

Wahpeton City Council

January 16, 2024

5:00 p.m.

Present: Mayor Brett Lambrecht, Council Members Shannon Schillinger, Chad Perdue, Tiana Bohn, Kelly McNary, and Cory Unruh

Absent: David Woods II, Jason Goltz, and Renata Fobb

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

CALL TO ORDER – PLEDGE OF ALLEGIANCE

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

PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.

Joint Public Hearing with the Planning Commission on OtterTail Power Company Rezone Request

Ord. 1063 – Planning Commission Chair DeVillers called the Planning Commission to order at 5:01 pm and referred to Miranowski to describe the rezoning request. Miranowski explained Contitech, formerly WCCO Belting, is in the process of purchasing property from OtterTail Power Company (OTPCO). A map of the area depicting buildings, concrete driveways and current powerline easements was provided. OTPCO currently owns the parcels approximately six feet south of the Contitech building, 275' to the south abutting the residential property lines along 18th Avenue North, extending from 9th St. N. to 4th St. N. approximately 1,317'. OTPC has maintained a long-term agreement with WCCO/Contitech for use of the property; OTPCO has decided to discontinue the agreement and sell the property. Contitech has entered into an agreement to purchase the property and request consideration to change the zoning from FP-A Agricultural to I-1 Industrial (the existing Contitech facility property is zoned I-1 industrial).

At a recent Planning Commission meeting this request was considered and concerns were heard from residents of 18th Ave. N. in reference to future industrial use of the property abutting residential zoning. Contitech has ordered an ALTA survey, results are pending. City Attorney Hatting commented that no recommendation or action would be sought on this at this time, the purpose of the hearing is to gather additional information on the requested zoning change. Rod Koch, VP of Operations for WCCO, further explained the company's current encroachment on OTPC property. Koch explained the rezone request includes three (3) tracts of OTPC land, A, B and C, and Contitech is interested in A (south of their existing structure) & B (south of their hoop building), with Interstate Engineering purchasing tract C on 4th St. N. south of their building. WCCO Belting constructed the concrete access road, driveways, employee parking and lighting on OTPC property which has become an integral part of their shipping and receiving operations. The request to be rezoned I-1 industrial will allow the business to keep doing what they have been doing and includes a 50' setback from residents to the south. Business district zoning requirements require 20' to 40' side yard setbacks. The business has been at this location for at least 30 years and strives to be a good corporate citizen in town and a good neighbor to residents to the south. The company has no plans for the property at this time. Any expansion to the plant would likely be to the east. The possibility of rezoning to B-2 Heavy instead of I-1 Industrial was then discussed, with RB-4 Business Neighborhood as another option. Koch expressed WCCO operations are not compatible with RB-4 zoning.

Mayor Lambrecht asked if there were any questions/comments, resident Marc Johnson of 706 18th Avenue N. provided pictures of outdoor material storage allowed in I-1 zoning at the WCCO site visible to the residents. He said B-2 does not allow inventory such as this to be stored unless it is within an enclosed structure. Johnson stated industrial zoning should not directly abut residential properties without a reasonable buffer. Hatting then asked if the Planning Commission would like to make a recommendation to continue the hearing to February 5th to gather more information. **Motion by Sedler, seconded by Wolfgram, to recommend to the City Council to approve continuing the Joint Public Hearing with the Planning Commission to February 5, 2024, at 5:00 p.m. on the zoning classification changes requested on behalf of OtterTail Power Company in favor of Contitech and Interstate Engineering. Motion carried with all voting 'aye'.**

Motion by Bohn, seconded by Schillinger, to approve continuing the Joint Public Hearing with the Planning Commission to February 5, 2024, at 5:00 p.m. on the zoning classification changes requested on behalf of OtterTail Power Company in favor of Contitech and Interstate Engineering. Motion carried with all voting ‘aye’.

Motion by Sedler, seconded by Wolfgram, to adjourn the Planning Commission meeting at 5:22 p.m. Motion carried with all voting ‘aye’.

CONSENT AGENDA ITEMS (presented by the Mayor) –

Approval of minutes of regular meeting held January 2, 2024

Games of Chance Licenses, Site Authorizations & Special Permits:

Fire & Iron Motorcycle Club – Raffle Permit

Other Games of Chance and/or Special Permits:

Escort Motor Patrol – Raffle Permit

Someplace Safe – Raffle Permit

Benefit for Fallon Miller – Raffle Permit

Presentation/Approval of Reports

December 2023 Bill Pay Report \$2,363,869.59 (see below)

December 2023 Financial Statements (preliminary)

Garrison Diversion Matching Recreation Grant Program

Mayor’s Ad-hoc Cmt. on Proposed Recreation & Wellness Center

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

Motion by McNary, 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 –

Pledge of Assets/Designation of Depositories – Huwe said the North Dakota Century Code requires a listing of the depositories, deposits and pledged assets by each financial institution designated for deposit of City funds. The total funds on deposit as of 12/31/23 were \$17,519,176 reflecting a decrease in cash on hand of \$1,307,287 over the same time last year primarily attributed to the completion of the 2023 construction season including over \$3.8 million expended on capital projects in fourth quarter of 2023. The pledges of assets from each of the depositories adequately cover the cash deposits on hand. **Motion by Bohn, seconded by Schillinger, to approve the designation of depositories and pledges of assets as presented (see below). Motion carried with a roll call vote of 5-0.**

The Total Pledges and Requested Designated Depositories as of December 31, 2023 are:

<u>Designated Depository</u>	General Ledger		Federal Government			
	Funds on Deposits	FDIC/NCUA	Letter of Credit	Securities or Qualified Sweep	Additional Pledged Collateral	Collateralized Total
American Federal Bank	none	n/a	n/a	n/a	n/a	n/a
Bell State Bank & Trust	none	n/a	n/a	n/a	n/a	n/a
Bremer Bank	2,495,809	250,000	n/a	9,567,352	n/a	9,567,352
Bremer Investment Trust	10,652,075	n/a	n/a	10,652,075	n/a	10,652,075
First Community Credit Union	none	n/a	n/a	n/a	n/a	n/a
Gate City Fed Savings Bank	none	n/a	n/a	n/a	n/a	n/a
Peoples State Bank	none	n/a	n/a	n/a	n/a	n/a
U.S. Bank	none	n/a	n/a	n/a	n/a	n/a
Wells Fargo Bank	4,371,292	250,000	n/a	4,371,292	n/a	4,621,292
	17,519,176	500,000	-	24,590,719	-	24,840,719

2023 Fiscal Year End – request referral to Finance Cmt. – Huwe said preliminary financials are positive. We are still in the accrual period for 2023 to ensure we match revenues and expenses to the applicable fiscal year. Invoices and receipts will be considered through January 18th. Projected final financial statements including year-end transfers and budget amendments will be discussed at the Finance Committee on January 22nd. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

Broadcast of Council Meetings on Social Media – request referral to Finance Cmt. – Huwe said she received a request from a resident to post council and committee meetings to social media. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

Election 2024 – Huwe said City elections are held in the even numbered years opposite of the legislative sessions. The City of Wahpeton contests on the June 11th, 2024, ballot include Ward 2, Ward 4, and (2) At-large positions. The ballot will also include 3 At-large Park Board Commissioners. Information and the required filing forms are available on the City’s website and at City Hall. Candidacy filings are due to City Hall by 4:00 PM on April 8th.

COMMUNITY DEVELOPMENT DIRECTOR

Community Development Report – This issue of the Win Column featured ‘This is Community’.

LIBRARY DIRECTOR

Library Report – Bakken reported on programming at the library which included story times, STEM class, Leach Read Book Club, adult craft session on watercolor art, preschool fun day, and a Library Board meeting. She gave a reminder that the library offers public access computers to patrons. The library will have tax forms available by the end of January, and they can print documents for a small fee.

POLICE CHIEF

Police Dept. Report – Police Chief Anderson reported there have been several residential burglaries and urged residents to report anything that seems suspicious by calling 701-642-7777 or 911. He announced that a house will be moved from NDSCS to Dent on January 24th by Schmidt & Sons starting at 9:00 a.m. with the route being from NDSCS up 4th Street to 16th Avenue then 9th Street and out of town. Anderson also reported the position vacated by Mauch has had nine applicants with seven of those candidates scheduled to interview on Thursday, and an anticipated start date of February 9th.

PUBLIC WORKS DIRECTOR

Public Works Report –

Heritage Square Parking Lot Proj. ST22-272 – request referral to PW Cmt. – Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

Facility Study for Well Field Proj. W19-251 – request referral to PW Cmt. – Mayor Lambrecht 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.

COMMUNICATIONS FROM THE MAYOR & COUNCIL

Mayor Lambrecht invited Mike Kaiser to provide an update on the Mayor’s Ad-hoc Committee for the Proposed Recreation & Wellness Center. Kaiser reported the committee has been meeting monthly since last fall and has reviewed the things that were positive regarding a wellness center and what may need more work. Subcommittees were formed to look at the proposed amenities. A survey was conducted to see what people would like to see in the facility as far as the needs and desires of the community. The subcommittees will continue to research the desired amenities for the next few months and will come back to the larger group to discuss, based on the feedback from the subcommittees, what they would like proposed for the next round. The failed vote in 2021 seemed to be a result of concerns for funding/financing and the location. Three sites were now being considered, the Homestead site, a site next to the NDSCS Blikre Activity Center, and the Chahinkapa Park softball fields. A study was conducted by JLG Architects with certain selection criteria considered and the NDSCS property was the favorable site. A lease agreement is being drafted with NDSCS for that site. Kaiser felt it was a needed and exciting project for this community. He then provided a list of those who comprise the Ad-hoc committee.

Mayor Lambrecht was then congratulated for being awarded as Honorary Commander of the local National Guard for the next 3 years.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Public Works & Public Safety Committee Report

McNary said the Public Works & Public Safety Committee met on January 8 at 4:00 p.m.

Mayor’s Ad-hoc Cmt. on Recreation Center Update – motion to proceed lease negotiations – Motion by McNary, seconded by Perdue, to approve allowing support staff to continue negotiations with NDSCS on the land lease options. Motion carried with all voting ‘aye.

Sellin Bros. Inc. Contract Change Order No. 2 Downtown S. Streets Ph II Proj. ST21-259 – motion to approve \$8,177.15 – Motion by McNary, seconded by Perdue, to approve Contract Change Order No. 2 for \$8,177.15 from Sellin Brothers, Inc. on the Downtown Side Streets Phase II Project ST21-259. Motion carried with a roll call vote of 5-0.

Building Official Updates

Referrals (See PW Director Report)

Finance, Personnel & Economic Development Committee Report (no meeting held – topics carryover)
Police Dept. Position Description Updates – Detective & Taskforce Agent

Mayor’s Ad-hoc Cmt. on Recreation Center Update – NDSCS Land Lease

2023 Fiscal Year End Transfers & Budget Amendments

Referrals

December 2023 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$369,449.77	\$62,661.26	\$432,111.03
201 WATER OPERATING FUND	\$61,477.32	\$58,910.31	\$120,387.63
202 SANITARY SEWER OPERATING FUND	\$99,211.40	\$36,294.20	\$135,505.60
203 WASTE REMOVAL OPERATING FUND	\$31,206.37	\$2,522.38	\$33,728.75
204 WASTE REDUCTION FUND	\$7,115.79		\$7,115.79
205 VECTOR CONTROL FUND	\$36.79	\$1,554.28	\$1,591.07
206 STREET LIGHTING	\$17,423.85		\$17,423.85
207 STORM WATER UTILITY	\$17,172.27		\$17,172.27
209 LIBRARY LEVY FUND	\$3,538.61	\$16,996.08	\$20,534.69
216 AIRPORT 4-MILL LEVY FUND		\$1,076.50	\$1,076.50
233 REAL ESTATE LEVY FUND	\$1,488.10		\$1,488.10
234 SPECIAL STREET MAINT FUND	\$34,677.71		\$34,677.71
236 LEVEE MAINTENANCE	\$2,411.18	\$10,461.89	\$12,873.07
271 ECONOMIC DEVEL DEPT FUND	\$1,669.43	\$13,189.10	\$14,858.53
272 URBAN FORESTRY GRANT PROGRAM	\$159.99		\$159.99
303 MISCELLANEOUS FUND	\$41.94		\$41.94
316 1% LODGING TAX (ADDTL 1/1/08)	\$6,447.93		\$6,447.93
319 LODGING TAX FUND	\$2,798.54		\$2,798.54
320 SALES TAX OPERATING FUND	\$118,276.10		\$118,276.10
324 SALES TAX MINI MATCH RSRV FUND	\$16,667.36		\$16,667.36
329 BULL RIDING EVENT	\$457.47		\$457.47
362 PD BACK THE BLUE GRANT FUND		\$13,751.81	\$13,751.81
365 PD SPEC EQUIP SINKING FUND	\$90.97		\$90.97
393 1% RESTAURANT TAX FUND	\$6,808.76		\$6,808.76
401 BDSGC CART SUBLEASE	\$2,203.00		\$2,203.00
659 RIVER POINTE ACRES	\$240.00		\$240.00
672 8TH AVE. N PROJ. ST19-248	\$1,035,042.59		\$1,035,042.59
684 WESTDALE 3 ADDITION ST21-264	\$20.00		\$20.00
686 DOWNTOWN S STREETS2 ST21-259	\$52,203.20		\$52,203.20
688 ROSEWOOD 3RD ADDTN ST22-269	\$256,947.84		\$256,947.84
689 PRAIRIE FLATS TWINHOMES	\$280.00		\$280.00
691 VECTOR CTRL CHEMICAL BLDG	\$747.50		\$747.50
694 NORTH LOOP ADDITION ST23-279	\$140.00		\$140.00
TOTAL	\$2,146,451.78	\$217,417.81	\$2,363,869.59

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Public Works Committee January 22, 2024, 4:00 p.m.
- b. Finance Committee January 22, 2024, 5:00 p.m.

Motion by McNary, seconded by Bohn, to adjourn at 5:54 p.m. Motion carried.

Mayor Brett Lambrecht

Lynelle Amos, Finance Assistant