

Wahpeton City Council
June 19, 2023
5:00 p.m.

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

Absent: Council Member Cory Unruh

Also Present: Finance Director Darcie Huwe, Assistant City Attorney Will Budke, Public Works Director Dennis Miranowski, City Assessor Carla Broadland, Community Development Director Chris DeVries, Library Director Melissa Bakken, Deputy Police Chief Tim Appell, and Auditor's Assistant Cheryl O'Meara

Planning Commission Present: Damon DeVillers, Tiana Bohn, Matt Dockter, and Ellis Hickel

CALL TO ORDER – PLEDGE OF ALLEGIANCE

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

PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.

Goltz presented an award recognizing the NDSCS Womens Softball team coaches for winning the NJCAA Division III National Championship.

Joint Public Hearing with Planning Commission 2045 Wahpeton Comprehensive Plan – Interstate Engineering – DeVillers said the Planning Commission was reconvened at 5:06 pm and referred to Jacob Cote, Planner with Interstate Engineering, Inc., who reviewed the 2045 Wahpeton Comprehensive Plan. Highlights included the new vision, demographics and community context, future land use, community facilities, and objectives & action items. Following some discussion, the Planning Commission was asked for their recommendation. **Motion by Dockter, seconded by Hickel, to recommend to the City Council to approve adoption of the 2045 Wahpeton Comprehensive Plan. Motion carried with all voting ‘aye’.**

Motion by Bohn, seconded by Goltz, to approve adoption of the 2045 Wahpeton Comprehensive Plan. Motion carried with all voting ‘aye’.

The Public Hearing was then concluded. **Motion by Dockter, seconded by Hickel, to adjourn the Planning Commission meeting at 5:32 p.m. Motion carried with all voting ‘aye’.**

CONSENT AGENDA ITEMS (presented by the Mayor) –

Approval of minutes of regular meeting held June 5, 2023

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

Presentation/Approval of Reports

May 2023 Bill Pay Report \$1,442,728.69 (see below)

May 2023 Financial Statements

NDLC 2023 Legislative Report

Q1 2023 Convention & Visitors Bureau Report

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

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

Res. 3865 BND Infrastructure Revolving Loan Fund Agreement for Rosewood 3rd Addition ST22-269 – Huwe said bond counsel Scott Wegner with Arntson, Stewart Wegner, PC has prepared the documents necessary for the Bank of North Dakota permanent financing for the definitive improvement warrant series 2023B for the construction of improvements to serve the Rosewood 3 subdivision. The Council previously approved a development agreement with S & S HD for the construction of 18 additional residential lots north of the Wheatland Rd./Rosewood shared use path, and a loan agreement with the Bank of ND Municipal Infrastructure Loan Program. The debt issuance is \$1,445,575 for 25 years at 2% interest.

Council member Goltz offered the following and moved its adoption:

RESOLUTION NO. 3865
FINANCING RESOLUTION FOR ROSEWOOD 3RD ADDITION
IMPROVEMENT DISTRICT NO. ST22-269
DEFINITIVE IMPROVEMENT WARRANT, SERIES 2023B \$1,445,575

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

2% Sales Tax Extension Ord. 1052 – refer to Finance Cmt. – Huwe explained the first reading of Ordinance No. 1052 was offered on April 3, 2023. The purpose of this ordinance is to extend the 2% sales tax past the current June 30, 2026 sunset date. Second reading/adoption of this ordinance will require a vote of the people to be adopted. The current 2% sales tax is dedicated to economic development, flood mitigation, infrastructure, and recreation and generated approximately \$3.2 million of revenue in 2022. If the tax is not extended the local sales tax rate will decrease to ½ a percent on July 1, 2026 with the majority of its proceeds required to service outstanding indebtedness related to flood mitigation and operation of the levy system. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

NDLC Legislative Update Regional Meeting June 29, 2023 – Huwe said the ND League of Cities tracked 275 bills of 990 introduced in the 68th Legislative Session. The 2023 report includes the status on 156 bills directly affecting cities. A recap of the legislative session will be held on Thursday, June 29, 2023 in West Fargo. Those interested in attending should contact Huwe.

July 3rd Council Meeting Rescheduled to July 10th – Huwe announced the regularly scheduled Council meeting for July 3rd has been rescheduled to the following Monday, July 10th, and the committee meetings will be held the next day, July 11th. Employees regularly scheduled to work on July 3rd will be required to use vacation time for the day.

ATTORNEY

Ord. 1054 Regarding Seatbelt Use & Primary Enforcement Request Second Reading – Assistant City Attorney Budke presented this ordinance for second reading and adoption. This ordinance updates City ordinance to comply with the Century Code and takes effect August 1st.

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

ORDINANCE NO. 1054
AN ORDINANCE REPEALING AND REPLACING SECTION 42-917 – USE OF SAFETY BELTS REQUIRED IN CERTAIN MOTOR VEHICLES

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

COMMUNITY DEVELOPMENT DIRECTOR

Community Development Report – DeVries requested referral to the Finance Committee of changes to the Ordinance regarding the members making up the Wahpeton Convention and Visitors Bureau. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

DeVries presented a BND Flex PACE interest buydown application from Woods & Irons LLC for the purchase of golf simulators at 324 Dakota Avenue. An interest buydown was previously approved for the Driftwood Lounge LLC to renovate this same space to accommodate golf simulators and will rent to Woods & Iron LLC. The community buydown amount would be \$4,446.49 with a 7-year amortization schedule.

Motion by Bohn, seconded by Fobb, to approve the BND Flex PACE Interest Buydown Application for Woods & Irons LLC located at 324 Dakota Avenue for the Community Buydown amount of up to \$4,446.49 with repayment to begin in 7 years. Motion carried with a roll call vote of 7-0.

Lambrecht noted he and DeVries will be meeting with SVEDA regarding some items from the Comprehensive Plan relating to the business sector and issues they would like to address.

LIBRARY DIRECTOR

Library Report – Bakken reported they are three weeks into the Summer Reading Program. Along with the regularly scheduled library programs there will be a garden project, kite flying, the Wonder Weavers will be performing on June 28th, and small art show kits are still available. The Library Board meets Thursday. Anyone interested in applying for the open position on the Board will need to do so within two weeks. The library will also be closed July 3rd and 4th.

POLICE CHIEF – Proceeds of the Sale of Abandoned Vehicles – request deposit into Special Police Equipment Fund – Appell presented this request. **Motion by Woods, seconded by Schillinger, to approve Depositing the Proceeds of the Sale of Abandoned Vehicles into the Special Police Equipment Fund. Motion carried with a roll call vote of 7-0.**

PUBLIC WORKS DIRECTOR

Public Works Report –

Engineering Agreement with Interstate Engineering for the Golf Course Irrigation Intake Structure – refer to PW Cmt. – Mayor Lambrecht referred this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of the Engineering Agreement with Interstate Engineering for Mill & Overlay Project on 2nd Street North from 2nd Avenue North to 6th Avenue North, and 2nd Street South from the Railroad Tracks to 7th Avenue South, and 4th Street South from the Railroad Tracks to 4th Avenue South.** Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

Engineering Services Agmnt. with Interstate Engineering for the East Central & SE Central Street Mill & Overlay Improvements ST23-278 – refer to PW Cmt. – Mayor Lambrecht referred this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of the Change Order #2 for East Side Sanitary Sewer Phase B Part 2 Electrical.** Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

Position Vacancies (2) – refer to PW Cmt. – Mayor Lambrecht referred this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee **of the City Hall Garage Roof Replacement**. 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.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Public Works & Public Safety Committee Report

Perdue said the Public Works & Public Safety Committee met on June 12 at 4:00 p.m.

Building Official Updates

Yard Junk/Clutter Updates

Approval Plans & Specs and Authorize Receipts of Bids for Vector Chemical Building – motion to approve and proceed – Motion by Perdue, seconded by Goltz, to approve Plans and Specs and Authorize Receipt of Bids for the Vector Control Chemical Building. Motion carried with all voting ‘aye’.

Amendment to Construction Engineering Agmt. Downtown Side Streets Recon. Ph. I Proj. ST20-255 – motion to approve \$13,654.58 – Motion by Perdue, second by Woods, to approve the Amendment to the Dakota Avenue Downtown Side Streets Reconstruction Phase I Project ST20-255 Construction Engineering Agreement by Interstate Engineering with an increase of \$13,654.58. Motion carried with a roll call vote of 7-0.

Sellin Bros. Contract Change Order No. 3 E. Side Sanitary Sewer Ph. B Part II Proj. SS18-243 – motion to approve \$12,685.24 – Motion by Perdue, seconded by Fobb, to approve Change Order #3 with Sellin Bros. for the East Side Sanitary Sewer Phase B Part II Project SS18-243 at a cost of \$12,685.24. Motion carried with a roll call vote of 7-0.

WCCO Cooling Tower Water Discharge Agreement Transfer to ContiTech USA – motion to approve – Motion by Perdue, seconded by Goltz, to approve the transfer of the WCCO Cooling Tower Water Discharge Agreement to ContiTech USA, Inc. Motion carried with all voting ‘aye’.

Ord. No. 1055 Amending Alcohol Related Offenses – motion to offer first reading –
Council member Perdue offered the first reading of the following Ordinance:

ORDINANCE NO. 1055

AN ORDINANCE AMENDING ALCOHOL-RELATED OFFENSES UNDER WAHPETON MUNICIPAL CODE SECTION 26-281

Waste Management Residential Waste Removal Contract – discussion

Keeping of Poultry – discussion

Storage Garage for Decoration – discussion

Heritage Square Christmas Tree

Fire Hydrants Located on Private Property Ord. 1053

Curb Line Routing & Mastic Sealing

Referrals – see PW Director Report

Finance, Personnel & Economic Development Committee Report

Bohn said Finance, Personal & Economic Development met on June 12 at 5:00 p.m.

Homestead Addition Development Agreement – discussion

11th St. N. Development Agreement Request – discussion

4C & H, LLC Development Agreement Update Request – motion to draft addendum – Motion by Bohn, seconded by Schillinger, to approve directing the City Attorney to draft an Addendum to the 4C & H LLC Development Agreement. Motion carried with all voting ‘aye’.

Position Description Updates – discussion

Referrals

May 2023 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$265,147.29	\$47,374.72	\$312,522.01
201 WATER OPERATING FUND	\$65,569.25	\$48,931.35	\$114,500.60
202 SANITARY SEWER OPERATING FUND	\$48,635.76	\$30,699.99	\$79,335.75
203 WASTE REMOVAL OPERATING FUND	\$30,415.84	\$1,407.42	\$31,823.26
204 WASTE REDUCTION FUND	\$1,798.22		\$1,798.22
205 VECTOR CONTROL FUND	\$2,363.74	\$2,015.83	\$4,379.57
206 STREET LIGHTING	\$30,328.64		\$30,328.64
207 STORM WATER UTILITY	\$991.50		\$991.50
209 LIBRARY LEVY FUND	\$14,092.38	\$17,816.89	\$31,909.27
216 AIRPORT 4-MILL LEVY FUND	\$88,940.28	\$1,076.50	\$90,016.78
226 EMPLOYEE SAFETY COMMITTEE	\$139.96		\$139.96
229 CAPITAL IMPROVEMENTS FUND	\$44,616.00		\$44,616.00
233 REAL ESTATE LEVY FUND	\$60.00		\$60.00
234 SPECIAL STREET MAINT FUND	\$10,430.32		\$10,430.32
235 SNOW/FLOOD EMERG LEVY FUND	\$17,787.00		\$17,787.00
236 LEVEE MAINTENANCE	\$292,203.53	\$10,443.51	\$302,647.04
271 ECONOMIC DEVEL DEPT FUND	\$1,755.38	\$12,924.26	\$14,679.64
303 MISCELLANEOUS FUND	\$19.98		\$19.98
315 TAX INCREMENT FUND	\$1,250.00		\$1,250.00
316 1% LODGING TAX (ADDTL 1/1/08)	\$750.00		\$750.00
319 LODGING TAX FUND	\$3,308.79		\$3,308.79
320 SALES TAX OPERATING FUND	\$205,929.76		\$205,929.76
321 SALES TAX RESERVE FUND	\$10,000.00		\$10,000.00
324 SALES TAX MINI MATCH RSRV FUND	\$15,000.00		\$15,000.00
326 REVOLVING LOAN FUND	\$416.67		\$416.67
365 PD SPEC EQUIP SINKING FUND	\$2,730.18		\$2,730.18
393 1% RESTAURANT TAX FUND	\$26,446.02		\$26,446.02
401 BDSGC CART SUBLEASE	\$4,285.00		\$4,285.00
460 R/I #11415 SERIES 2015	\$52,337.50		\$52,337.50
471 R/I# 12521 BND INFRAST. LOAN	\$5,973.65		\$5,973.65
670 EDGEWOOD PARK ST18-239	\$100.00		\$100.00
676 DOWNTOWN S. STREETS ST20-255	\$18,752.38		\$18,752.38
679 W.WATER FACILITY PLAN	\$43.20		\$43.20
681 HOMESTEAD DEVELOPMENT ST21-263	\$1,820.00		\$1,820.00
691 VECTOR CTRL CHEMICAL BLDG	\$5,600.00		\$5,600.00
TOTAL	\$1,270,038.22	\$172,690.47	\$1,442,728.69

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Public Works Committee June 26th 4:00 p.m.
- b. Finance Committee June 26th 5:00 p.m.

Motion by Goltz, seconded by Perdue, to adjourn at 6:11 p.m. Motion carried.

Mayor Brett Lambrecht

Lynelle Amos, Finance Assistant