CITY OF WATFORD CITY

CITY COUNCIL MEETING

November 3, 2014

Minutes of the regular City Council meeting held on November 3, 2014 at 6:00 p.m. at City Hall. Present were Mayor Brent Sanford and Council Members Justin Voll, Doug Bolken, Marty Mulder, Steve Sanford, Aaron Gravos, and Phil Riely. Also present were City Planner Curt Moen, City Auditor Peni Peterson and Attorney Wyatt Voll.

Council Member Mulder moved to approve the minutes of the city council meetings held on October 6 and October 15, 2014. Motion also included approving the agenda. Motion seconded by Council Member Sanford and carried unanimously.

Jeff Ruggles, Roughrider Committee, presented an application from Watford City Vet Clinic in the amount of $54,000 for BND PACE interest buy down to assist with constructing a new 30,000 sq ft veterinary clinic.

Council Member Voll moved to approve the Roughrider application submitted by Watford City Vet Clinic in the amount of $54,000. Motion seconded by Council Member Gravos and carried by the following roll call vote; ayes: Riely, Sanford, Mulder, Bolken, Voll, and Gravos; nays: none.

Karolin Rockvoy, McKenzie County Emergency Manager, introduced herself to the Council and spoke a little about what her job entails and distributed a handout regarding ebola.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Kirk Wold – Panther Addition (1204 S Main Street – 12.797 acres). There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Bolken moved to approve the First Reading on an Ordinance Annexing Property to the City of Watford City per Annexation Application submitted by Kirk Wold – Panther Addition (1204 S Main Street – 12.797 acres). Motion seconded by Council Member Riely and carried unanimously.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Kira Stenehjem – Rolling Hills Estates (Block 4, Lots 4 and 6 of Block 5, and a portion of Long Drive – 6 acres). There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Riely moved to approve the First Reading on an Ordinance Annexing Property to the City of Watford City per Annexation Application submitted by Kira Stenehjem – Rolling Hills Estates (Block 4, Lots 4 and 6 of Block 5, and a portion of Long Drive – 6 acres). Motion seconded by Council Member Mulder and carried unanimously.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Kira Stenehjem – Rolling Hills Estates (Block 4, Lots 4 and 6 of Block 5, and a portion of Long Drive – 6 acres). There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Voll moved to approve the First Reading on an Ordinance Annexing Property to the City of Watford City per Annexation Application submitted by Troy Tooz – Long X Commercial Town Centre (3 Blocks, 32 Lots, Replat of Long X Industrial Park, IT #3533 – 60.2 acres). Motion seconded by Council Member Bolken and carried unanimously.

Council Member Bolken moved to approve holding a Public Hearing to hear comment on three Petition to Vacate Easement Applications submitted by Hunter’s Run, LLC. Public Hearing will be held at the regular council meeting on January 5, 2015. Motion seconded by Council Member Gravos and carried unanimously.

Tim Taylor, Airport Authority, was present and gave an update on the Airport.

Todd Norton, Advanced Engineering, presented pay estimates and change orders.

Council Member Voll moved to approve Pay Estimate #8 from Phoenix Fabricators & Erectors, Inc. (Northwest Water Tower) in the amount of $222,205. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Bolken, Sanford, Voll, Riely, Gravos, and Mulder; nays: none.

Council Member Bolken moved to approve Pay Estimate #9 from Landmark Structures (East Water Tower) in the amount of $161,850. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Gravos, Bolken, Sanford, Riley, Mulder, and Voll; nays: none.

Council Member Sanford moved to approve Change Order #3 from Northern Improvement (17th Ave NE Street Improvements) in the amount of $76,059.80. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Bolken, Mulder, Voll, Riely, Sanford, and Gravos; nays: none.

Council Member Voll moved to approve Pay Estimate #3 from Northern Improvement (17th Ave NE Street Improvements) in the amount of $3,310,567.56. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Gravos, Mulder, Bolken, Voll, Sanford, and Riely; nays: none.

Council Member Bolken moved to approve Change Order #1 from PXI, Inc (2014 Watermain Improvements) in the amount of $14,458.35. Motion seconded by Council Member Mulder and carried by the following roll call vote: Sanford, Riely, Mulder, Bolken, Gravos, and Voll; nays: none.

Council Member Voll moved to approve Pay Estimate #3 from PXI, Inc. (2014 Watermain Improvements) in the amount of $108,456.51. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Riely, Gravos, Voll, Bolken, Sanford and Mulder; nays: none.

Council Member Riely moved to approve Change Order #9 (Final) from North Star Energy and Construction (Area 6 Utility Extensions and Improvements) in the amount of $-30,459.28. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Mulder, Bolken, Sanford, Voll, Riely, and Gravos; nays: none.

Council Member Bolken moved to approve Pay Estimate #8 (Final) from North Star Energy and Construction (Area 6 Utility Extensions and Improvements) in the amount of $135,220.13. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Gravos, Mulder, Bolken, Voll, Sanford, and Riely; nays: none.

Chief Art Walgren gave an update on the police department. Chief Walgren also informed the Council the Ryan Chaffee was selected for the K-9 Officer position.

Robin Arndt, Watford City Park District, provided a map of a proposed outdoor recreation located south of the fishing pond area that would include a pavilion, gazebo, restrooms, walking path, parking lot and concession area. Consensus of the council was that they liked the concept and for Robin to contact the property owner to get a price for the land.

Council Member Mulder moved to approve the recommendations from the Planning Commission from their October 27 and October 30, 2014 meetings with the exceptions of agenda number 2 and 3 to be voted on separately. Approved the following: Conditional Use Permit Application Annual Review for Christopher Buchholz on property located at 100 6th Street SE to continue allowing a home licensed daycare on R3 zoned property; Variance Application submitted by Watford Third St. Housing, LLC.-Milton Bakogiannis on property located at 300 3rd Avenue NE, West 90 Ft. of Lots 8 & 9 Block 1, Second Addition to Watford allowing a variance of 12 feet from the required rear yard setback of 25 feet; Simple Lot Split Application submitted by Nyla J. Dahl & Nathan S. Dahl/PVJ, LLC. Lenny Badger for IT# 1818 & 1819 and the E1/2SE1/4SW/14 Section 17, T150N, R98W, 22.97 acres, creating two lots from 3 parcels of land, Lot 1: 8.0 acres, Lot 2: 14.97 acres; Preliminary Subdivision Plat Application submitted by Jason Simpson & LJA Engineering “Long X Commercial Town Centre” for a replat of Long X Industrial Park and IT # 2533 within the NE1/4 of Section 36, T150N, R99W, 60.02 acres (32 lots); Zone Change Application submitted by City of Watford City for property located Lots 1-7, 10 & 11 of Block 3 of Fox Hills Village, 46.3 acres, re-zoning the following lots: Lot 1: 2.01 acres to CF; Lot 2: 2.90 acres to CF; Lot 3: 4.51 acres to CF; Lot 4: 11.10 acres to CF; Lot 5: 9.06 acres to CF; Lot 6: 7.36 acres to CF; Lot 7: 4.49 acres to CF; Lot 10: 2.48 acres to CF; Lot 11: 2.40 acres to CF. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Sanford, Riely, Bolken, Gravos, Mulder, and Voll; nays: none.

No action was taken on item 4 (item was removed by applicant).

Council Member Mulder moved to approve the Conditional Use Permit Application Annual Review for Heggen Equipment on property located at 805 Main Street South, 11.38 acres to continue allowing employee housing on C-1 zoned property; Conditional Use Permit Application Annual Review for McKenzie Building Center Inc., on property located at 1504 4th Ave NE, 5.44 acres, to continue allowing employee housing on C-1 zoned property. Motion seconded by Council Member Riely and carried by the following roll vote: ayes: Gravos, Mulder, Voll, Bolken, Sanford, and Riely; nays: none.

Council Member Mulder informed the council that there are minimal cemetery plots available at the cemetery and recommends surveying the additional cemetery land to the north of the cemetery to prepare for expansion. Consensus of the council was to have City Engineer Todd Kelley begin the cemetery expansion process.

Council Member Bolken moved to approve the following: First Reading on Amending Chapter 15, Article XVII, Sections 5 & 6 relating to C-1 General Commercial District; First Reading on Amending Chapter 15, Article XVIII(A), Sections 5 & 6 relating to C-2 Commercial Service District; First Reading on Amending Chapter 15, Article XIX, Sections 5 & 6 relating to I-P Industrial Park District; First Reading on Amending Chapter 15, Article XVIII, Sections 5 & 6 relating to C-B Central Business District; First Reading on Amending Chapter 15, Article XXVII, Sections 2 & 5 relating to Variances; First Reading on Amending Chapter 15, Article XIX(A) relating to Heavy Industrial Zoning. Motion seconded by Council Member Riely and carried unanimously.

Council Member Bolken moved to approve the Special Liquor Permit Application submitted by Outsiders Bar and Grill for December 19th at the Veteran’s Memorial Building from 5 p.m. – 12:00 a.m. for the MCHS Christmas party. Motion seconded by Council Member Riely and carried unanimously.

Council Member Voll moved to approve the offer of employment to Katie Main at Category 6, Step 3; effective November 1, 2014. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Gravos, Sanford, Riely, Voll, and Bolken; nays: none.

Council Member Voll moved to approve moving Mike Turner to full-time status. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Gravos, Riely, Sanford, Voll, Bolken, and Mulder; nays: none.

Council Member Voll moved to approve the offer of temporary employment to Philip Mula at Category 4, Step 3 and Jonathon Cummings at Category 4, Step 0, with the possibility of full-time status in 30-60 days. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Sanford, Mulder, Bolken, Voll, Gravos, and Riely; nays: none.

Council Member Voll moved to approve Resolution No. 2014-01P2 Resolution Creating and Defining the Boundaries for Paving Improvement District No. 2014-01P2. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Mulder, Sanford, Riely, Bolken, Gravos, and Voll; nays: none.

Council Member Bolken moved to approve Resolution No. 2014-02P2 Resolution Directing Preparation of Engineer’s Report and Cost Estimate. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Gravos, Bolken, Voll, Sanford, and Riely; nays: none.

Council Member Gravos moved to approve Resolution No. 2014-03P2 Resolution Approving Engineer’s Report and Direction Preparation of Detailed Plans and Specifications for Paving Improvement District No. 2014-01P2. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Voll, Gravos, Mulder, Riely, Bolken, and Sanford; nays: none.

Council Member Bolken moved to approve Resolution No. 2014-04P2 Resolution Approving Engineer’s Plans, Specification and Estimates for Paving Improvement District No. 2014-01P2. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Sanford, Riely, Gravos, Voll, Mulder, and Bolken; nays: none.

Council Member Gravos moved to approve Resolution No. 2014-05P2 Resolution of Necessity for Paving Improvement District No. 2014-01P2. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Bolken, Gravos, Mulder, Voll, Sanford, and Riely; nays: none.

Council Member Mulder moved to approve Resolution No. 2014-01LP Resolution Creating and Defining the Boundaries for Paving Improvement District No. 2014-01LP. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Sanford, Riely, Bolken, Gravos, Voll, and Mulder; nays: none.

Council Member Riely moved to approve Resolution No. 2014-02LP Resolution Directing Preparation of Engineer’s Report and Cost Estimate. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Riely, Mulder, Gravos, Bolken, Voll, and Sanford; nays: none.

Council Member Sanford moved to approve Resolution No. 2014-03LP Resolution Approving Engineer’s Report and Direction Preparation of Detailed Plans and Specifications for Paving Improvement District No. 2014-01LP. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Voll, Gravos, Mulder, Riely, Bolken, and Sanford; nays: none.

Council Member Voll moved to approve Resolution No. 2014-04LP Resolution Approving Engineer’s Plans, Specification and Estimates for Paving Improvement District No. 2014-01LP. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Sanford, Riely, Gravos, Voll, Mulder, and Bolken; nays: none.

Council Member Bolken moved to approve Resolution No. 2014-05LP Resolution of Necessity for Paving Improvement District No. 2014-01LP. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Mulder, Sanford, Voll, Gravos, Riely, and Bolken; nays: none.

Council Member Bolken moved to approve the Memorandum of Agreement between the North Dakota Department of Transportation (NDDOT) and the City of Watford City for the roadway reconstruction project under construction on ND Hwy 23 for the Southeast Watford City Bypass. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Sanford, Mulder, Gravos, Riely, Voll, and Bolken; nays: none.

Matt Beard, TD&H, presented Release of Bond Applications #2 ($135,274.81) and #3 ($102,285.00) for Tara Estates releasing a total of $237,559.81 of their bond.

Council Member Riely moved to approve releasing $237,559.81 of the Tara Estates Bond. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Voll, Bolken, Gravos, Mulder, and Riely; nays: none.

Council Member Gravos moved to reapprove the Madison Heights Development Agreement with the changes that have been added. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Bolken, Voll, Sanford, Mulder, Riely, and Gravos; nays: none.

Council Member Bolken moved to approve the Reconveyance Agreement between Judith H. Stenehjem (SLS) Limited Partnership and City of Watford City and the McKenzie County Public School District No. 1. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Bolken, Voll, Sanford, Mulder, Riely, and Gravos; nays: none.

Council Member Sanford moved to approve the bills as listed.  Motion seconded by Council Member Voll and carried unanimously. EFTPS $74,616.29; TASC $485.68; NDPERS $1,232.50; Nationwide Financial $170.00; Nationwide Retirement Solutions $1,454.00; Payroll $175,449.01; BCBS $30,428.09; NDPERS $26,856.79; NDPERS $219.84; Symetra $425.83; AFLAC $1,344.20; 3-D Specialties, Inc. $11,348.45; Addco Office Systems Inc. $156.89; Advanced Engineering $428,856.51; Astro Chem Services $250.21; Badlands Hardware $586.92; Balco Uniform $1,294.98; Bayfront Builders $79,100.00; Ben Meadows $246.00; Blue Lube $80.13; BlueTarp Financial $82.59; Brent Sanford $221.40; Carquest Auto Parts $10.18; Coborn’s $74.30; CRU $2,500.00; Dacotah Paper $434.50; Dakota Fire Extinguishers $173.38; Dakota Fluid Power, Inc. $1,168.07; Dakota Supply Group $40,875.05; Daniel Blood $105.00; DW Excavating $9,190.00; Emergency Apparatus Mainenance $907.97; Farmer’s Union Oil $8,112.84; Fastenal Company $821.33; Flexible Pipe Tool Company $1,902.80; Gaffaney’s Inc $547.89; Galls $1,703.55; Hawkeye Oil Field Supply $40.05; Heggen Equipment, Inc. $949.56; Information Technology Dept $584.15; Interstate Power Systems $1,236.60; Jack & Jill $438.93; Jesse Wellen $105.00; Jim Pittsley $125.00; JLG Architects $464,770.60; KBM, Inc. $1,200.00; Kohler Communications $1,225.00; Kraus Anderson $95,000.00; Kupper Chevrolet $32,376.00; Landmarck Structures Inc. $161.850.00; Locators & Supplies $281.68; Logan Gumke $125.00; Lund Oil $3,141.99; Lupine Construction $67,425.00; Lyle Signs $748.11; Magic City Janitorial $2,350.00; Marco, Inc $1,086.23; McKennett Law $15,905.00; McKenzie County Ambulance $488,438.60; McKenzie County Farmer $2,477.47; McKenzie County GIS $23,375.00; McKenzie County Recorder $811.00; McKenzie County Road & Bridge $2,241.64; McKenzie County School $368,000.00; McKenzie Electric $1,945.00; Meuchel Enterprises, Inc. $2,359.52; Montana Dakota Utilities $12,247.62; Motorola $6,197.92; ND Secretary of State $216.00; ND State Tax Commissioner $140.00; ND Water Users Association $350.00; Nelson Contracting $5,344.46; North Star Energy & Construction $135,220.13; Northern Improvement $3,310,567.56; NSC Minerals $5,921.16; OK Implement $1,065.66; OK Tire Stores $751.72; One Call Concepts $309.10; One Way Services $1,952.35; OR Dept Of Justice $186.00; Outlaws Bar & Grill $240.00;  Phoenix Fabricators $222,205.00; Postmaster $395.72; Power Plan OIB $186.72; Public Financial Management $12,500.00; PXI, Inc. $108,456.53;  Red Carpet $153.63; Reservation Telephone $1,381.04; Respond Systems $288.79; Rolfson Oil $109.95; Roughrider Industries $4,679.00; Safeguard Business Systems $345.12; Share Corporation $1,764.37; Sirennet.com $472.34; State Disbursement Unit $325.00; Stein’s $169.52; Stop Tech, LTD $1,382.00; Swanston Equipment $360.81; Tara Estates $237,559.81; TD & H Engineering $39,046.34; Terry Nate Jeffries $134.98; Total Funds by Hasler $549.99; Tractor Supply $440.93; Triple AAA Safelty/Training $44.00; Uline $184.43; Verizon $2,080.53; VISA $5,391.92; Ward County Auditor’s Office $775.50; Watford City Enterprises $700.00; Watford City Park District $434,000.00; Watford City Veterinary Clinic $54,000.00; Williams Plumbing & Heating $6,829.00; Wingate by Wyndham Bismarck $272.67.

The next regularly scheduled City Council meeting will be on Monday, December 1, 2014 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 10:22 p.m. These minutes are published subject to the City Council’s Review and Revision pursuant to NDCC 40-01-09.1.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Peni Peterson, Auditor Brent Sanford, Mayor