CITY OF WATFORD CITY

CITY COUNCIL MEETING

September 3, 2013

Minutes of the regular City Council meeting held on September 3, 2013 at 6:00 p.m. at City Hall. Present were Mayor Brent Sanford and Council Members Justin Voll, Kris Pacheco, Randy Samuelson, Marty Mulder, and Doug Bolken. Absent was Shane Homiston. Also present was City Planner Curt Moen, City Auditor Peni Peterson and Attorney Wyatt Voll.

Council Member Bolken moved to approve the minutes of the city council meetings held on August 5, 12, and August 14, 2013. Motion also included approving the agenda and the additions to the agenda. Motion seconded by Council Member Voll and carried unanimously.

Council Member Samuelson moved to approve holding a Public Hearing to hear comment on a Petition to Vacate Easement submitted by Pheasant Ridge. Public Hearing will be held at the regular council meeting on October 7, 2013. Motion seconded by Pacheco and carried by the following roll call vote: ayes: Bolken, Mulder, Pacheco, Voll and Samuelson; nays: none.

George Evans, AHTNA Technical Services, and Rory Young, Jackola Engineering, were present and gave an update on the City Hall and Emergency Services Building construction projects.

Todd Norton, Advanced Engineering and Environmental Services, provided task orders and partial pay estimates for review.

Council Member Voll moved to approve Task Order #11a from Advanced Engineering (NW Water Tower Design and Bidding) for $188,000 and Task Order #12a (East Water Tower Design and Bidding) for $182,000. Motion seconded by Bolken and carried by the following roll call vote: ayes: Mulder, Voll, Samuelson, Pacheco, and Bolken; nays: none.

Council Member Samuelson moved to allow Advance Engineering to begin advertising for the NW Water Tower and East Water Tower projects. Motion seconded by Mulder and carried by the following roll call vote: ayes: Pacheco, Voll, Mulder, Samuelson, and Bolken; nays: none.

Council Member Pacheco moved to approve Change Order #4 from SJ Louis Construction, Inc (Area 2B Utility Extensions) for $(27,987.67). Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Bolken, Samuelson, Pacheco, Mulder, and Voll; nays: none.

Council Member Voll moved to approve Pay Estimate #10 from SJ Louis Construction, Inc (Area 2B Utility Extensions) for $123,718.66. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Mulder, Pacheco, Voll, Samuelson, and Bolken; nays: none.

Council Member Pacheco moved to approve Change Order #2 from Merryman Excavation, Inc (Area 5 Utility Extensions and Imps) for $(83,108.57). Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Voll, Samuelson, Bolken, Mulder, and Pacheco; nays: none.

Council Member Samuelson moved to approve Pay Estimate #9 from Merryman Excavation, Inc (Area 5 Utility Extensions and Imps) for $26,154.74. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Pacheco, Samuelson, Voll, Mulder, and Bolken; nays: none.

Council Member Pacheco moved to approve Change Order #5 from North Star Energy and Construction (Area 6 Utility Extension - Revised) for $275,623.58. Motion seconded by Council Member Samuelson and carried by the following roll call vote: ayes: Samuelson, Mulder, Pacheco, Bolken, and Voll; nays: none.

Sergeant Andrew Langowski was present and gave an update on the police department.

Upon the recommendation of the Planning Commission, Council Member Bolken moved to approve the Zone Change Application submitted by Marianne Brackett for property located at 505 Main St S., Section 24, Township 150 North, Range 99 West, 10.55 acres, McKenzie County, ND. The application will re-zone AG property to C1. Approval is contingent upon an approved Development Plan from Marianne Brackett and Dianna Guadagnino. The property shall return to AG in one year if development has not occurred. Motion seconded by Council Member Pacheco and carried by the following roll call vote: ayes: Mulder, Voll, Samuelson, Bolken, and Pacheco; nays: none.

Upon the recommendation of the Planning Commission, Council Member Bolken moved to approve the Simple Lot Split submitted by Country Cross Ranch/ Everett Mitchell, to make two parcels from one with the intent to sell, on C1 property located in the NE ¼ NE ¼ of Section 25, Township 150 North, Range 99 West, 2.0 acres, McKenzie County, ND. Approval is contingent upon submittal of proper map. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Pacheco, Samuelson, Mulder, Voll, and Bolken; nays: none.

Upon the recommendation of the Planning Commission, Council Member Voll moved to approve the Zone Change Application submitted by the City of Watford City, rezoning MH to R1 on Lots 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 of the First Addition to North Watford. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Mulder, Pacheco, Voll, Samuelson, and Bolken; nays: none.

Council Member Bolken moved to recommend a second hearing be held by the Planning Commission at their next meeting for the Final Master Land Use Plan Map. Motion seconded by Council Member Voll and carried unanimously.

Upon the recommendation of the Planning Commission, Council Member Samuelson moved to approve the Final Subdivision Map submitted by Hunter’s Run for property located in a portion of the East ½, Section 16, Township 150 North, Range 98 West, 149.14 acres, McKenzie County, ND. Contingent upon an approved Developer Agreement and bonding is in place. Motion seconded by Council Member Pacheco and carried by the following roll call vote: ayes: Bolken, Mulder, Voll, Samuelson, and Pacheco; nays: none.

No action was taken on Pay Application # 3 from AHTNA Technical Services (EMS Building) for $12,350.84.

Council Member Bolken moved to approve the Pay Application #3 from AHTNA Technical Services (City Hall Building) for $213,346.95. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Samuelson, Bolken, Voll, Pacheco, and Mulder; nays: none.

Council Member Voll moved to approve a 3% cost of living increase effective January 1, 2014. Motion seconded by Council Member Samuelson and carried by the following roll call vote: ayes: Mulder, Pacheco, Bolken, Samuelson, and Voll; nays: none.

Council Member Mulder moved to approve the annual step increase for Steven Williams from Category 9, Step 0 to Category 9, Step 1; effective 9-1-2013. Motion seconded by Council Member Pacheco and carried by the following roll call vote: ayes: Samuelson, Voll, Pacheco, Bolken, and Mulder; nays: none.

Council Member Voll moved to approve hiring Kade Ross, Public Works Department, Category 3, Step 0; hire date August 16, 2013. Motion seconded by Council Member Pacheco and carried by the following roll call vote: ayes: Mulder, Bolken, Voll, Pacheco, and Samuelson; nays: none.

Council Member Voll moved to approve hiring Becky O’Neill, Administrative Assistant, Category 3, Step 1; hire date September 1, 2013. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Samuelson, Voll, Mulder, Pacheco, and Bolken; nays: none.

Council Member Voll moved to approve the resignation of Kady Burkett. Motion seconded by Council Member Pacheco and carried unanimously.

Council Member Pacheco moved to approve the First Reading on Amending Section 6-521 of Article 5, Chapter VI - Relating to Age Identification. Motion seconded by Council Member Bolken and carried unanimously.

Second Reading on Ordinance #321 Amending Section 8-1908 of Article 19, Chapter VIII -Relating to No Truck Parking was tabled until Street, Walks, and Lights could review.

Second Reading on Ordinance #322 Amending Section 8-1905 of Article 19, Chapter VIII -Relating to No Trucks Allowed on Certain Roads was tabled until Street, Walks, and Lights could review.

Council Member Pacheco moved to approve the Second Reading on Ordinance #323 Amending Section 4-1108 of Article 11, Chapter IV- Relating to Dirt, Filth, Etc., in Streets and Property. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Samuelson, Voll, Mulder, Bolken, and Pacheco; nays: none.

Council Member Pacheco moved to approve the Second Reading on Ordinance #324 Annexing Property to the City of Watford City per Annexation Application submitted by Kyle Hagen, Scott Hagen, Kirk Hagen – Nyland Estates (Section 23, N1/2N1/2, SW1/4NW1/4, T150N, R99W - 163 acres). Motion seconded by Samuelson and carried by the following roll call vote: ayes: Voll, Samuelson, Mulder, Pacheco, and Bolken; nays: none.

Council Member Pacheco moved to approve the Raffle Permit Application #699 submitted by WCHS Close Up, Raffle Permit Application #700 submitted by the Lions Club, Raffle Permit Application #701 submitted by Bakken Friends of the NRA, and Raffle Permit #702 submitted by WCHS Rodeo Club. Motion seconded by Mulder and carried unanimously.

Council Member Voll moved to approve distributing Unit Fees to the McKenzie County Ambulance and Watford City Park board in the amount of $23,500 each. Motion seconded by Bolken and carried by the following roll call vote: ayes: Mulder, Pacheco, Samuelson, Voll, and Bolken; nays: none.

Council Member Voll moved to approve Mayor Sanford’s appointment of Steve Sanford to the Watford City Housing Board to fulfill the unexpired term of Doug Bolken until September 1, 2014. Motion seconded by Council Member Pacheco and carried unanimously.

Council Member Pacheco moved to approve Mayor Sanford’s appointment of Karla Quale to the Watford City Housing Board to fulfill the unexpired term of Oscar Knutson until September 1, 2017. Motion seconded by Council Member Mulder and carried unanimously.

Council Member Samuelson moved to approve Mayor Sanford’s reappointment of Neal Shipman to the Watford City Housing Board for a 5-year term from September 1, 2013 to September 1, 2018. Motion seconded by Council Member Pacheco and carried unanimously.

Council Member Voll moved to approve Mayor Sanford’s appointment of Teri Wolff to the Planning Commission to fulfill the unexpired term of Doug Bolken until June 30, 2015. Motion seconded by Council Member Pacheco and carried unanimously.

Council Member Samuelson moved to approve the Development Agreement for Layton Construction Co., Inc. Motion seconded by Council Member Pacheco and carried by the following roll call vote: Voll, Mulder, Pacheco, Bolken, and Samuelson; nays: none.

Council Member Voll moved to approve the Final Plat submitted by Layton Construction, Co., Inc. Motion seconded by Council Member Bolken and carried by the following roll call vote: Mulder, Samuelson, Pacheco, Voll, and Bolken; nays: none.

Council Member Pacheco moved to approve the 2014 hourly rate proposed by McKennett Law Firm at $225.00 per hour effective January 1, 2014. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Samuelson, Mulder, Voll, Pacheco, and Bolken; nays: none.

Council Member Voll moved to approve the Agreement for the Security for the Completion of the Improvement Works submitted by Hunters Run and to designate Aaron Mitchell, City Financial Director, as an authorized signer on the account. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Mulder, Samuelson, Voll, Pacheco, and Bolken; nays: none.

The August 2013 cash reports were reviewed.

Council Member Mulder moved to approve the bills as listed. Motion seconded by Council Member Voll and carried unanimously. EFPTS $25,928.99; EFTPS $21,031.28; TASC $205.55; TASC $205.55; NDPERS $497.50; NDPERS $397.50; Payroll $121,601.17; BCBS $21,257.10; NDPERS $16,600.14; NDPERS $206.88; Symetra $304.42; AFLAC $621.08; Acme Tools $1,749.99; Advanced Engineering $118,265.63; Advanced Engineering Construction $20,370.00; AHTNA Technical Services $17,229.00; Astro Chem Services $147.00; Badlands Hardware $228.93; Balco Uniform Company $963.95; Bluetarp Financial, Inc. $275.50; Country Inn and Suites $231.00; Dacotah Paper Co $827.62; Dakota Dumpster $675.00; Dakota Supply Group $5,663.45; Dave’s Sales & Service $272.60; Dean Anderson $15,500.14; Direct Electric $3,265.06; DW Excavating, Inc $1,530.00; Elliot Excavating $8,000.00; ESRI $400.00; Farmers Union Oil $7,445.73; Fastenal Company $517.58; First International Insurance $100.00; Flexible Pipe Tool Co $244.35; Foley Brothers, LLC $500.00; Force America Distributing $296.83; Gaffaney’s Inc $1,608.45; Galls $87.48; Gary Hoffman $1,065.92; Government Finance Officers $342.00; Hawkins $658.50; Heggen Equipment, Inc. $1,350.27; Information Technology Dept $319.15; Intergraph Corporation $1,360.00; Jim Hanson Masonry $51,306.00; Jost Painting $43,000.00; Kayla Frick $11.65; Last Chapter Trucking $915.81; Lund Oil $1,920.87; Lyle Signs $1,131.28; M & T Fire and Safety $1,330.52; McKenzie County Farmer $1,219.25; McKenzie County Landfill $12,362.50; McKenzie County Recorder $16.00; McKenzie Electric Coop $3,208.00; Meuchel Enterprises, Inc. $3,976.37; Merriman Incorporated $480.90; Montana Dakota Utilities $10,489.80; ND Association of Oil & Gas $4,000.00; ND Secretary of State $72.00; Nelson Contracting $3,365.60; Nelson International $658.19; North Dakota Workfoce Safety $15.41; Northwest Tire $3,084.68; OK Implement $1,109.07; POST Board $110.00; Positive ID Inc $82.80; Pro Auto Body $136.00; Ramkota Hotel $158.00; Respond Systems of Montana $200.25; Roughrider Industries $7,954.56; Roosevelt W.A. Co $118.90; S & S Motors $407.88; Sanitation Products $187.89; Steven Williams $51.57; Streicher’s $760.00; Swanston Equipment Corp $39,200.00; Taser International $3,345.28; Taylor Ag $358.14; Timber Creek Services $1,170.00; TimeClock Plus $1,699.00; Traffic Safety Services $100.00; Trimac Transportation $2,862.26; Triple AAA Safety $111.73; Verizon $1,516.19; Wallwork Truck Center $440.16; W and N City Lube Services $389.49; Watford City Laundry Express $202.36; Watford City Vet Clinic $85.00; Wenck Associates $9,866.46; West Plains Insurance $27,956.00; Northland Truck Sales $164,140.00.

 The next regularly scheduled City Council meeting will be on Monday, October 7, 2013 at 6:00 p.m. at City Hall in the Civic Center.

There being no further business, the meeting was adjourned at 8:12 p.m. These minutes are published subject to the City Council’s Review and Revision pursuant to NDCC 40-01-09.1.

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Peni Peterson, Auditor Brent Sanford, Mayor