

Wahpeton City Council
July 24, 2023
5:00 p.m.

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

Absent: Council Member David Woods II and Renata Fobb

Also Present: Finance Director Darcie Huwe, Assistant City Attorney Will Budke, Engineering Project Manager Kyle Rogahn, City Assessor Carla Broadland, Community Development Director Chris DeVries, Library Director Melissa Bakken, Police Chief Matthew Anderson, Deputy Police Chief Tim Appell, Finance Assistant Lynelle Amos, and Public Works Assistant DeVy Johannessen

CALL TO ORDER – PLEDGE OF ALLEGIANCE

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

CONSENT AGENDA ITEMS (presented by the Mayor) –

Approval of minutes of regular meeting held July 10, 2023

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

Presentation/Approval of Reports

June 2023 Bill Pay Report \$2,070,088.16 (see below)

June 2023 Financial Statements

Garrison Diversion Recreation Grant Notice

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

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

Pledge of Assets – Designation of Depositories – Huwe said 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 6/30/23 were \$23,419,351 reflecting an increase in cash on hand of \$4,399,816 over the same time last year primarily attributed to the delay in progressive payments to contractors and the reimbursement from the proceeds of the October 2022 bond sale of \$4.7 million. The pledges of assets from each of the depositories adequately cover the cash deposits on hand. **Motion by Bohn, seconded by Goltz, to approve the designation of depositories and pledges of assets as presented. Motion carried with all voting ‘aye’.**

The Total Pledges and Requested Designated Depositories as of June 30, 2023 are:

<u>Designated Depository</u>	General Ledger		Federal Government			
	Funds on Deposit	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	4,769,373	250,000	n/a	10,458,343	n/a	10,458,343
Bremer Investment Trust	14,398,324	n/a	n/a	14,398,324	n/a	14,398,324
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	4,251,654	250,000	n/a	4,251,654	n/a	4,501,654
	23,419,351	500,000	-	29,108,321	-	29,358,321

Bois de Sioux Golf Club Capital Lease Resolution 3872 – Huwe said the Bois de Sioux Golf Club Board of Directors have requested an additional municipal lease agreement in the amount of \$58,620.30 with CapFirst for the capital lease of 10 golf carts. This lease is in addition to the 35-cart municipal lease agreement from 2021-2025. The Bois de Sioux Golf Club will pay all costs associated with the 60 months. **Motion by Bohn, seconded by Schillinger, to approve the Bois de Sioux Golf Club Capital Lease Agreement with CapFirst of \$58,620.30 for 10 additional golf carts. Motion carried with a roll call vote of 6-0.**

Council member Bohn offered the following and moved its adoption:

RESOLUTION NO. 3872
RESOLUTION RELATING TO LEASE WITH OPTION
TO PURCHASE ON BEHALF OF THE BOIS DE SIOUX GOLF CLUB
FOR THE CART FLEET LEASE AGREEMENT NO. 40005076 BETWEEN CAPFIRST
EQUIPMENT FINANCE, INC. AND THE CITY OF WAHPETON, NORTH DAKOTA

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Schillinger. Motion carried with a roll call vote 6-0.

License Application Requests – Huwe explained Schmit Incorporated of Wyndmere, ND has had a house movers license on an as-needed basis over the years. They were requested to move a house for NDSCS and found themselves in need of a City of Wahpeton House Mover License. Similarly, the Driftwood Lounge has held a City liquor license for many years, this year they would like to consider offering entertainment options such as live music, karaoke or trivia. **Motion by Goltz, seconded by McNary, to approve ratification of the 2023 House Mover License for Schmit Inc., and the 2023 Class 2 Cabaret License for the Driftwood Lounge, LLC. Motion carried with all voting ‘aye’.**

Rosewood 3rd Proj. ST22-269 Loan Modification to \$1,700,000 – 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. **Motion by Unruh, seconded by Goltz, to approve the total loan amount of \$1,700,000 from the Bank of ND Infrastructure Revolving Loan Fund for the Rosewood 3rd Addition Project ST22-269. Motion carried with a roll call vote of 6-0.**

Preliminary Budget – request referral to Finance Cmt. – Huwe reported the 2024 budget is a work in progress, and she plans to have preliminary budget books available by July 31st. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

Huwe requested suspension of the rules to discuss an item not on the agenda. **Motion by Bohn, seconded by Goltz, to approve suspending the rules to discuss an item not on the agenda. Motion carried with all voting ‘aye’.** Huwe said she was contacted by Joe Hohenstein today who currently has a development agreement with the City for twin home development in the Prairie Flats 2nd Addition and has asked for a modification to the development agreement regarding the certificates of occupancy. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

ATTORNEY

Right of Way License – 10th St. S. – Assistant City Attorney Budke explained this was on the exclusive license for the Pietron/Northern Heights area on 10th Street South. Amendments have been received back from Attorney Strege to clarify the exclusivity of the license agreement, giving them the ability to remove vehicles parked there that are not patronizing either the Ace Hardware or Northern Heights businesses. **Motion by Goltz, seconded by McNary, to approve both the Licenses to Utilize City Right of Way for Pietron/Ace Hardware and Northern Heights LLC. Motion carried with a roll call vote of 6-0.**

Ord. 1056 CVB Amendments – Second Reading – Assistant City Attorney Budke presented this ordinance for second reading and adoption.

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

ORDINANCE NO. 1056
AN ORDINANCE REPEALING AND REENACTING SECTION 40-144
WAHPETON CONVENTION AND VISITORS BUREAU

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember McNary. Motion carried with a roll call vote of 6-0.

COMMUNITY DEVELOPMENT DIRECTOR

Community Development Report – DeVries requested City Branding and Marketing be referred to the Finance Committee. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

DeVries announced approximately 14-16 Cal Ripken baseball teams will be in Wahpeton for a tournament this week. He congratulated Wahpeton's Post 20 baseball team on their East Region championship win, and they will be playing in the State tournament this weekend in Kindred. He felt the Wahpeton App has been going well and encouraged more people to sign up for it to keep up on local information/announcements. DeVries was asked to help make the community welcoming for incoming NDSCS students, and encouraged businesses to decorate store fronts and homeowners as well to put out signs to welcome students. Move-in dates are August 19th-20th, with a block party scheduled for the 20th.

LIBRARY DIRECTOR

Library Report – Bakken reported this is the last week of the Summer Reading Program. All logs are due this Friday. This week's scheduling includes story time. Today there was a performance by the Traveling Lantern Theatre. A Library Board meeting will be held Thursday. The library will continue to be a site for the summer lunch program until mid-August.

POLICE CHIEF

Police Dept. Report – Anderson reported the Police Auction has concluded and was a great success. Operation Zero organizers have asked to amend their request for street closure and go from the 200 Block to the 400 Block of Dakota Avenue instead of from the 300 Block to the 600 Block. Anderson felt by making this change traffic will flow easier and it will be safer. The K-9 car has been received from Nelson Ford and should be on the streets within a few weeks. Anderson was then asked to report on how the other street closure events have went and he said they have gone well for the most part.

PUBLIC WORKS DIRECTOR

Public Works Report – Rogahn 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 the City is currently conducting a fireworks survey as directed by the Public Works Committee. It would be a council decision if any changes are proposed.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Public Works & Public Safety Committee Report

McNary said the Public Works & Public Safety Committee met on July 17 at 4:00 p.m.

Waste Management Residential Waste Removal Contract – motion to approve 3-year contract – Motion by McNary, seconded by Perdue, to approve accepting the Waste Management Residential Waste Removal Agreement as presented. Discussion held. Motion carried with a roll call vote of 6-0.

City Hall Roof Replacement – motion to advertise receipt of bids – Motion by McNary, seconded by Perdue, to approve requesting receipt of bids for the City Hall Roof Replacement Project. Discussion held. Motion carried with all voting ‘aye’.

Balancing/Final CCO#2 Asphalt Preservation Co. 2023 Sealcoat Proj. ST23-273 – motion to approve total at \$101,552.16 – Motion by McNary, seconded by Unruh, to approve the Final Pay Application and Balancing Change Order from Asphalt Preservation Company, Inc. with a final contract price of \$101,552.16 for the 2023 Sealcoat Project ST23-273. Motion carried with a roll call vote of 6-0.

Water Supply for Dakota/Lallemand Yeast Co. – motion to draft agreement – Motion by McNary, seconded by Schillinger, to approve requesting the City Attorney to draft a Domestic Water Supply Agreement for Dakota/Lallemand Yeast Co. Motion carried with all voting ‘aye’.

School Resource Officer Contract – motion to draft agreement to include additional officer w/contingencies – Motion by McNary, seconded by Schillinger, to approve requesting the City Attorney draft a School Resource Officer contract contingent upon receiving a grant for a second School Resource Officer. Motion carried with all voting ‘aye’.

Fire Works Ordinance – discussion

Building Official Updates

Yard Junk/Clutter Updates

Referrals – see PW Director Report

Finance, Personnel & Economic Development Committee Report

Bohn said Finance, Personal & Economic Development met on July 17 at 5:00 p.m.

Preliminary Budget Update – motion to approve preliminary tax levy – Motion by Bohn, seconded by Goltz, to approve Preliminary Certificate of Levy for the 2024 budget as presented of \$2,119,902, and to capture the growth. Motion carried with a roll call vote of 6-0.

NDPERS Public Safety Plan Enrollment – motion and Resolution 3871 to approve – Motion by Bohn, seconded by Schillinger, to approve proceeding in transitioning the sworn Law Enforcement Officers to the NDPERS Public Safety Retirement Plan. Motion carried with a roll call vote of 6-0.

Council member Bohn offered the following and moved its adoption:

RESOLUTION NO. 3871
RESOLUTION AFFIRMING ENROLLMENT IN
THE NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM
PUBLIC SAFETY DEFINED BENEFIT PLAN EFFECTIVE JANUARY 1, 2024

The motion for the adoption of the foregoing Resolution was duly seconded by Councilmember Schillinger. Motion carried with a roll call vote 6-0.

4C & H, LLC Development Agreement Update Request – motion to approve addendum – Motion by Bohn, seconded by Unruh, to approve the Addendum to the Development Agreement with 4C & H, LLC and 4C & H, LLC II as presented. Motion carried with a roll call vote of 6-0.

Position Description Updates – discussion

Referrals

June 2023 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$292,464.42	\$72,405.37	\$364,869.79
201 WATER OPERATING FUND	\$87,925.14	\$50,553.85	\$138,478.99
202 SANITARY SEWER OPERATING FUND	\$43,192.94	\$31,877.74	\$75,070.68
203 WASTE REMOVAL OPERATING FUND	\$30,491.22	\$1,407.42	\$31,898.64
204 WASTE REDUCTION FUND	\$500.00		\$500.00
205 VECTOR CONTROL FUND	\$4,029.18	\$3,072.30	\$7,101.48
206 STREET LIGHTING	\$16,551.68		\$16,551.68
207 STORM WATER UTILITY	\$1,889.92		\$1,889.92
209 LIBRARY LEVY FUND	\$7,428.96	\$16,772.54	\$24,201.50
216 AIRPORT 4-MILL LEVY FUND	\$2,293.05	\$1,076.50	\$3,369.55
226 EMPLOYEE SAFETY COMMITTEE	\$75.00		\$75.00
229 CAPITAL IMPROVEMENTS FUND	\$23,661.77		\$23,661.77
233 REAL ESTATE LEVY FUND	\$1,525.00		\$1,525.00
234 SPECIAL STREET MAINT FUND	\$15,052.36		\$15,052.36
236 LEVEE MAINTENANCE	\$11,888.87	\$13,267.00	\$25,155.87
271 ECONOMIC DEVEL DEPT FUND	\$503.00	\$12,924.26	\$13,427.26
303 MISCELLANEOUS FUND	\$45.56		\$45.56
315 TAX INCREMENT FUND	\$1,250.00		\$1,250.00
316 1% LODGING TAX (ADDTL 1/1/08)	\$3,275.00		\$3,275.00
317 JOB DEVELOPMENT LEVY FUND	\$7,296.96		\$7,296.96
319 LODGING TAX FUND	\$561.71		\$561.71
320 SALES TAX OPERATING FUND	\$125,680.03		\$125,680.03
321 SALES TAX RESERVE FUND	\$12,746.00		\$12,746.00
323 SALES TAX DEVELOPERS AGMNT RES	\$200.60		\$200.60
325 SALES TAX H.E.L.P. HOUSING FUND	\$20,000.00		\$20,000.00
326 REVOLVING LOAN FUND	\$10,680.45		\$10,680.45
329 BULL RIDING EVENT	\$8,175.00		\$8,175.00
330 JULY 4TH FIREWORKS	\$366.16		\$366.16
365 PD SPEC EQUIP SINKING FUND	\$966.40		\$966.40
390 CLUBHOUSE MAINTENANCE	\$1,407.00		\$1,407.00
393 1% RESTAURANT TAX FUND	\$36,447.88		\$36,447.88
401 BDSGC CART SUBLEASE	\$4,285.00		\$4,285.00
572 SALES TAX FOR FLOOD FUND	\$348,469.54		\$348,469.54
659 RIVER POINTE ACRES	\$340.00		\$340.00
666 E.SIDE SANITARY PART B PH II	\$100,349.89		\$100,349.89
672 8TH AVE. N PROJ. ST19-248	\$7,019.66		\$7,019.66
673 LOY AVE & 12TH ST PROJ ST19-249	\$3,171.93		\$3,171.93
675 WELL FIELD RECLO PROJ W19-251	\$10,178.30		\$10,178.30
676 DOWNTOWN S. STREETS ST20-255	\$30,416.75		\$30,416.75
681 HOMESTEAD DEVELOPMENT ST21-263	\$1,600.00		\$1,600.00
684 WESTDALE 3 ADDITION ST21-264	\$441,550.90		\$441,550.90
686 DOWNTOWN S STREETS2 ST21-259	\$2,261.49		\$2,261.49
687 NON FEDAID DOWNTOWN S ST ST22-266	\$2,054.43		\$2,054.43
688 ROSEWOOD 3RD ADDTN ST22-269	\$20.00		\$20.00
689 PRAIRIE FLATS TWINHOMES	\$145,042.03		\$145,042.03
691 VECTOR CTRL CHEMICAL BLDG	\$1,400.00		\$1,400.00
TOTAL	\$1,866,731.18	\$203,356.98	\$2,070,088.16

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Public Works Committee July 31st 4:00 p.m.
- b. Finance Committee July 31st 5:00 p.m.

Motion by Goltz, seconded by Perdue, to adjourn at 5:54 p.m. Motion carried.

Mayor Brett Lambrecht

Lynelle Amos, Finance Assistant