

Wahpeton City Council

March 20, 2023

5:00 p.m.

Present: Schillinger, Perdue, Woods, Goltz, Lambrecht, Fobb (remotely), and Unruh

Absent: Bohn and McNary

Also Present: Huwe, Hatting, Miranowski, Broadland, DeVries, Bakken, Anderson, Appell, and Johannessen

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.

Oath of Office – Police Officer Michael Erickson – Police Chief Anderson provided an introduction and City Attorney Hatting administered Oath of Office to recently hired Wahpeton Police Officer Michael Erickson who was congratulated and welcomed by a round of applause.

CONSENT AGENDA ITEMS (presented by the Mayor) –

Approval of minutes of regular meeting held March 6, 2023

Games of Chance Licenses, Site Authorizations & Special Permits:

Bois de Sioux Golf Club – Raffle Permit

Presentation/Approval of Reports

February 2023 Financial Statements

February 2023 Bill Pay Report \$1,402,788.98

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

Motion by Goltz, 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

2022 Transportation Funding Report – Huwe explained NDCC 54-27-26 requires each political subdivision receiving funding from the ND Department of Transportation to file an annual report of funding and expenditures related to transportation. The reporting may vary widely dependent upon timing of capital improvement projects, grants funds, and debt financing. 2022 Receipts from Local Sources totaled \$5.6 million, \$4 million greater than 2021 due to debt issuance to reimburse expenses on five capital projects. Revenues from state and federal sources remained consistent at \$1.1 million. Transportation expenditures increased 30% over 2021 with an active construction season including Loy Avenue, Downtown Side Streets, and reconstruction of RJ Hughes Dr. The timing of projects and sources of funding may create large percentage changes when comparing one year to the next. She requested approval of the 2022 ND Transportation Funding Report as submitted. **Motion by Goltz, seconded by Schillinger, to approve acknowledging receipt of the 2022 North Dakota Transportation Funding Report as submitted. Motion carried with all voting ‘aye’.**

Prisoner Board Contract – referral to Finance Cmt. – Huwe said the City contracts with Richland County for the boarding of prisoners. The current agreement was approved in 2014, and Richland County has requested consideration of an updated reimbursement rate. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

Recreation Wellness Center Planning JLG Contract – referral to Finance Cmt. – Huwe said the Council discussed the next steps in the feasibility planning of a recreation/wellness center at the February 13th council retreat. JLG Architects have prepared a professional services agreement for council consideration. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

Homestead Development Agreement – referral to Finance Cmt. – Huwe said the Wahpeton Community Development Corporation is discussing the next steps of infrastructure planning west of the Hwy 210 Bypass and requested it be referred to the Finance Committee for continued discussion. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

68th Legislative Session – Huwe reported the 68th Legislative Assembly completed forty-seven legislative days as of today. Of the 986 bills introduced, 240 have failed. The Governor has signed 148 of the 986 bills introduced. Today the House is scheduled to approve action on 43 bills. The Senate is scheduled to act on 12 bills. The League of Cities is currently tracking 178 bills, and things will change quickly in the next few weeks. Many bills requiring significant appropriations were delayed pending the economic forecast presented on March 15th. It is likely some of the most challenging funding formula related bills will be addressed during the final week of the session at the end of April.

ASSESSOR/BUILDING CODES

City Board of Equalization Meeting Tuesday, April 11th at 5:00 p.m. – Broadland announced the scheduling of this Equalization meeting and noted it will require a quorum of the Council in attendance so anyone not able to attend should let her know. Residents who have received notices and have questions can contact her office.

ATTORNEY

Emergency Declaration Resolution 3852 – City Attorney Hatting explained having this emergency declaration related to flood preparedness in place allows the City to access funding if needed.

Council member Perdue offered the following and moved its adoption:

RESOLUTION NO. 3852
EMERGENCY DECLARATION
OF
MARCH 20, 2023

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

8th Ave. N. Reconstruction Proj. ST19-248 Resolutions 3853-3860 – Hatting then reviewed the following resolutions.

Council member Schillinger offered the following and moved its adoption:

RESOLUTION NO. 3853
RESOLUTION RECEIVING AND APPROVING ENGINEER'S REPORT
8th AVENUE NORTH RECONSTRUCTION IMPROVEMENT DISTRICT ST19-248
(STREETS & UTILITIES)

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

Council member Schillinger offered the following and moved its adoption:

RESOLUTION NO. 3854
RESOLUTION DIRECTING PREPARATION OF PLANS
AND SPECIFICATIONS AND ESTIMATE OF COSTS FOR IMPROVEMENT
8th AVENUE NORTH RECONSTRUCTION IMPROVEMENT DISTRICT ST19-248
(STREETS & UTILITIES)

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

Council member Schillinger offered the following and moved its adoption:

RESOLUTION NO. 3855
**RESOLUTION APPROVING ENGINEER'S PLANS,
SPECIFICATIONS AND ESTIMATE OF COSTS
8th AVENUE NORTH RECONSTRUCTION IMPROVEMENT DISTRICT ST19-248
(STREETS & UTILITIES)**

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

Council member Schillinger offered the following and moved its adoption:

RESOLUTION NO. 3856
**RESOLUTION DIRECTING PUBLICATION OF ADVERTISEMENT
FOR BIDS FOR CONSTRUCTION OF AN IMPROVEMENT
8th AVENUE NORTH RECONSTRUCTION IMPROVEMENT DISTRICT ST19-248
(STREETS & UTILITIES)**

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

Hatting then reviewed the following resolutions related to the Downtown Side Streets Reconstruction Phase II Project.

Council member Woods offered the following and moved its adoption:

RESOLUTION NO. 3857
**RESOLUTION RECEIVING AND APPROVING ENGINEER'S REPORT
DOWNTOWN SIDE STREETS RECONSTRUCTION PHASE II PROJ. NO. ST21-259
NORTH DAKOTA DEPT. OF TRANSPORTATION PROJ. NO. UGP-CVD-8-991(038)**

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

Council member Woods offered the following and moved its adoption:

RESOLUTION NO. 3858
**RESOLUTION DIRECTING PREPARATION OF PLANS
AND SPECIFICATIONS AND ESTIMATE OF COSTS FOR IMPROVEMENT
DOWNTOWN SIDE STREETS RECONSTRUCTION PHASE II PROJ. NO. ST21-259
NORTH DAKOTA DEPT. OF TRANSPORTATION PROJ. NO. UGP-CVD-8-991(038)**

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

Council member Woods offered the following and moved its adoption:

RESOLUTION NO. 3859
**RESOLUTION APPROVING ENGINEER'S PLANS,
SPECIFICATIONS AND ESTIMATE OF COSTS
DOWNTOWN SIDE STREETS RECONSTRUCTION PHASE II PROJ. NO. ST21-259
NORTH DAKOTA DEPT. OF TRANSPORTATION PROJ. NO. UGP-CVD-8-991(038)**

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

Council member Woods offered the following and moved its adoption:

RESOLUTION NO. 3860
**RESOLUTION DIRECTING PUBLICATION OF ADVERTISEMENT
FOR BIDS FOR CONSTRUCTION OF AN IMPROVEMENT
DOWNTOWN SIDE STREETS RECONSTRUCTION PHASE II PROJ. NO. ST21-259
NORTH DAKOTA DEPT. OF TRANSPORTATION PROJ. NO. UGP-CVD-8-991(038)**

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

Harassment Ch. 26-33 Second Reading of Ordinance 1050

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

ORDINANCE NO. 1050
**AN ORDINANCE AMENDING SECTION 26-33
HARASSMENT**

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

Animal Impound Ch.4-72 & 4-73 Second Reading of Ordinance 1051 – It was requested this be referred back to the Public Works Committee. Mayor Lambrecht referred this item back to the Public Works & Public Safety Committee.

COMMUNITY DEVELOPMENT DIRECTOR

Community Development Report – Win Column – This issue featured information on the new City of Wahpeton app.

LIBRARY DIRECTOR

Library Report – Bakken reported on the events taking place this week for the Red River Valley Kids Read program. Other happenings at the library include story time and outreach to daycares. It was noted that the monthly Library Board meeting has been moved to March 30th.

POLICE CHIEF

Police Dept. Report – Police Chief Anderson announced that last Friday the Police Department Facebook page was up and running providing a means for them to communicate with the public regarding alerts or notices. He also reported that the police department impound is something they plan to work on this spring, noting there are currently 30 cars in the lot. Regarding parking, he said it was requested it be suspended on April 29th to accommodate for the pub crawl even if there is still snow on the ground.

PUBLIC WORKS DIRECTOR

Public Works Report –

Hydrant Meter Policy – referral to PW Cmt. – Mayor Lambrecht referred this item to the Public Works & Public Safety Committee.

Fire Hydrant on Private Property – referral to PW Cmt. – Mayor Lambrecht referred this item to the Public Works & Public Safety Committee.

Miranowski gave a reminder that Apex Engineering and Interstate Engineering will be presenting their wastewater facility plans next Monday, March 27th at 4:00 p.m.

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 congratulated 2023 Leadership Training Program award recipients City Finance Director Huwe who has reached the 110% level and Auditor's Assistant Cheryl O'Meara who has completed 60 hours for Visionary status. Goltz then recognized the coaches and volunteers for the Twin Town Archery program and their excellent handling of a recent tournament amid a snow storm.

REPORTS FROM THE CITY COUNCIL COMMITTEES & BOARDS

Public Works & Public Safety Committee Report

Woods said the Public Works & Public Safety Committee met on March 13 at 4:00 p.m.

8th Ave. N. Reconstruction Proj. ST19-248 Bid Award Recommendations – motion to approve Res. 3861 Contract Award to Sellin Bros. \$6,609,990.80 – Motion by Woods, seconded by Perdue, to approve awarding the bid to Sellin Brothers Inc., in the amount of \$6,609,990.80 for the 8th Avenue North Reconstruction Project ST19-248. Motion carried with a roll call vote of 6-0.

Council member Woods offered the following and moved its adoption:

RESOLUTION NO. 3861
RESOLUTION AWARDING CONTRACT
FOR CONSTRUCTION OF AN IMPROVEMENT
8th AVENUE NORTH RECONSTRUCTION IMPROVEMENT DISTRICT ST19-248
(STREETS & UTILITIES)

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

Downtown Side Streets Phase II Proj. ST21-259 Construction Engineering Agreement with Interstate Engineering – motion to approve \$362,845.12 – Motion by Woods, seconded by Goltz, to approve awarding the Construction Engineering contract for Downtown Side Streets Phase II Project ST21-259 to Interstate Engineering Inc. at a cost of \$362,845.12 contingent upon approval from the North Dakota DOT. Motion carried with a roll call vote of 6-0.

Tractor Rental/Lease Options – discussion

Snow Removal of Driveways on Corner Lots – discussion

Police Dept. Fee Schedule – motion to approve Res. 3862 –
Council member Woods offered the following and moved its adoption:

RESOLUTION NO. 3862
RESOLUTION ESTABLISHING
POLICE DEPARTMENT FEE SCHEDULE

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

M & H Brownfield Grant Ph. II Environmental Assessment – discussion

Heritage Square Parking Lot – discussion

Building Official Updates – discussion

Referrals – see PW Director Report

Finance, Personnel & Economic Development Committee Report

Goltz said Finance, Personal & Economic Development met on March 13 at 5:00 p.m.

Heritage Square Parking Lot – discussion

120 6th St. N. Lot Improvements – discussion

Police Dept. Fee Schedule – See PW Cmt. Recommendation

Sales Tax Ord. 1052 – discussion

February 2023 Bill Pay Report

DISBURSEMENTS FUND	ACCOUNTS PAYABLE	PAYROLL & GL	TOTAL
101 GENERAL FUND	\$300,019.89	\$43,384.91	\$343,404.80
201 WATER OPERATING FUND	\$176,788.67	\$49,943.43	\$226,732.10
202 SANITARY SEWER OPERATING FUND	\$39,969.91	\$30,389.23	\$70,359.14
203 WASTE REMOVAL OPERATING FUND	\$30,136.42	\$1,407.42	\$31,543.84
204 WASTE REDUCTION FUND	\$500.00		\$500.00
205 VECTOR CONTROL FUND	\$35.36	\$1,532.28	\$1,567.64
206 STREET LIGHTING	\$17,058.27		\$17,058.27
209 LIBRARY LEVY FUND	\$13,556.00	\$17,274.10	\$30,830.10
216 AIRPORT 4-MILL LEVY FUND		\$1,076.50	\$1,076.50
226 EMPLOYEE SAFETY COMMITTEE	\$235.38		\$235.38
229 CAPITAL IMPROVEMENTS FUND	\$9,825.80		\$9,825.80
233 REAL ESTATE LEVY FUND	\$180.00		\$180.00
236 LEVEE MAINTENANCE	\$2,315.43	\$10,262.78	\$12,578.21
237 CITY SHARE OF SPECIALS FUND	\$30,586.16		\$30,586.16
253 METER DEPOSITS TRUST FUND	\$100.00		\$100.00
271 ECONOMIC DEVEL DEPT FUND	\$565.09	\$12,997.78	\$13,562.87
303 MISCELLANEOUS FUND	\$650.38		\$650.38
315 TAX INCREMENT FUND	\$1,250.00		\$1,250.00
316 1% LODGING TAX (ADDTL 1/1/08)	\$1,064.75		\$1,064.75
318 WEED MAINT LEVY FUND	\$48.00		\$48.00
319 LODGING TAX FUND	\$286.74		\$286.74
320 SALES TAX OPERATING FUND	\$203,743.53		\$203,743.53
321 SALES TAX RESERVE FUND	\$17,768.24		\$17,768.24
326 REVOLVING LOAN FUND	\$1,550.67		\$1,550.67
365 PD SPEC EQUIP SINKING FUND	\$955.71		\$955.71
393 1% RESTAURANT TAX FUND	\$2,350.96		\$2,350.96
465 R/I #11918 SERIES 2018A DWSRF	\$3,950.00		\$3,950.00
466 R/I #12018 SERIES 2018B CWSRF	\$8,700.00		\$8,700.00
468 R/I# 12219 DWSRF 2018 SERIES C	\$5,550.00		\$5,550.00
469 R/I# 12319 CWSRF 2018 SERIES D	\$12,450.00		\$12,450.00
470 R/I# 12421 CWSRF SERIES 2021A	\$26,876.45		\$26,876.45
472 R/I# 12622 SERIES 2021 B&C	\$8,092.50		\$8,092.50
572 SALES TAX FOR FLOOD FUND	\$127,482.92		\$127,482.92
666 E.SIDE SANITARY PART B PH II	\$31,071.26		\$31,071.26
672 8TH AVE. N PROJ. ST19-248	\$40,482.79		\$40,482.79
673 LOY AVE & 12TH ST PROJ ST19-249	\$12,687.72		\$12,687.72
674 SRTS 11TH ST N PROJ ST19-252	\$43,024.45		\$43,024.45
675 WELL FIELD RECLO PROJ W19-251	\$13,744.83		\$13,744.83
677 CENTRAL SCHOOL SITE ST20-256	\$1,502.83		\$1,502.83
679 W.WATER FACILITY PLAN	\$747.00		\$747.00
681 HOMESTEAD DEVELOPMENT ST21-263	\$24,747.15		\$24,747.15
684 WESTDALE 3 ADDITION ST21-264	\$4,570.63		\$4,570.63
685 SS LS GENERATORS SS21-265	\$82.50		\$82.50
686 DOWNTOWN S STREETS2 ST21-259	\$2,965.11		\$2,965.11
687 NON FEDAID DOWNTOWN S ST ST22-266	\$13,531.05		\$13,531.05
688 ROSEWOOD 3RD ADDTN ST22-269	\$400.00		\$400.00
689 PRAIRIE FLATS TWINHOMES	\$320.00		\$320.00
TOTAL	\$1,234,520.55	\$168,268.43	\$1,402,788.98

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- Public Hearing – Wastewater Facility Plan March 27th 4:00 p.m.
- Public Works Committee March 27th 4:30 p.m.
- Finance Committee March 27th 5:00 p.m.

Motion by Goltz, seconded by Schillinger, to adjourn at 5:39 p.m. Motion carried.

Mayor Brett Lambrecht

Lynelle Amos, Finance Assistant