

Wahpeton City Council
September 18, 2023
5:00 p.m.

Present: Mayor Brett Lambrecht (remotely), Council Members Shannon Schillinger, Chad Perdue, David Woods II, Jason Goltz, Tiana Bohn, Renata Fobb, and Cory Unruh

Absent: Kelly McNary

Also Present: Finance Director Darcie Huwe, City Attorney Brittany Hatting, Public Works Director Dennis Miranowski, Community Development Director Chris DeVries, Library Director Melissa Bakken, Police Chief Matthew Anderson, Finance Assistant Lynelle Amos, and Auditor's Assistant Cheryl O'Meara

CALL TO ORDER – PLEDGE OF ALLEGIANCE

Meeting called to order by Council President Goltz who conducted the meeting as Mayor Lambrecht participated via teleconference. The pledge of allegiance was recited.

PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.

A Joint Public Hearing will be held with the Planning Commission on the North Loop Addition Plat Res. 3875 – DeVillers said the Planning Commission was called to order and referred to Miranowski for the final plat for the North Loop Addition. Miranowski explained the final plat has been reviewed and everything is in order. Twin homes are being proposed for this property. Additional parking for the residents is being considered for the area where the highline wires run or possibly some pickleball courts, and along the east side of the property a living fence is being considered. The grading plan has been reviewed, and the developer is hoping to get utilities in yet this fall. When asked, Huwe said there have been no inquiries regarding this plat. The Planning Commission was asked for their recommendation. **Motion by Dockter, seconded by Hickel, to recommend to the City Council to approve the North Loop Addition Final Plat. Motion carried with all voting 'aye'.**

Council member Bohn offered the following and moved its adoption, contingent upon receiving the updated title opinion:

RESOLUTION NO. 3875

**RESOLUTION ON THE PRELIMINARY PLAT OF NORTH LOOP ADDITION
(A Replat of Parts of Lot 1, Block 2, Cenex Addition & Lot 2, Block 1, Cenex Addition
Minor Replat No. 1 & A Part of the East Half of the Southeast Quarter of Section 32,
Township 133 North, Range 47 West of the 5th Principal Meridian)**

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

The Public Hearing was then concluded. **Motion by Dockter, seconded by Hickel, to adjourn the Planning Commission meeting at 5:05 p.m. Motion carried with all voting 'aye'.**

2024 Budget Hearing – Request first reading of Ordinance No. 1062 – Huwe reviewed some of the 2024 budget highlights as provided in the budget booklets she prepared. The City intends to levy a tax of \$2,119,902 assuming a hold level property tax rate for city services while capturing the growth in valuations. The property tax formula application rate for city services is projected to hold level from 84.82 to 84.56.

Council member Bohn offered the first reading of the following Ordinance:

ORDINANCE NO. 1062

**AN ORDINANCE MAKING AN APPROPRIATION FOR THE CITY OF
WAHPETON, NORTH DAKOTA FOR THE YEAR 2024**

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

Approval of minutes of regular meeting held September 5, 2023

Games of Chance Licenses, Site Authorizations & Special Permits:

NDSCS Foundation Catbackers Letterwinner Club – Site Authorization at Bois de Sioux Golf Course
Richland County 4-H – Raffle Permit

Other Games of Chance and/or Special Permits:

Chahinkapa Zoo Association – Raffle Permit

Presentation/Approval of Reports

August 2023 Bill Pay Report \$2,859,263.30 (see below)

August 2023 Financial Reports

Fall Cleanup Week October 2nd-6th

Motion by Fobb, seconded by Unruh, to approve the Consent Agenda items as presented. Motion carried with all voting ‘aye’.

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

Updated Bank of ND Loan Amount for Rosewood 3rd Addition – Resolution No. 3877 – Huwe said the City approved a development agreement with S & S HD LLC on February 6, 2023. The construction contracts were recently negotiated and exceed the previously approved amount requested of \$1,445,575. The Bank of ND has approved a loan modification to increase the amount to \$1,700,000. Scott Wegner, City Bond Counsel, has prepared the financing resolution, closing certificate, loan agreement, and warrant to reflect the new amount.

Council member Woods offered the following and moved its adoption:

RESOLUTION NO. 3877
FINANCING RESOLUTION FOR ROSEWOOD 3RD ADDITION
IMPROVEMENT DISTRICT NO. ST22-269
DEFINITIVE IMPROVEMENT WARRANT, SERIES 2023C \$1,700,000

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

Request for Property Tax Exemption by T & G Sanitation – refer to Finance Cmt. – Huwe said Council consideration of a property tax exemption requires the certification of the applicant from the ND Department of Commerce as a primary sector business. The certification process may take several weeks. Council President Goltz will keep this item on the agenda of the Finance, Personnel & Economic Development Committee.

North Loop Development Agreement – refer to Finance Cmt. – Huwe said a revised development agreement has been forwarded to Troy and Darla Thimjon for the proposed 20-unit twin home development on 11th Street North. They have requested changes to the proposed agreement. Council President Goltz will keep this item on the agenda of the Finance, Personnel & Economic Development Committee.

Preliminary Budget – Huwe said the 2024 city budget ordinance will be offered for second reading and adoption at the October 2nd Council meeting. Taxpayers received pro-forma tax statements reflecting their current property value as of February 1st, 2023 and the anticipated property taxes owed based on the preliminary tax levies submitted to Richland County by August 10th. The total levy for property taxes increasing 1.2% with the State, County, School and City all holding level or decreasing in taxes levied. The Wahpeton Park Board increased their annual levy in part to finance infrastructure improvements on park properties. The budget is available for review on the City website. Huwe can be contacted with any questions, suggestions or input.

ATTORNEY

Repeal and Replace of Traffic Code Ord. 42-125 and 42-126 – request second reading of Ord. 1058 – City Attorney Hatting presented this ordinance for second reading.

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

ORDINANCE NO. 1058

AN ORDINANCE REPEALING AND REPLACING SECTIONS 42-125 – OFFENSES EXCEPTED; AND 42-126 – NONCRIMINAL VIOLATIONS; EXCEPTIONS

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Schillinger. Motion carried with a roll call vote of 7-0. Hatting noted this ordinance would become affective only upon publication.

COMMUNITY DEVELOPMENT DIRECTOR

Community Development Report – This issue of the Win Column featured information on the Fall Festival activities.

Placer Data Service – DeVries requested this item be referred to the Finance Committee. Council President Goltz will refer this item to the Finance, Personnel & Economic Development Committee.

DeVries requested an application for the BND PACE Interest Buydown be referred to the Finance Committee. President Goltz will refer this item to the Finance, Personnel & Economic Development Committee.

DeVries announced the City of Wahpeton has once again been awarded the tree removal grant but did not receive the replacement grant. Anyone interested who has boulevard trees that are diseased or dangerous that need to be removed can find an application on the City's website or at City Hall. This is a matching grant up to \$500.

Regarding upcoming events, DeVries said the Classy and Classic Car Show will be held October 5th as part of the NDSCS Homecoming week. The Fall Festival will be held October 12-14 and will include hay rides, craft and farmers market vendor fair, free Gallery on the Go event, and city-wide garage sale.

LIBRARY DIRECTOR

Library Report – Bakken reported activities at the library include a meeting of the Leach Reads Book Club, an adult crafting session will be held, a Library Board meeting is scheduled, and the Chocolate Chocolate Day and Book Sale will be held October 12th. A calendar of events can be found on the library's website.

POLICE CHIEF

Police Dept. Report – Street Closure Request for Dakota Ave. Oct. 7th – Anderson said a request was received for a street closure for the NDSCS Homecoming Parade on October 7th on Dakota Avenue from the bridge to 8th Street North starting at 10 a.m. **Motion by Fobb, seconded by Woods, to approve the request for Street Closure of Dakota Avenue from the Bridge to 8th Street North on October 7th starting at 10:00 a.m. to hold the NDSCS Homecoming Parade. Motion carried with all voting 'aye'.**

Anderson reported they completed the compliance checks for alcohol, the previous month they completed the tobacco compliance and out of the 11 businesses checked 10 passed and 1 failed.

PUBLIC WORKS DIRECTOR

Public Works Report – Miranowski requested referral to Public Works Committee of a **Supplemental Engineering Agreement with Interstate Engineering for the Downtown Side Streets Phase I**. Council President Goltz will refer this item to the Public Works & Public Safety Committee.

Miranowski reported on the Public Works/Street Department tasks/activities in the past few weeks that have been completed or that are being worked on.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Public Works & Public Safety Committee Report

Perdue said the Public Works & Public Safety Committee met on September 11 at 4:00 p.m.

Review of Special Assessments for Loy Ave. Proj. ST19-249, Eastside Sanitary Sewer Ph II, Part B Proj. SS18-243 and Westdale 3rd Proj. 21-264 – discussion

Fire Works Ordinance – motion to offer second reading of Ord. 1059 changing the time fireworks may be used –

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

ORDINANCE NO. 1059
AN ORDINANCE REPEALING AND REPLACING
SECTION 14-115– RESTRICTIONS ON USE OF FIREWORKS.

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Fobb. Motion carried with a roll call vote of 5-2, with Perdue, Woods, Goltz, Fobb, and Schillinger voting ‘aye’; and Bohn and Unruh voting ‘nay’.

Traffic Control Box Artwork - discussion

School Resource Officer Contract – motion to approve – **Motion by Perdue, seconded by Woods, to approve the School Resource Officer (SRO) contract with Wahpeton School for 2024-2027. Motion carried with a roll call vote of 7-0.**

2024 Preliminary Budget

Water Supply Agreement for Lallemand Yeast Co.

Building Official Updates

Yard Junk/Clutter Updates – discussion

Referrals

Finance, Personnel & Economic Development Committee Report

Bohn said Finance, Personal & Economic Development met on September 11 at 5:00 p.m.

Request for Property Tax Exemption – T & G Sanitation – motion to set public hearing for Oct. 16th at 5:00 PM – **Motion by Bohn, seconded by Schillinger, to approve scheduling a Public Hearing on October 16th at 5:00pm on the Property Tax Incentive for TG Sanitation Inc., and to meet the requirements for Notice to Competitors and Publications. Motion carried with all voting ‘aye’.**

North Loop Development Agreement – discussion

Rosewood 3rd Addition Development Agreement Amendment – motion to approve – **Motion by Bohn, seconded by Schillinger, to approve the Second Amendment to Rosewood 3rd Addition Development Agreement. Motion carried with a roll call vote of 7-0.**

Liquor License Ordinance Addition – motion to offer second reading Ord. 1060 –

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

ORDINANCE NO. 1060

**AN ORDINANCE ADOPTING SPECIAL EXCEPTION FOR
DRY DOCK ACTIVITIES FOR CLASS A LIQUOR LICENSE HOLDERS**

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

Park Board Request for Funding – motion to approve up to \$20,000 – Motion by Bohn, seconded by Unruh, to approve up to \$20,000 from the 1% Restaurant Tax for the Keeble Shelter in Chahinkapa Park Renovation Project. Motion carried with a roll call vote of 5-2, with Bohn, Fobb, Unruh, Schillinger, and Goltz voting ‘aye’; and Perdue and Woods voting ‘nay’.

Bank of ND PACE Interest Loan Buydown Request - discussion

Preliminary Budget Update – discussion

Position Description Updates – discussion

Referrals

August 2023 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$308,319.86	\$45,450.23	\$353,770.09
201 WATER OPERATING FUND	\$244,400.58	\$52,374.82	\$296,775.40
202 SANITARY SEWER OPERATING FUND	\$86,451.48	\$34,768.09	\$121,219.57
203 WASTE REMOVAL OPERATING FUND	\$34,125.71	\$1,451.56	\$35,577.27
204 WASTE REDUCTION FUND	\$1,519.98		\$1,519.98
205 VECTOR CONTROL FUND	\$8,017.20	\$3,273.00	\$11,290.20
206 STREET LIGHTING	\$14,840.29		\$14,840.29
207 STORM WATER UTILITY	\$84,161.17		\$84,161.17
209 LIBRARY LEVY FUND	\$10,294.03	\$17,291.21	\$27,585.24
216 AIRPORT 4-MILL LEVY FUND		\$1,076.50	\$1,076.50
229 CAPITAL IMPROVEMENTS FUND	\$4,615.93		\$4,615.93
233 REAL ESTATE LEVY FUND	\$220.00		\$220.00
234 SPECIAL STREET MAINT FUND	\$47,867.95		\$47,867.95
236 LEVEE MAINTENANCE	\$110,091.70	\$15,014.11	\$125,105.81
240 SPECIAL TRANSPORTATION FUNDING	\$14,301.70		\$14,301.70
253 METER DEPOSITS TRUST FUND	\$850.05		\$850.05
261 UNEMPLOYMENT COMP RESERVE FUND			\$0.00
271 ECONOMIC DEVEL DEPT FUND	\$10,078.78	\$13,189.10	\$23,267.88
315 TAX INCREMENT FUND	\$1,250.00		\$1,250.00
318 WEED MAINT LEVY FUND	\$125.00		\$125.00
319 LODGING TAX FUND	\$288.74		\$288.74
320 SALES TAX OPERATING FUND	\$18,611.17		\$18,611.17
325 SALES TAX H.E.L.P. HOUSING FUND	\$175.00		\$175.00
326 REVOLVING LOAN FUND	\$456.67		\$456.67
329 BULL RIDING EVENT	\$4,656.55		\$4,656.55
330 JULY 4TH FIREWORKS	\$11,470.55		\$11,470.55
365 PD SPEC EQUIP SINKING FUND	\$3,502.99		\$3,502.99
393 1% RESTAURANT TAX FUND	\$6,035.08		\$6,035.08
401 BDSGC CART SUBLEASE	\$6,488.00		\$6,488.00
465 R/I #11918 SERIES 2018A DWSRF	\$18,950.00		\$18,950.00
466 R/I #12018 SERIES 2018B CWSRF	\$43,700.00		\$43,700.00
468 R/I# 12219 DWSRF 2018 SERIES C	\$25,550.00		\$25,550.00
469 R/I# 12319 CWSRF 2018 SERIES D	\$57,450.00		\$57,450.00
470 R/I# 12421 CWSRF SERIES 2021A	\$136,810.00		\$136,810.00
472 R/I# 12622 SERIES 2021 B&C	\$19,863.47		\$19,863.47
473 R/I# 12722 SERIES 2022	\$2,470.94		\$2,470.94
475 R/I# 12923 BND 2023A	\$49,394.03		\$49,394.03
659 RIVER POINTE ACRES	\$755.00		\$755.00
666 E.SIDE SANITARY PART B PH II	\$160,911.31		\$160,911.31
672 8TH AVE. N PROJ. ST19-248	\$466,091.91		\$466,091.91
673 LOY AVE & 12TH ST PROJ ST19-249	\$25,375.44		\$25,375.44
675 WELL FIELD RECLO PROJ W19-251	\$11,431.10		\$11,431.10
679 W.WATER FACILITY PLAN	\$2,695.00		\$2,695.00
680 COMPREHENSIVE PLAN	\$1,331.45		\$1,331.45
681 HOMESTEAD DEVELOPMENT ST21-263	\$2,580.00		\$2,580.00
684 WESTDALE 3 ADDITION ST21-264	\$282,885.95		\$282,885.95
685 SS LS GENERATORS SS21-265	\$16,799.91		\$16,799.91

686 DOWNTOWN S STREETS2 ST21-259	\$106,502.78		\$106,502.78
689 PRAIRIE FLATS TWINHOMES	\$178,269.22		\$178,269.22
690 HERITAGE SQ PARKING LOT ST23-272	\$31,701.01		\$31,701.01
692 2ND & 4TH ST IMP PROJ ST23-277	\$320.00		\$320.00
693 EAST CENTRAL & SE ST PROJ ST23-278	320.00		\$320.00
TOTAL	\$2,675,374.68	\$183,888.62	\$2,859,263.30

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Public Works Committee September 25th 4:00 p.m.
- b. Finance Committee September 25th 5:00 p.m.

Motion by Fobb, seconded by Bohn, to adjourn at 5:51 p.m. Motion carried.

Mayor Brett Lambrecht

Lynelle Amos, Finance Assistant