **Motion Carried.**

16th Ave. Shared Use Path 11th St. N. to Hwy. 210 - discussion

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$190,730.92	\$55,427.76	\$246,158.68
201 WATER OPERATING FUND	\$102,225.41	\$31,002.06	\$133,227.47
202 SANITARY SEWER OPERATING FUND	\$22,181.20	\$19,164.72	\$41,345.92
203 WASTE REMOVAL OPERATING FUND	\$19,204.54	\$720.58	\$19,925.12
205 VECTOR CONTROL FUND	\$2,296.98	\$1,470.29	\$3,767.27
206 STREET LIGHTING	\$7,665.67		\$7,665.67
209 LIBRARY LEVY FUND	\$16,299.24	\$11,591.52	\$27,890.76
213 ADVERTISING LEVY FUND	\$2,245.36		\$2,245.36
216 AIRPORT 4-MILL LEVY FUND		\$449.96	\$449.96
217 PLANN COMMISSION LEVY FUND	\$783.00	\$958.90	\$1,741.90
222 SOCIAL SECURITY LEVY FUND	\$21,883.37		\$21,883.37
224 RETIREMENT FUND	\$18,624.31		\$18,624.31
226 EMPLOYEE SAFETY COMMITTEE		\$829.32	\$829.32
227 ANNUAL RESERVE WH FUND		-\$2,443.34	-\$2,443.34
229 CAPITAL IMPROVEMENTS FUND	\$3,878.59		\$3,878.59
231 FD BLDG & EQUIP LEVY FUND	\$4,466.00		\$4,466.00
233 REAL ESTATE LEVY FUND	\$9,321.46		\$9,321.46
234 SPECIAL STREET MAINT FUND	\$36,884.42		\$36,884.42
236 LEVEE MAINTENANCE	\$431.04	\$5,000.27	\$5,431.31

261 UNEMPLOYMENT COMP RESRVE FND	\$90.00		\$90.00
271 ECONOMIC DEVEL DEPT FUND	\$1,702.31	\$10,286.00	\$11,988.31
272 ABSOLUTE MKTGCAMPAIGN	\$1,192.10		\$1,192.10
303 MISCELLANEOUS FUND	\$19.98		\$19.98
305 VECTOR CONTROL DIST LEVY FUND		\$351.16	\$351.16
315 TAX INCREMENT FUND	\$3,750.00		\$3,750.00
318 WEED MAINT LEVY FUND	\$4,410.15		\$4,410.15
319 LODGING TAX FUND	\$4,235.88		\$4,235.88
320 SALES TAX OPERATING FUND	\$32,300.93		\$32,300.93
325 SALES TAX H.E.L.P. HOUSING FUND	\$140.00		\$140.00
326 REVOLVING LOAN FUND	\$12,550.76		\$12,550.76
361 GASOLINE,OIL,ETC	\$14,714.08	-\$5,124.19	\$9,589.89
364 WATER RESCUE TEAM		\$225.09	\$225.09
393 DOWNTOWN CARE & MTC FUND	\$38.14	\$61.37	\$99.51
572 1/2 SALES TAX FUND	\$20,184.38		\$20,184.38
574 5-2-97 (FLOOD PHASE II)	\$2,295.99		\$2,295.99
605 8-1-06 DAKOTA AVE	\$8,220.04		\$8,220.04
608 08-02-03 SSIDE STORM SEWER	\$95.22		\$95.22
610 SAFE ROUTES TO SCHOOL	\$4.00		\$4.00
612 DAKOTA AVE ALLEYS	\$80.50		\$80.50
616 N CENTRAL AREA ST IMP PROJ	\$91.08		\$91.08
617 ALLEY IMP VARIOUS LOC.	\$3,380.00		\$3,380.00
618 NDDOT HWY 127 FROM JCT 11	\$12,478.05		\$12,478.05
624 WTP ENERGY EFF IMP.	\$11,539.74		\$11,539.74
626 HYDANT REPLACEMENTS 2011	\$18,104.40		\$18,104.40
630 WESTSIDE NATURAL DRAIN PROJ.	\$333.50		\$333.50
TOTAL	\$611,072.74	\$129,971.47	\$741,044.21

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Planning Commission October 20th, 4:00 P.M.
- b. Flood Committee October 21st, 7:00 A.M.
- c. Finance Committee October 24th, 12:00 Noon
- d. PW/PS Committee October 25th, 5:00 P.M.

Motion by Bertsch, seconded by Hartman, to adjourn.

City Council President Alisa Mitskog

Lynelle Amos, Finance Assistant