

# Wahpeton City Council Special Meeting December 23, 2013 12:00 Noon

**Members Present:** Mayor Sturdevant, Council Members Mitskog, Dale, DeVries, Schmidt, Bohn, and Hansey.

**Members Absent:** Alderman Bajumpaa and Bertsch.

**Others Present:** Huwe, Miranowski, Lies, Thorsteinson, Broadland, Priebe, Rogahn, Meyer, Amos, and Mike Bassingthwaite of Interstate Engineering.

**Citizens Present:** Diane & Bill Mertes of 1381 12<sup>th</sup> St N, Greg Meide of 1407 15<sup>th</sup> St N, Jerry Meide of 1537 16<sup>th</sup> Ave N, Jerry Meyer of 1433 15<sup>th</sup> St N, and Perry Miller of 1566 Oakwood Ave.

Mayor Sturdevant called the meeting to order at 12:05 p.m.

## Public Hearing on the Resolution Declaring Work Necessary for an Improvement in Street and Storm Sewer Improvement District 12-01-06 11<sup>th</sup> St. N. Reconstruction from Ave. B to 16<sup>th</sup> Ave. N. (11<sup>th</sup> St. N. to Hwy. 210 Bypass – Storm Sewer) Proj. No. ST12-187

Sturdevant stated that this is a public hearing on the resolution declaring work necessary for this street and storm sewer improvement project. Public Works Director Miranowski then explained the project through the following Powerpoint presentation:

11<sup>th</sup> Street North Reconstruction – Resolution of Necessity Hearing

State Project Number: SU-8-991(031)028

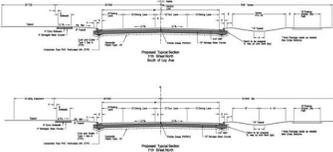
PROJECT AREA



11<sup>th</sup> Street North Reconstruction Project

<p><b>Total Street Reconstruction</b></p> <ul style="list-style-type: none"> <li>-Entire road will be converted to an Urban Section Road and lowered to match the side streets.</li> <li>-Street section will be wider               <ul style="list-style-type: none"> <li>• 8.0' Parking Lane (West Side of Road)</li> <li>• 3'-0" Striping Lane</li> <li>• 12' Turn Lane Center of the Road</li> </ul> </li> <li>-5' Sidewalk on west side of the road for entire length of project.</li> </ul>	<p><b>Utilities</b></p> <ul style="list-style-type: none"> <li>-Curb and Gutter with Storm Sewer Lines               <ul style="list-style-type: none"> <li>• Ditches filled and graded</li> </ul> </li> <li>-Adjustments to the watermain and sanitary sewer to accommodate new storm sewer.</li> </ul>
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11<sup>th</sup> Street North Proposed Road Sections



**Estimated Project Costs**

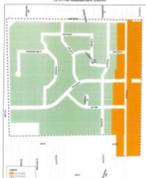
**\$2.64 Million**

-Grant/Fish Revenue (85.33% Construction Cost) = \$1,855,000.00

-County Portion = \$140,000.00

-City Portion = \$655,000.00 (to be Assessed)

Street Breakouts (Includes Water + Sewer)



Storm Sewer Breakouts



### Rationale For Proposed Assessments

- Assessment District Split into 2 Tiers for Street and Storm
- Items:
  - Tier 1 Properties
  - Tier 2 Properties
- Assessments determined for each property based on square footage:
  - Tier 1 Properties 90% of Street Costs and 75% of Storm Sewer Costs
  - Tier 2 Properties 10% of Street Costs and 25% of Storm Sewer Costs

### 11<sup>th</sup> Street North Reconstruction – Resolution of Necessity Hearing

State Project Number: SU-8-991(031)028

### Comments / Questions ?

Mayor Sturdevant asked if there were any written protests received, to which Huwe answered that there was one written protest received via e-mail from Tom & Darilyn Weber of 1419 15<sup>th</sup> St N who were opposed to the assessment of their property for the 11<sup>th</sup> Street North project as they felt the location was far enough away from the construction area and also felt the sidewalk on the west side of the street was redundant. Sturdevant asked if there was anyone present to comment on the street improvement project or to protest, and the citizens present each asked questions such as why their property was included in the assessment district and why the assessment wasn't spread more city-wide. Discussion held. Lies explained that the assessment district cannot be changed at this time. He said the primary question today is whether will proceed with the project or not, and if there is sufficient protest to bar the project. Lies explained that there is no valid protest that prohibits the project at this time because it takes more than 50% of the property owners to block the project. Lies then explained the process when determining how the project is spread and assessed, and that it is done after the project is completed and the actual cost of the project is known.

**Resolution No. 3537 Determining Insufficiency of Protest for Street and Storm Sewer Improvement District 12-01-06 11<sup>th</sup> St. N. Reconstruction from Ave. B to 16<sup>th</sup> Ave. N (11<sup>th</sup> St. N. to Hwy. 210 Bypass – Storm Sewer) Proj. No. ST12-187**

Council member Bohn offered the following and moved its adoption:

**RESOLUTION NO. 3537**  
**RESOLUTION DETERMINING INSUFFICIENCY OF PROTEST**  
**AGAINST**  
**STREET AND STORM SEWER IMPROVEMENT DISTRICT 12-01-06**  
**(11<sup>th</sup> Street North - Reconstruction)**  
**(Avenue B to 16<sup>th</sup> Avenue North)**  
**(11<sup>th</sup> Street North to Highway 210 Bypass – Storm Sewer)**  
**(Project No. ST12-187)**

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

**Resolution No. 3538 Concurring Award of Contract Street for Street and Storm Sewer Improvement District 12-01-06 11<sup>th</sup> St. N. Reconstruction from Ave. B to 16<sup>th</sup> Ave. N (11<sup>th</sup> St. N. to Hwy. 210 Bypass – Storm Sewer) Proj. No. ST12-187** – Lies explained this resolution concurring the award of the contract with H & S Contracting.

Council member Hansey offered the following and moved its adoption:

**RESOLUTION NO. 3538**  
**RESOLUTION CONCURRING IN AN AWARD**  
**OF A CONTRACT FOR THE CONSTRUCTION**  
**OF AN IMPROVEMENT IN**  
**STREET AND STORM SEWER IMPROVEMENT DISTRICT 12-01-06**  
**(11<sup>th</sup> Street North - Reconstruction)**  
**(Avenue B to 16<sup>th</sup> Avenue North)**  
**(11<sup>th</sup> Street North to Highway 210 Bypass – Storm Sewer)**  
**(Project No. ST12-187)**

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

**Second Reading & Adoption of Ordinance No. 956 amending Section 42-224 Operating a Motor Vehicle Under the Influence of Liquor or Controlled Substance**

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

**ORDINANCE NO. 956**  
**AN ORDINANCE AMENDING**  
**SECTION 42-224 Operating Vehicle Under the Influence of Liquor or Controlled**  
**Substance**

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

**Land Purchase Proposal recommendation – land north of City Hall**

Priebe explained that one proposal for development was received from Triple G Properties, LLC who met all conditions and are offering \$46,200 for the described property north of City Hall. They plan to develop a 55 & over Community Apartment Project in 3 Phases. She said Staff recommends: 1) Accept purchase price of \$46,200; 2) City sign Purchase Agreement & Agree to Closing on or before March 1, 2014; and 3) Propose starting re-zoning & platting processes 1<sup>st</sup> meeting in January 2014. Discussion held. **Motion by Mitskog, seconded by DeVries, to accept the Purchase offer of \$46,200 from Triple G Properties, LLC for the property located North of City Hall and follow staff recommendations as presented. Motion carried with all voting ‘aye’.**

Motion by Mitskog, seconded by Hansey, to adjourn at 12:55 p.m.

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Mayor Sturdevant

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Lynelle Amos, Finance Assistant