

# Wahpeton City Council

March 4, 2024

5:00 p.m.

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

**Absent:** Chad Perdue

**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 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 then recited.

## PUBLIC HEARINGS/CITIZEN CONCERNS/ETC.

### Joint Public Hearing with Planning Commission

**OTPCO Rezone Request Ord. 1063** – Planning Commission Chair DeVillers said the Planning Commission was reconvened at 5:01 p.m. and referred to Miranowski to describe the rezoning request. Miranowski explained OtterTail Power Company (OTPCO) has requested rezoning of their property located approximately six feet south of the Contitech building, 275' to the south abutting the residential property lines along 18<sup>th</sup> Avenue North, extending from 9<sup>th</sup> St. N. to 4<sup>th</sup> St. N. approximately 1,317'. A map of the area was provided. Contitech, formerly WCCO Belting, has entered into an agreement to purchase the property and request consideration to change the zoning from FP-A Agricultural to B-2 Heavy. It was noted this request has been reviewed by the Planning Commission a number of times and concerns have been heard from residents of 18<sup>th</sup> Ave. N. in reference to future industrial use of the property abutting residential zoning. Rod Koch, Contitech VP of Operations, reported the company has purchased the property and the sale is final. Koch explained the only thing the company has planned for this property is on the north side of the driveway they want to add parking so no employees would be parking on the south side of the driveway. DeVillers asked Huwe if any verbal or written communications have been received regarding this rezoning request. Huwe stated there have been multiple inquiries, and the Planning Commission has elongated this process to make sure there was adequate time for input. She noted Contitech has been very forthcoming. DeVillers then asked if there was anyone present who would like to speak regarding the proposed rezoning request. William Grotluschen of 518 18<sup>th</sup> Ave. N. expressed concerns about allowable activities in B-2 zoning and that any future plans for the property would only be subject to Council approval. He also felt there should be an acceptable barrier between the factory operations and the residences. City Attorney Hatting addressed these concerns, saying this is the most appropriate zoning district the City has in its ordinances. Harvey Link of 712 18<sup>th</sup> Ave. N. felt the concern the residents of 18<sup>th</sup> Avenue have is for the future possible uses of the property. He also felt some type of barrier is needed when you have two properties with two different uses such as this, and that it was something the City should consider in the future. **Motion by Sedler, seconded by Wolfgram, to recommend to the City Council to approve the rezoning of Portions of Miscellaneous Tracts from 9<sup>th</sup> Street North to 4<sup>th</sup> Street North from FP-A Agricultural to B-2 Heavy.** Discussion held regarding the barrier option. **Motion carried with all voting 'aye'.**

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

### ORDINANCE NO. 1063

#### **AN ORDINANCE REZONING PORTIONS OF MISCELLANEOUS TRACTS 9<sup>TH</sup> STEET NORTH & 4<sup>TH</sup> STREET NORTH**

The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember McNary. Further discussion held regarding future barrier consideration. Motion carried with a roll call vote of 7-0.

**Rosewood 4<sup>th</sup> Addition Plat Res. 3886** – DeVillers referred to Miranowski who explained this is the final plat for Rosewood 4<sup>th</sup> Addition. A map depicting the lots was provided. The developer of Rosewood 3rd has purchased Lot 2-A, Block 2 in Valley First Addition and would to create 2 more lots in this subdivision, Blocks 1 and 2 of Rosewood 4<sup>th</sup> Addition. This would be a minor replat. DeVillers asked Huwe if there have been any inquiries regarding this replat, and there were none. He then asked if there was anyone present to comment on this proposed replat, of which there were none. **Motion by Wolfram, seconded by Hickel, to recommend to the City Council to approve the Rosewood 4<sup>th</sup> Addition Final Plat. Motion carried with all voting ‘aye’.**

Council member Bohn offered the following and moved its adoption:

**RESOLUTION NO. 3886**  
**RESOLUTION APPROVING**  
**THE PLAT OF ROSEWOOD FOURTH ADDITION**  
**AND REQUESTING THAT IT BE RECORDED**  
**WITHOUT AUDITOR’S CERTIFICATE**

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

**Motion by Sedler, seconded by Wolfram, to adjourn the Planning Commission meeting at 5:24 p.m. Motion carried with all voting ‘aye’.**

**Lighting Contest Winners** – Community Development Director DeVries announced one of the Holiday Lighting Contest winners for businesses was the Driftwood Lounge, who were awarded a plaque.

**Proclamation – Equal Pay Day March 12, 2024** – Council member Bohn read a proclamation declaring March 12<sup>th</sup>, 2024 as Equal Pay Day in the City of Wahpeton, and presented the proclamation to Renelle Bertsch on behalf of the American Association of University Women (AAUW).

**CONSENT AGENDA ITEMS (presented by the Mayor) –**

**Approval of minutes of regular meeting held February 20, 2024**

**Games of Chance Licenses, Site Authorizations & Special Permits:**

Zonta Club of Breckenridge-Wahpeton Calendar Raffle – Raffle Permit

Friends of Jason Heitkamp – Raffle Permit

**Presentation/Approval of Reports**

Community Blood Screenings April 29 – May 3, 2024

Mayor’s Ad-Hoc Committee for Proposed Recreation & Wellness Center Meeting Minutes

August 28, 2023 to February 13, 2024

Mayor Lambrecht asked if there were any items to be removed from the consent agenda and there were none. **Motion by Woods, 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**

**Fire Dept. Request for Proceeds of Bull Bash** – Huwe explained in past years, the Wahpeton Volunteer Fire Department would conduct multiple fund-raising activities throughout the year, including fish fries, corn feeds and raffles, to raise funds for recruitment, retention, and social activities such as the summer picnic, meals at the fire hall, Christmas party, dress uniforms, etc. In 2019 the department secretary Brett Lambrecht suggested trying to conduct one major fund-raising activity rather than multiple small activities. Bull Bash has been conducted four times and proven to be a successful community event/fund

raiser. The fund balance reserve of \$40,000 is estimated to cover event expenses, and the Fire Department has requested disbursement to the Wahpeton Fire Department Relief Association of excess funds totaling \$18,060.24. **Motion by Bohn, seconded by Fobb, to approve the disbursement to the Wahpeton Fire Department Relief Association of excess funds from the fund balance reserve totaling \$18,060.24. Motion carried with a roll call vote of 7-0.**

**Bois de Sioux Golf Club 2024 Liquor License** – Huwe said the Bois de Sioux Golf Club has submitted an application for a 2024 Class C-6(a) seasonal liquor license and Class 2 Cabaret License. **Motion by Woods, seconded by Schillinger, to approve the Bois de Sioux Golf Club 2024 Class C-6(a) seasonal liquor license and Class 2 Cabaret License applications contingent upon satisfaction of all conditions of the license. Motion carried with all voting ‘aye’.**

**2024 Retail Fireworks Licenses – referral to Finance Cmt.** – Huwe said the Retail Fireworks License applications were sent out on March 1<sup>st</sup>. They will be presented for Council consideration at the first meeting in April, Huwe requests a review of the renewal process. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

**Recreation Center Planning Update – referral to Finance Cmt.** – Huwe said the Mayors Ad-hoc Committee on a Recreation Center has completed extensive research on facility amenities and cost estimates. She requested referral to the Finance Committee and PW Committee to overlap their meetings on Tuesday, March 12<sup>th</sup> from 4:30 to 5:30 for a brief overview and discussion of next steps with JLG Architects. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee, and also to the Public Works & Public Safety Committee.

**Election 2024** – Huwe said the City of Wahpeton contests on the June 11<sup>th</sup>, 2024, ballot include Ward 2, Ward 4, and (2) At-large positions. The ballot will also include 3 At-large Park Board Commissioners. She has received and approved the candidate filing submittal from Jason Goltz, the Ward 2 incumbent. An additional candidacy filing for a Council At-large position is in the review process. Candidacy filings are due to City Hall by 4:00 PM on April 8<sup>th</sup>. Information and the required filing forms are available on the City’s website and at City Hall.

#### **ATTORNEY**

**WCDC Request to Vacate – Attorney Don Krassin** – City attorney Hatting said the Wahpeton Community Development Corporation (WCDC), whose attorney Don Krassin was also present, is working with Richland Wilkin Joint Powers Authority who is in the process of purchasing from them the former Homestead property and the acres to the south referred to as the Dickerson parcel, all located south of Walmart along the Hwy 210 Bypass. The WCDC acquired the parcel just adjacent to the Bypass and it has some title issues. Part of the title issues is there is a plat that underlies the 210 Bypass as well as stretches over onto the west side of the road that were never vacated. The old plat they are not tax parcels, not being utilized. The CDC has requested vacation of the portion of the plat they own so that they can replat and get rid of all of those old lots. They own portions of Block 14, portions of Block 13, and there is also some public right-of-way that still exists as well as Westmore Avenue. The requests are they would like to do a proprietor’s request to vacate those portions of Westmore Lawn that they own (metes and bounds description was provided) to vacate the lots themselves, and they would also like to vacate those portions of the public right-of-way which takes four publications and a public hearing. She requested approval of vacating the actual lots themselves and to schedule a joint public hearing with the Planning Commission on April 15, 2024 regarding the vacation of the right-of-way. **Motion by Bohn, seconded by Unruh, to approve vacating the lots owned by the Wahpeton Community Development Corporation in Westmore Lawn Addition as presented. Motion carried with all voting ‘aye’.**

**Motion by Bohn, seconded by Unruh, to approve scheduling a Public Hearing for April 15, 2024 at 5:00 p.m. regarding the vacation of Public Right-of-way adjacent to the Hwy 210 Bypass owned by the Wahpeton Community Development Corporation. Motion carried with all voting ‘aye’.**

## **COMMUNITY DEVELOPMENT DIRECTOR**

**Community Development Report** – DeVries said the Planning Commission is requesting to set a joint public hearing on the newly updated city zoning map for May 6th. **Motion by Schillinger, seconded by Goltz, to approve scheduling a Joint Public Hearing with the Planning Commission on May 6, 2024 at 5:00 p.m. regarding the Updated City Zoning Map. Motion carried with all voting ‘aye’.**

**The Gate City HIPP Program** – DeVries said the City has partnered with Gate City Bank for the Home Improvement Partnership Program a number of times and last year the program was very successful due to increasing interest rates. Gate City is requesting the City partner with them again this year. The loan options are a 10 year loan at 5% or a 15 year loan at 5.26%. **Motion by Bohn, seconded by McNary, to approve the City partnering with Gate City Bank for the Home Improvement Partnership Program. Motion carried with all voting ‘aye’.**

**Introduction to New Video Series** – DeVries announced a new video series highlighting aspects of the community, especially businesses. There is one featuring a business on the website right now with more to follow. Any other interested businesses can contact him at City Hall.

**Call for Volunteers** – DeVries explained that additional help with events may be needed at times so anyone interested in volunteering should contact City Hall. He would like to start a list of available volunteers to reference when needed.

**Review of Winter Wonderland** – DeVries rated this event moderate to good. There was not a big crowd for the comedian so having this as part of the annual event will be re-evaluated for next year. The bouncy houses were once again a huge success.

**WCDC Annual Meeting Announcement** – DeVries announced the Wahpeton Community Development Corporation Annual Meeting will be held Monday, March 11<sup>th</sup> at 6:00 p.m. at the City Brew Hall. Anyone interested in attending should contact DeVries.

**Marketing Opportunity – referral to Finance Cmt.** – Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

In other happenings, DeVries said the annual Just For Kix Dance competition will be held March 23<sup>rd</sup> and 24<sup>th</sup> which creates a lot of out of town visitors. A figure skating event will also be held that weekend.

## **LIBRARY DIRECTOR**

**Library Report** – Library Director Bakken reported happenings scheduled at the library in the next few weeks include a teen anime club meeting, preschool story time, kids’ crafternoon, and a presentation on banded book basics. She gave a reminder of the Library’s 100<sup>th</sup> celebration which will be held April 8<sup>th</sup>.

## **POLICE CHIEF REPORT**

**Police Dept. Report** – Police Chief Anderson requested referral of Police Officer Staffing to the Finance Committee. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

**Heart Saver Awards – Presented by Officer Anthony Gallegos** – Police Chief Anderson introduced Officer Anthony Gallegos who presented Heart Saver Hero Awards to those involved in the life saving efforts to assist a 33 year old male (Elijah Kurtz) who suffered a heart attack. Those recognized with the Heart Saver Awards were Megan Hasbargen (Elijah’s girlfriend), Richland County Dispatcher Connie Schmuck, Richland County Dispatcher Megan Johnson, Officer Tom Doboyou, Officer Cody Draovitch, and Richland County Deputy Steven Nelk.

## **PUBLIC WORKS DIRECTOR**

### **Public Works Report –**

**701 Dakota Avenue Concrete Removal Bids – refer to PW Cmt.** – Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

**Restroom Facilities Recommendation from CEC Committee – refer to PW Cmt.** – Mayor Lambrecht will refer this item to the Public Works & Public Safety Committee.

Miranowski requested referral to Public Works Committee of the **East Central and Southeast Street Improvement Overlay Projects Review of Proposed Assessment Spread**. 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 congratulated the NDSCS men’s and women’s basketball teams for their recent tournament wins and wished them luck in their upcoming national play-in games.

## **REPORTS FROM THE CITY COUNCIL COMMITTEES**

### **Public Works & Public Safety Committee Report**

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

#### **Recreation Center Updates**

**Heritage Square Artificial Christmas Tree – motion to approve \$5,184.32 – Motion by McNary, seconded by Woods, to approve authorizing the purchase of an Artificial Christmas Tree for Heritage Square in the amount of \$5,184.32 from Wintergreen Corporation with funding from the Restaurant Sales Tax as proposed by the Community Enhancement Committee. Motion carried with a roll call vote of 7-0.**

**Vector Control Building – motion to reject all bids – Motion by McNary, seconded by Bohn, to reject the current bid to Gast Construction for the Vector Control Building Project BLDG23-281. Motion carried with all voting ‘aye.**

#### **Building Official Updates**

#### **Referrals (see PW Director Report)**

### **Finance, Personnel & Economic Development Committee Report (No meeting held February 26<sup>th</sup>)**

## **SCHEDULING OF COMMITTEE MEETINGS**

The following Committee Meetings were then scheduled:

- a. Public Works Committee March 12<sup>th</sup>, 2024 4:00 p.m. (Note this is a Tuesday meeting)
- b. Finance Committee March 12<sup>th</sup>, 2024 5:00 p.m. (Note this is a Tuesday meeting)

**Motion by McNary, seconded by Bohn, to adjourn at 6:05 p.m. Motion carried.**

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Mayor Brett Lambrecht

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Lynelle Amos, Finance Assistant