

Wahpeton City Council
July 10, 2023
5:00 p.m.

Present: Mayor Brett Lambrecht, Council Members Shannon Schillinger, Chad Perdue, David Woods II, Jason Goltz, Kelly McNary, Renata Fobb, and Cory Unruh

Absent: Council Member Tiana Bohn

Also Present: Finance Director Darcie Huwe, City Attorney Brittany Hatting, Public Works Director Dennis Miranowski, City Assessor Carla Broadland, Community Development Director Chris DeVries, Library Director Melissa Bakken, Police Chief Anderson, Deputy Police Chief Tim Appell, 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 then recited. Lambrecht then thanked those who assisted with the success of the July 4th fireworks display.

PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.

Proclamation Cardiac Ready Community – Community Development Director DeVries read a proclamation declaring a commitment to be a Cardiac Ready Community.

Recognition of Wahpeton Huskies Athlete Scout Woods – Scout Woods was recognized for her recent athletic achievements and since she was unable attend her father, David Woods II, accepted the award on her behalf.

CONSENT AGENDA ITEMS (presented by the Mayor) –

Approval of minutes of regular meeting held June 19, 2023

Games of Chance Licenses, Site Authorizations & Special Permits: None

Presentation/Approval of Reports

ND Aeronautics Commission Grant Award to Wahpeton Airport

Mayor Lambrecht asked if there were any items to be removed from the consent agenda and there were none. **Motion by McNary, seconded by Goltz, to approve the Consent Agenda items as presented. Motion carried with all voting ‘aye’.**

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

Board & Commission Appointments – Huwe explained the Board and Commission appointments are typically initiated on July 1st and completed on June 30th of each year, or until a replacement has been appointed. She requested the Council confirm the following: Appointment to the Library Board: Simone Sandberg replacing Jeannette Plummer to a term ending 2026; the Special Assessment Commission: Jane Priebe reappointed to a term ending 2029; and the Zoning Board of Adjustment: Mike Erlandson reappointed to a term ending 2026. **Motion by Fobb, seconded by Woods, to approve confirming the following appointments: Library Board - Simone Sandberg to a term ending 2026; Special Assessment Commission - Jane Priebe to a term ending 2029; and Zoning Board of Adjustment - Mike Erlandson to a term ending 2026. Motion carried with all voting ‘aye’.**

HGAC Purchasing Cooperative Membership – Huwe said the Fire Dept has created a Truck Committee to replace the 1997 pumper truck to be ordered in 4th Quarter 2023 with the target delivery

date of 4th Quarter 2025. The purchasing cooperative membership is free and can provide access to existing bid specifications and previously publicly bid prices from existing fire truck manufacturers. **Motion by Perdue, seconded by Schillinger, to approve membership in the HGAC Purchasing Cooperative. Motion carried with all voting ‘aye’.**

Preliminary Budget Update – request refer to Finance Cmt. – Huwe reported the 2024 budget is a work in progress, and requested referral to the Finance Committee for additional input. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

NDPERS Public Safety Plan Enrollment – referral to Finance Cmt. – Huwe said the 68th Legislative session included a bill terminating the public employees retirement plan for political subdivisions effective January 1, 2024. Public safety personnel including sworn municipal police officers may continue to participate in a state sponsored public pension plan. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

NDLC Legislative Update – Huwe reported the ND League of Cities provided an update on legislation adopted this session. Changes were adopted in behavioral health, charitable gaming, childcare, elections, tax and finance, human resources, infrastructure funding, public safety, public meeting notice requirements, and special event liquor licensing. Additional details will be provided as they become available.

July Meeting Schedule Changes – Huwe said July is one of the months that includes 5 Mondays in 2023. The postponement of the July 3rd council meeting to tonight moved our usual “bye” week from the last week of the month to the first. Committee meetings will be next Monday, July 17th and Monday, July 31st. The next Council meeting will be two weeks from tonight on July 24th. The preliminary budget and tax levy should be ready for action by July 24th.

ATTORNEY

Project Resolutions No. 3866-3870 2nd & 4th St. Imp. Proj. ST23-277 – Project Resolutions No. 3871-3875 East Central & Southeast Impr. Proj. ST23-278 – Hatting explained the two sets of project resolutions were combined as staff felt it would be more prudent and cost effective to combine the two districts.

Council member Woods offered the following and moved its adoption:

RESOLUTION NO. 3866
RESOLUTION CREATING
EASTSIDE STREETS MILL & OVERLAY IMPROVEMENT DISTRICT
(Project No. ST23-277 and Project No. ST23-278)

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

Council member Woods offered the following and moved its adoption:

RESOLUTION NO. 3867
RESOLUTION OF THE CITY OF WAHPETON RELATING TO
THE ISSUANCE OF BONDS AND THE REIMBURSEMENT
OF CERTAIN EXPENDITURES FOR
EASTSIDE STREETS MILL & OVERLAY IMPROVEMENT DISTRICT
(Project No. ST23-277 and Project No. ST23-278)

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

Council member Woods offered the following and moved its adoption:

RESOLUTION NO. 3868
**RESOLUTION DIRECTING PREPARATION OF
ENGINEER'S REPORT FOR THE IMPROVEMENT IN
EASTSIDE STREETS MILL & OVERLAY IMPROVEMENT DISTRICT
(Project No. ST23-277 and Project No. ST23-278)**

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

Council member Woods offered the following and moved its adoption:

RESOLUTION NO. 3869
**RESOLUTION RECEIVING AND APPROVING ENGINEER'S REPORT IN
EASTSIDE STREETS MILL & OVERLAY IMPROVEMENT DISTRICT
(Project No. ST23-277 and Project No. ST23-278)**

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

Council member Woods offered the following and moved its adoption:

RESOLUTION NO. 3870
**RESOLUTION DIRECTING PREPARATION FOR PLANS
AND SPECIFICATIONS AND ESTIMATE OF COSTS FOR IMPROVEMENT
IN EASTSIDE STREETS MILL & OVERLAY IMPROVEMENT DISTRICT
(Project No. ST23-277 and Project No. ST23-278)**

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

Ord. 1055 Amending Alcohol Related Offenses – Second Reading –

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

ORDINANCE NO. 1055
**AN ORDINANCE AMENDING ALCOHOL-RELATED OFFENSES UNDER
WAHPETON MUNICIPAL CODE SECTION 26-281**

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

COMMUNITY DEVELOPMENT DIRECTOR

Community Development Report - Win Column – This issue featured ‘A Good Week in Wahp’ which included the 4th of July events and Borderline Chalkfest.

DeVries presented a Renaissance Zone application for 804 2nd Avenue North (the big red house) which the RZ Authority reviewed and approved for recommendation. This is a rehab project that will preserve the residential opportunities and clean up a dilapidated property. The owner is looking to invest approximately \$300,000 into the project to redo the windows, foundation, plumbing, electrical, heating system and front porch. This is a qualified project and the owner would receive a 100% property tax exemption for 5 years on the improvements only, and a 5-year personal income tax credit of up to \$10,000. This exemption is calculated by the City Assessor at \$4,209 per year for a total of \$21,045. A

certificate of good standing has not been received yet so approval would be contingent upon its receipt. **Motion by Perdue, seconded by Schillinger, to approve the Renaissance Zone Rehabilitation Project at 804 2nd Avenue North for a 5-year 100% property tax exemption, contingent upon receiving the Certificate of Good Standing from the State of ND. Motion carried with a roll call vote of 7-0.**

DeVries reported the Home Improvement Partnership Program (HIPP) has received 22 applications with a couple of more showing interest. In addition to Scout Woods, he recognized Jaida Fobb for her recent athletic accomplishments. He then provided a recap of events saying the July 4th baseball game and fireworks were a huge success, as was Borderline Chalkfest. He thanked sponsors who made these events possible. Upcoming events include Headwaters Music Festival, Cal Ripken baseball tournament, NDSCS Block Party, Fall Festival, Bull Bash, and Classy and Classic Car Show.

LIBRARY DIRECTOR

Library Report – Bakken reported there are 3 weeks left of the summer reading program. Regular scheduling includes a story time fun day, teen book discussion, a DIY spa session for adults, family movie, collaborative art program, and an author visit from Abby Evans.

Building Repair – Overhang Sealant Quote – Bakken explained the quote on the repair of the limestone ledge that incircles the upper external walls of the library. The seam sealer where the limestone meets is in need of replacement at the cost of \$20,000 to clean the seams and replace with seam filler along that ledge around the entire library and not just in the noted damaged area. The contractor is aware of the placement of the library on the National Registry of Historic Places and have helped preserve the library in the past. **Motion by McNary, seconded by Goltz, to approve proceeding with the quote of \$20,000 from Comstock Construction for repair of the Leach Public Library Overhang Sealant with funding from the Library Fund. Motion carried with a roll call vote of 7-0.**

POLICE CHIEF

Police Dept. Report – Police Chief Anderson gave a reminder of the Dakota Avenue street closure on July 21st for Headwaters Music Festival. He said the Kustom Signals early warning sign trailer has been delivered and is being used. He reported the police impound auction closes this Friday at 4pm and bids will be opened at City Hall on July 17th.

School Resource Officer Contract – request referral to PW Cmt. – Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

PUBLIC WORKS DIRECTOR

Public Works Report – Miranowski requested referral to Public Works Committee **of the 2023 Sealcoat Project Final Pay Application and Balancing Change Order.** Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

Water Supply to Dakota Yeast/Lallemand – refer 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

Lambrecht said he has received some communications regarding fireworks and possible adjustments to the ordinance and referred this item to the Public Works & Public Safety Committee.

REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS

Public Works & Public Safety Committee Report

McNary said the Public Works & Public Safety Committee met on June 26 at 4:00 p.m.

City Hall Roof Replacement – motion to solicit quotes – Motion by McNary, seconded by Perdue, to approve getting an inspection of the City Hall roof to see if it can be repaired or needs replacement. Motion carried with all voting ‘aye’.

Position Vacancies for Street & Water Treatment Depts. – motion to proceed to fill – Motion by McNary, seconded by Fobb, to approve hiring a new Water Plant Employee and new Street Worker and onboard them now to get trained. Motion carried with a roll call vote of 7-0.

Engineering Agmnt. with IEI for Golf Course Intake Structure – motion to approve \$34,000 – Motion by McNary, seconded by Unruh, to approve up to \$34,000 for the Engineering Agreement with Interstate Engineering for the Golf Course Intake Structure Project. Lambrecht noted there may be some funding available to assist with this project. Motion carried with a roll call vote of 7-0.

Engineering Agmnt. with IEI for 2nd & 4th St. Impr. Proj. ST23-277 – motion to approve \$155,225 – Motion by McNary, seconded by Perdue, to approve up to \$155,225.00 for the Engineering Agreement with Interstate Engineering for the 2nd Street North from 2nd Avenue North to 6th Avenue North, 2nd Street South from Railroad to 7th Avenue South and 4th Street South from Railroad to 4th Avenue South Mill and Overlay Project ST23-277. Motion carried with a roll call vote of 7-0.

Engineering Agmnt. with IEI for E. Central & SE St. Impr. Proj. ST23-278 – motion to approve \$314,535 – Motion by McNary, seconded by Fobb, to approve up to \$314,535.00 for the Engineering Agreement with Interstate Engineering for the East Central and Southeast Streets Mill and Overlay Project ST23-278. Motion carried with a roll call vote of 7-0.

CCO#2 Summerville Electric E. Side Sanitary Ph B Part II Proj. SS18-243 – motion to extend completion date to Sept. 1, 2023 – Motion by McNary, seconded by Schillinger, to approve Change Order #2 for the East Side Sanitary Sewer Phase B Part II Project SS18-243 with Summerville Electric by extending the contract to September 1, 2023. Motion carried with all voting ‘aye’.

Storage Garage for Decorations – discussion

Waste Management Residential Waste Removal Contract - discussion

Heritage Square Christmas Tree – discussion

Fire Hydrants Located on Private Property Policy & Ord. 1053 – motion to approve – Motion by McNary, second by Woods, to approve the Private Hydrant Maintenance and Flushing Procedures. Motion carried with all voting ‘aye.’

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

ORDINANCE NO. 1053

AN ORDINANCE GOVERNING PRIVATE HYDRANT MAINTENANCE

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

Curb Line Routing & Mastic Sealing – motion to table – Motion by McNary, seconded by Goltz, to forgo curb line routing and mastic sealing in the City. Motion carried with all voting ‘aye’.

Building Official Updates

Yard Junk/Clutter Updates

Referrals – see PW Director Report

Finance, Personnel & Economic Development Committee Report

Goltz said Finance, Personal & Economic Development met on June 26 at 5:00 p.m.

Homestead Addition Development Agreement – motion to cease contract negotiations – Motion by Goltz, seconded by Schillinger, to cease contract negotiations of the Homestead Addition Development Agreement with the Wahpeton Community Development Corporation. Motion carried with all voting ‘aye’.

11th St. N. Development Agreement Request – discussion

4C & H, LLC Development Agreement Update Request – discussion

2% Sales Tax Extension Ordinance No. 1052 – motion to schedule Special Election Nov. 7, 2023 – Motion by Goltz, seconded by Woods, to approve proceeding with the Sales Tax Special Election Schedule as presented. Motion carried with all voting ‘aye’.

Convention & Visitors Bureau Ord. 1056 – motion to offer first reading –

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

ORDINANCE NO. 1056

**AN ORDINANCE REPEALING AND REENACTING SECTION 40-144
WAHPETON CONVENTION & VISITORS BUREAU**

Position Description Updates - discussion

Referrals

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Public Works Committee July 17th 4:00 p.m.
- b. Finance Committee July 17th 5:00 p.m.

Motion by Goltz, seconded by Perdue, to adjourn at 6:03 p.m. Motion carried.

Mayor Brett Lambrecht

Lynelle Amos, Finance Assistant