

Wahpeton City Council
September 3, 2024
5:00 p.m.

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

Absent: David Woods II

Also Present: Finance Director Darcie Huwe, City Attorney Brittany Hatting, Public Works Director Dennis Miranowski, Community Development Director Chris DeVries, Library Director Melissa Bakken, Police Chief Matthew Anderson, 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.

Proclamation – Wahpeton Post 20 Legion Baseball Class A Team State Champions – Council member McNary read a proclamation congratulating the Wahpeton Post Legion Baseball Team on earning the title of ND Class A State Champions, and declaring September 3, 2024 to be American Legion Post 20 Baseball Champions Day. Coach Kappes had the players introduce themselves and spoke about the team and its winning season. Congratulations was shown through a standing ovation.

Amanda Fisher – Mayor's Ad Hoc Committee on Recreation & Wellness Center Update – Amanda Fisher, Stacia Henningsen, and Mayor Brett Lambrecht reviewed a powerpoint presentation providing an update on the proposed Southern Prairie Activity & Recreation Center for Wellness (SPARC Wellness). It provided information regarding why the facility is being considered now, the process they are using, proposed facility amenities, a proposed 1901 Club, funding sources, location, the cost to build, preliminary site plans, design concept, preliminary floor plans, operations, what would happen if fundraising efforts are short or long, and next steps. Superintendent of Wahpeton Public Schools Michael Kaiser, Wahpeton Park Board President Brian Watson, NDSCS President Dr. Rod Flanigan, and Don Krassin representing the Southeast Human Services all spoke in favor of the proposed facility. **Motion by McNary, seconded by Unruh, to approve holding a Special Municipal Election on Tuesday, December 10th, 2024 regarding imposing a 1% Sales, Use & Gross Receipts Tax Increase for the purpose of Funding the Construction, Maintenance & Operation of a Community Recreation & Wellness Facility with ballot language to be decided.** Discussion was then held. Regarding the additional sales tax, Goltz felt with the number of residents in the low-poverty income level a facility like this does not fit our modest community. He also questioned if the facility is proposed to be built on NDSCS campus how use of the facility will be prioritized and if the college will contribute to its operation. With the small amount of voters that turned out for the last special election, Goltz recommended setting a threshold so that if we don't get a certain percentage of eligible voters to turn out it would not be a valid election. Hatting will research this possibility. McNary felt the facility would be a great benefit to the community providing much needed additional gym space. Bohn applauded the ad-hoc committee on their efforts but had concerns regarding the financial implications long term for a center of this size. (Fobb exited the meeting) **Motion carried 5-1, with McNary, Unruh, Schillinger, Perdue, and Bohn voting 'aye'; and Goltz voting 'nay'.**

CONSENT AGENDA ITEMS (presented by the Mayor) –

Approval of minutes of regular meeting held August 19, 2024

Games of Chance Licenses, Site Authorizations & Special Permits:

Head of the Red Youth Activities Association – Site Authorization Amendment

Head of the Red Youth Activities Association – Amusement Devices Licenses (5) Amendment

Other Games of Chance and/or Special Permits:

Breckenridge/Wahpeton Youth Hockey Association – Raffle Permit

Presentation/Approval of Reports

Classy & Classic Car Show September 12th

Bull Bash September 21st

November 5th Ballot Measures

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

REPORTS FROM CITY OFFICERS AND STAFF

FINANCE DIRECTOR

2025 Preliminary Budget – Huwe said the 2025 preliminary budget is available on the City website. The budget hearing is scheduled for September 16th at 5:00 p.m. The notice of budget hearings for the county, city, school district, and park board have been mailed to each property owner with a pro-forma property tax statement and budget hearing notice. Huwe can be contacted with any questions, suggestions or input. The recommendation of first reading for the 2025 budget ordinance will be covered during the Finance Cmt. Report.

Request for Proposals for Audit Services – Huwe said the City currently works with the North Dakota State Auditor’s Office to perform the annual financial statement audit of the City. Typically, our annual audit is performed in February-March with audited financials delivered by the end of May. The State Auditor’s Office has experienced a great deal of turnover in staff and has not begun the 2023 audit yet. One of the senior auditors that has worked on the City’s audit for a decade has moved to a private accounting firm and asked if the City would consider another audit provider. A request for proposals has been created with a due date of September 20th for consideration by the Finance Cmt. at their September 23rd meeting. **Motion by Bohn, seconded by Goltz, to approve proceeding with the Request For Proposals for Audit Services. Motion carried with all voting ‘aye’.**

Municipal Advisors Agreement with Colliers Securities – Huwe said Colliers Securities acquired Dougherty & Company, both firms provide investment banking services known as municipal advisor services. The Special Assessment Commission met earlier today to review the proposed special assessments for the following projects: 8th Ave. N. Reconstruction, Downtown Side Streets Phases I & II, and the Rosewood 3rd Addition. The 8th Ave. N. and Downtown Side streets projects will be permanently financed with a combination of ND DOT funding/grant funds, sales tax for infrastructure, and special assessment refunding improvement bonds estimated at \$3.9 million of the nearly \$14 million of project costs. Colliers will prepare a competitive bond sale, coordinate with bond counsel, and ensure compliance with all Securities & Exchange Commission Rules as well as registration of the individual bonds with the Municipal Securities and Rulemaking Board. The proposed fee is \$15,000. **Motion by Schillinger, seconded by Goltz, to approve the Municipal Advisors Agreement with Colliers Securities as presented. Motion carried with a roll call vote of 6-0.** Huwe noted the cost of issuance is built into the special assessment process as part of the administrative fees.

Industrial Park Land Purchase Inquiry – refer to Finance Cmt. – Huwe received an inquiry from a new expanding business to purchase a 5-acre parcel adjacent to T & G Sanitation in the Northside Industrial Park she would like referred to the Finance Committee for consideration. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

ND League of Cities Annual Conference Sept. 18-20, 2024 – Huwe said anyone interested in attending this conference to be held in Grand Forks should contact her.

ATTORNEY

City Attorney Hatting requested suspension of the rules to discuss an item not on the agenda. **Motion by Bohn, seconded by McNary, to approve suspending the rules to discuss an item not on the agenda. Motion carried with all voting ‘aye’.** Hatting presented Resolution No. 3899, a resolution directing special assessments be levied for a number of projects that have taken place in town the past few years. A reasonable expectation of what the costs are have been calculated for those projects so the Special Assessment Committee has started meeting and working with the City Engineer and Public Works department to decide how to spread the assessments.

Council member Goltz offered the following and moved its adoption:

RESOLUTION NO. 3899
RESOLUTION DIRECTING ASSESSMENTS TO BE LEVIED FOR:
STREET AND UTILITIES IMPROVEMENT DISTRICT
8TH AVE. N. RECONSTRUCTION
PROJECT NO. ST19-248
\$2,650,000
and
STREET AND UTILITIES IMPROVEMENT DISTRICT
DOWNTOWN SIDE STREETS PHASE I
PROJECT NO. ST20-255
\$651,000
and
STREET AND UTILITIES IMPROVEMENT DISTRICT
DOWNTOWN SIDE STREETS PHASE II
PROJECT NO. ST21-259
\$691,000
and
STREET AND UTILITIES IMPROVEMENT DISTRICT
ROSEWOOD 3RD ADDITION
PROJECT NO. ST22-269
\$1,700,000

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

Hatting reported the State has declined to place the city’s multi-use straw poll for fireworks on the ballot for the November election so staff is working on alternate ways to potentially gather that same information which will be brought back to the Finance Cmt. for consideration.

COMMUNITY DEVELOPMENT DIRECTOR

Community Development Report – 2nd Ave. Greenspace – DeVries reported he is still gathering information so will wait on this item at this time.

DeVries requested referral to the Finance Committee of a request for funding from the Wahpeton Breckenridge Chamber of Commerce for holiday promotions, including the Keep It Local campaign. Mayor Lambrecht will refer this item to the Finance, Personnel & Economic Development Committee.

LIBRARY DIRECTOR

Library Report – Library Director Bakken reported the library will begin Saturday hours this weekend, from 9 a.m. to 1 p.m. Library fall programming begins next week, offering story times, craft sessions for children after school, and teen programming. Information can be found on the library’s website. Friends of the Library will meet on Wednesday to plan the annual Chocolate Chocolate Day and Book Sale event scheduled to be held October 10th from noon to 5 p.m. Leach Reads Book Club will meet September 18th, with a few books still available at the front desk.

POLICE CHIEF REPORT

Police Dept. Report – Street Closure Request on Dakota Ave. Oct. 5th for the NDSCS Homecoming Parade – Police Chief Anderson presented a request for street closure for the NDSCS Homecoming Parade. **Motion by Unruh, seconded by McNary, to approve the request for Street Closure on October 5th, 2024, of the north side of Dakota Avenue from the Red River to 8th Street North from 9:30 a.m. until noon for the NDSCS Homecoming Parade. Motion carried with all voting ‘aye’.**

PUBLIC WORKS DIRECTOR

Public Works Report – Miranowski requested referral to Public Works Committee **to Review the Spread of Special Assessments and the Methodology for the three Construction Projects: 8th Ave. N. Reconstruction, Downtown Side Streets Phases I & II, and the Rosewood 3rd Addition.** 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.

Mayor Lambrecht referred Flag Protocol to the Public Works & Public Safety Committee.

COMMUNICATIONS FROM THE MAYOR & COUNCIL

Council member Goltz thanked those responsible for vector control for their efforts this summer.

REPORTS FROM THE CITY COUNCIL COMMITTEES

Public Works & Public Safety Committee Report

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

Oliver Etal Property

Forestry Ordinance Update – motion to approve and offer first reading of Ord. 1067 –

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

ORDINANCE NO. 1067

AN ORDINANCE AMENDING

CHAPTER 12, ARTICLE VII – DECLARING DEAD TREES A PUBLIC NUISANCE

Alarm Systems Ordinance Review – motion to approve and offer first reading of Ord. 1068 –

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

ORDINANCE NO. 1068

AN ORDINANCE AMENDING

CHAPTER 10, ARTICLE III – ALARM SYSTEMS

Mayor’s Ad Hoc Cmt. on Recreation Center Update - discussion

Building Official Updates

Fire Dept. Service Area Inquiry – Executive Session Discussion

Referrals (see PW Director Report)

Finance, Personnel & Economic Development Committee Report

Goltz said the Finance, Personnel & Economic Development Committee met on August 26 at 5:00 p.m.

Restaurant Tax Policy – motion to amend the policy Res. 3898 –

Council member Goltz offered the following and moved its adoption:

RESOLUTION NO. 3898
**RESOLUTION AMENDING AND ADOPTING POLICY
FOR ADMINISTRATION OF RESTAURANT TAX PROCEEDS**

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

2025 Preliminary Budget – motion to offer first reading Ord. 1066

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

ORDINANCE NO. 1066
**AN ORDINANCE MAKING AN APPROPRIATION FOR THE CITY OF
WAHPETON, NORTH DAKOTA FOR THE YEAR 2025**

Fireworks License Inquiry on Sales Period – Motion by Bohn, seconded by Schillinger, to confirm the meaning of the City’s Ordinance regarding Sec. 42-87 – Exceptions, (2) The sales of any kind of fireworks for shipment directly out of state” is accurate and all retail fireworks license holders will be allowed to do this. Motion carried with all voting ‘aye’, and Unruh abstaining from the vote.

Smoking in Public Places & Tobacco Retailer Licenses – motion to offer first reading Ord. 1069 –

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

ORDINANCE NO. 1069
**AN ORDINANCE AMENDING
CHAPTER 22 PROCEDURES FOR LICENSES, PERMITS AND MISCELLANEOUS
BUSINESSES**

Music Trailer Use Draft Policy – motion to approve as amended – **Motion by Goltz, seconded by Unruh, to approve the Policy for Music Trailer Usage as amended. Motion carried with all voting ‘aye’.**

Mayor’s Ad Hoc Cmt. on Recreation Center Update - discussion

SCHEDULING OF COMMITTEE MEETINGS

The following Committee Meetings were then scheduled:

- a. Public Works Committee September 9th, 2024 4:00 p.m.
- b. Finance Committee September 9th, 2024 5:00 p.m.

Motion by Goltz, seconded by Schillinger, to adjourn at 6:36 p.m. Motion carried.

Mayor Brett Lambrecht

Lynelle Amos, Finance Assistant