

Wahpeton City Council

February 6, 2023

5:00 p.m.

Present: Schillinger, Perdue, Woods, Lambrecht, Fobb, and Unruh

Absent: Goltz, Bohn, and McNary

Also Present: Huwe, Hatting, Miranowski, Broadland, DeVries, Bakken, Anderson, Appell, and O'Meara

CALL TO ORDER

Meeting called to order by Mayor Lambrecht. The pledge of allegiance was then recited.

PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.

Proclamation Recognizing Municipal Judge Simone Sandberg – Huwe read a proclamation recognizing Simone Sandberg, Municipal Judge, as she celebrates retirement after practicing law for 43 years including 16 years as a Municipal Judge for the City of Wahpeton. Sandberg was presented with bouquet of flowers and appreciation was shown through a standing ovation.

CONSENT AGENDA ITEMS (presented by the Mayor) –

Approval of minutes of regular meeting held January 17, 2023

Games of Chance Licenses, Site Authorizations & Special Permits:

Wahpeton Baseball Association – Raffle Permit

Other Games of Chance and/or Special Permits:

Wahpeton Wrestling Club – Raffle Permit (amended to add a 50/50 cash raffle)

Presentation/Approval of Reports

December 2022 Bill Pay Report

December 2022 Fiscal Year End Financial Statement – Schedule of Fund Activity

Wahpeton Winter Wonderland February 17-18

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

Motion by Fobb, seconded by Woods, to approve the Consent Agenda items as presented. Motion carried with all voting 'aye'.

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

The Village Employee Assistance Program Contract Renewal – request motion to approve – Huwe said the City contracts with The Village to provide an Employee Assistance Program. EAP services include 4 counseling sessions per employee household member annually. Additionally, the Village provides consultations for job performance issues, supervisor training, violations of the Drug Free Workplace Policy, and referral resources for employees subject to DOT substance abuse counseling. The contract renewal amount is \$30 per year per full time employee. The City funds 5 additional subscriptions to extend services to the Council and Fire Department on an as needed basis. The amount per participant has not changed since 2018. **Motion by Perdue, seconded by Unruh, to approve the 2023 Employee Assistance Program contract renewal with The Village. Motion carried with a roll call vote of 5-0.**

Fiscal Year End 2022 – request motion to approve schedule of fund activity – Huwe explained the Statement of Fund Activity is a monthly report depicting beginning fund balances, year to date revenues, expenses and current fund balances and is provided to the Council as required in the ND Century Code. The overall fund balances increased \$2,324,597 largely influenced by \$7,362,447 of additional debt required to finance over \$11,045,098 of capital projects throughout the year. The Century Code also requires the fiscal year end Statement of Fund Activity be published in the official newspaper prior to March 1st. **Motion by Woods, seconded by Fobb, to approve acknowledging receipt of the 2022 Fiscal Year End State of Fund Activity. Motion carried with all voting 'aye'.**

68th Legislative Session Information – Huwe reported the 68th Legislative Assembly just finished its fifth week and has completed twenty-three legislative days. Last week legislative policy committees were working hard to finish their work on any bill that has a fiscal note. The deadline for referring bills has already passed. The crossover date for bills is Friday, February 24th. After that date bills have the potential to become laws and input for committee hearings becomes even more important. The Chamber of Commerce is hosting Coffee with the Legislators on Saturday, February 18th from 9:00 a.m. to 10:30 a.m. at the NDSCS Student Union. The League of Cities will continue hosting Friday afternoon Legislative conference calls every Friday. Huwe can be contacted for more information.

City Hall will be closed Monday, February 20th in observation of President's Day.

ATTORNEY

Second Reading of Ordinances Pertaining to Engineering and Design Standards No. 1043 – 1049 – City Attorney Hatting presented the following ordinances for second reading and motion for approval.

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

ORDINANCE NO. 1043
AN ORDINANCE TO REPEAL AND REPLACE SECTION 36-42
MINIMUM STANDARDS FOR STREETS

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Fobb. Motion carried with all roll call vote of 5-0.

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

ORDINANCE NO. 1044
AN ORDINANCE TO REPEAL AND REPLACE SECTION 36-69
MINIMUM STANDARDS FOR SIDEWALKS

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Fobb. Motion carried with all roll call vote of 5-0.

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

ORDINANCE NO. 1045
AN ORDINANCE TO REPEAL AND REPLACE SECTION 36-162
BOND REQUIRED FOR UTILITY EXCAVATION

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Fobb. Motion carried with all roll call vote of 5-0.

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

ORDINANCE NO. 1046
AN ORDINANCE TO REPEAL AND REPLACE SECTION 36-163
DUTY TO RESTORE AND MAINTAIN FOLLOWING UTILITY EXCAVATION

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Fobb. Motion carried with all roll call vote of 5-0.

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

ORDINANCE NO. 1047
AN ORDINANCE TO REPEAL AND REPLACE SECTION 38-77
PLAT PREAPPLICATION REQUIREMENTS

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Fobb. Motion carried with all roll call vote of 5-0.

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

ORDINANCE NO. 1048
AN ORDINANCE TO REPEAL AND REPLACE SECTION 38-101
PRELIMINARY PLAT REQUIREMENTS

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Fobb. Motion carried with all roll call vote of 5-0.

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

ORDINANCE NO. 1049
AN ORDINANCE TO REPEAL AND REPLACE SECTION 44-26
PROPERTY OWNER RESPONSIBLE FOR SERVICE LINE REPAIRS

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember Fobb. Motion carried with all roll call vote of 5-0.

COMMUNITY DEVELOPMENT DIRECTOR

Community Development Report – DeVries provided an update on some Community Development items. He said the Eagles Flex PACE loan closed last week and it is hoped they will be able to proceed with their improvements and open soon. The Comprehensive Plan is progressing and should be completed soon. The Business Challenge of which DeVries worked together with the Chamber and SVEDA has been narrowed down to three and it is planned to announce the winner on Thursday evening during the Chamber Annual Meeting. Happenings during the Wahpeton Winter Wonderland Festival being held February 17th & 18th include a family friendly comedian on Friday night, and on Saturday there will be a Fire & Ice Pond Hockey Tournament, a Snow Sculpture Contest, Inflatable Games, and a family movie night showing of ‘Star Wars’.

Winter Festival Fireworks Display – request motion to approve – Motion by Schillinger, seconded by Fobb, to approve the Wahpeton Winter Wonderland Festival Fireworks Display permit request. Motion carried with all voting ‘aye’.

LIBRARY DIRECTOR

Library Report – Bakken reported happenings at the library include storytime, preschool fun day, daycare outreach, a family movie, Valentine storytime, an adult craft session on arm knitting, a no school movie on the 17th, the Leach Reads Book Club will meet, and the Friends of the Library will meet on Wednesday. The library will be closed on Monday, February 20th in observance of President’s Day. The teen area will be getting an update in shelving and lounge furniture in the near future with funding through grants and donations. Bakken noted that they along with all ND public libraries are watching House Bill 1205 relating to prohibiting libraries from maintaining sexually explicit books, and Senate Bill 2123 relating to displaying objectionable materials or performance to minors; and to provide a penalty. They are actively watching the progression of these bills and are asking for a do not pass on either one.

PUBLIC WORKS DIRECTOR

Public Works Report – Miranowski requested referral to Public Works Committee **for Review of Plans & Specifications and authorize receipt of bids for the 2023 Seal Coat Project**. Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

Drinking Water Service Line Inventory Assistance Program – Resolution No. 3850 – Miranowski said this resolution would allow the City to submit an application with the NDDEQ for assistance performing lead service line inventory. Cities across the nation have to identify all lead lines in their system. The DEQ is offering grant dollars and will contact contractors who will assist with performing the inventory. The grant money will be offered on a first come, first served basis, so if approved tonight the application process can be started.

Council member Perdue offered the following and moved its adoption:

RESOLUTION NO. 3850
RESOLUTION AUTHORIZING APPLICATION
WITH THE NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL
QUALITY (NDDEQ) FOR ASSISTANCE PERFORMING A LEAD SERVICE
LINE INVENTORY IN COMPLIANCE WITH THE
LEAD AND COPPER RULE REVISIONS

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Woods. Motion carried with a roll call vote 5-0.

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.

COMMUNICATIONS FROM THE MAYOR & COUNCIL

SVEDA Board Appointments – Lambrecht said six individuals have submitted statements of interest to be considered for appointment to the Southern Valley Economic Development Authority (SVEDA) representing the City of Wahpeton. The following individuals will be considered for the two vacant board positions: Steve Dale, Yoney Fobb, Casey Formanek, Jacob Kubela, Nicholas Nelson, and Daniel Spellerberg. The Council Vice-President McNary will contact two additional Council members to interview each applicant and make a recommendation to the Council for appointment.

REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS

Finance, Personnel & Economic Development Committee Report

Schillinger said Finance, Personal & Economic Development met on January 23 at 5:00 p.m.

Rosewood 3rd Addition Development Agreement – motion to approve – Motion by Schillinger, seconded by Fobb, to approve the Assignment, Consent and Amendment to the Rosewood 3rd Addition Development Agreement transferring/assigning the Coveda Company interest and obligations to S & S HD, LLC. Motion carried with a roll call vote of 5-0.

Homestead Development Agreement – discussion

Referrals

Public Works & Public Safety Committee Report

Fobb said the Public Works & Public Safety Committee met on January 23 at 4:00 p.m.

Wastewater Treatment Facility Plan Public Hearing – motion to set public hearing March 27, 2023, at 4:00 p.m. – Motion by Fobb, seconded by Woods, to approve holding a Public Hearing on the draft Wastewater Treatment Facility Plan at 4:00 p.m. on Monday, March 27, 2023. Motion carried with all voting ‘aye.’

Building Official Updates

Referrals

UNFINISHED BUSINESS

Finance Director Huwe administered Oath of Office to newly appointed Municipal Judge Jason Butts. Congratulations and appreciation was shown through a round of applause.

December 2022 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$538,970.08	\$68,680.17	\$607,650.25
201 WATER OPERATING FUND	\$69,617.08	\$45,848.16	\$115,465.24
202 SANITARY SEWER OPERATING FUND	\$114,429.28	\$30,492.20	\$144,921.48
203 WASTE REMOVAL OPERATING FUND	\$30,240.23	\$1,299.86	\$31,540.09
204 WASTE REDUCTION FUND	\$17,451.21		\$17,451.21

205 VECTOR CONTROL FUND	\$1,168.91	\$1,398.64	\$2,567.55
206 STREET LIGHTING	\$17,103.64		\$17,103.64
209 LIBRARY LEVY FUND	\$5,393.71	\$15,578.92	\$20,972.63
216 AIRPORT 4-MILL LEVY FUND		\$897.06	\$897.06
229 CAPITAL IMPROVEMENTS FUND	\$55,501.83		\$55,501.83
231 FD BLDG & EQUIP LEVY FUND	\$81,126.32		\$81,126.32
234 SPECIAL STREET MAINT FUND	\$12,016.91		\$12,016.91
235 SNOW/FLOOD EMERG LEVY FUND	\$1,280.00		\$1,280.00
236 LEEVE MAINTENANCE	\$1,817.68	\$9,493.98	\$11,311.66
253 METER DEPOSITS TRUST FUND	\$247.89		\$247.89
271 ECONOMIC DEVEL DEPT FUND	\$14,447.09	\$12,006.62	\$26,453.71
303 MISCELLANEOUS FUND	\$4,238.95		\$4,238.95
315 TAX INCREMENT FUND	\$1,250.00		\$1,250.00
316 1% LODGING TAX (ADDTL 1/1/08)	\$20,000.00		\$20,000.00
317 JOB DEVELOPMENT LEVY FUND	\$11,593.33		\$11,593.33
319 LODGING TAX FUND	\$820.07		\$820.07
320 SALES TAX OPERATING FUND	\$204,775.40		\$204,775.40
321 SALES TAX RESERVE FUND	\$234,180.49		\$234,180.49
324 SALES TAX MINI MATCH RSRV FUND	\$16,579.81		\$16,579.81
326 REVOLVING LOAN FUND	\$436.63		\$436.63
332 WINTER FESTIVAL	\$5,561.51		\$5,561.51
365 PD SPEC EQUIP SINKING FUND	\$2,567.30		\$2,567.30
393 1% RESTAURANT TAX FUND	\$30,800.14		\$30,800.14
572 SALES TAX FOR FLOOD FUND	\$34,084.28		\$34,084.28
666 E.SIDE SANITARY PART B PH II	\$1,051,009.90		\$1,051,009.90
668 JR FIELD PARKING LIT & HUGHES DR	\$50,091.98		\$50,091.98
672 8TH AVE. N PROJ. ST19-248	\$64,966.60		\$64,966.60
673 LOY AVE & 12TH ST PROJ ST19-249	\$505,174.91		\$505,174.91
675 WELL FIELD RECLO PROJ W19-251	\$12,821.13		\$12,821.13
676 DOWNTOWN S. STREETS ST20-255	\$1,020,582.09		\$1,020,582.09
678 WOODLAND DR MILL & OLAY ST20-257	\$4,160.41		\$4,160.41
681 HOMESTEAD DEVELOPMENT ST21-263	\$240.00		\$240.00
682 PRAIRIE FLATS 1ST ST21-261	\$154,026.71		\$154,026.71
686 DOWNTOWN S STREETS2 ST21-259	\$289.67		\$289.67
687 NON FEDAID DOWNTOWN S ST ST22-266	\$5,223.77		\$5,223.77
688 ROSEWOOD 3RD ADDTN ST22-269	\$40.00		\$40.00
689 PRAIRIE FLATS TWINHOMES	\$220.00		\$220.00
TOTAL	\$4,396,546.94	\$185,695.61	\$4,582,242.55

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Council Retreat February 13th, 4:00 PM
- b. Finance Committee February 13th, no meeting
- c. Public Works Committee February 13th, no meeting

Motion by Woods, seconded by Schillinger, to adjourn at 5:42 p.m. Motion carried.

Mayor Brett Lambrecht

Lynelle Amos, Finance Assistant