CITY OF WATFORD CITY

CITY COUNCIL MEETING

February 3, 2014

Minutes of the regular City Council meeting held on February 3, 2014 at 6:00 p.m. at City Hall. Present were Mayor Brent Sanford and Council Members Justin Voll, Marty Mulder, Shane Homiston, Randy Samuelson and Doug Bolken. Absent was Kris Pacheco. 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 January 6th & 30th, 2013. Motion also included approving the agenda. Motion seconded by Council Member Mulder and carried unanimously.

Council Member Voll moved to approve the application for Abatement of Taxes submitted by Bruce Gunderson in the amount of $1,274.45 for parcel 82-04-00700 that was incorrectly assessed in 2013, and approved to increase Mr. Gunderson’s Renaissance Zone value to $276,860. Motion seconded by Council Member Homiston and carried by the following roll call vote: ayes: Bolken, Samuelson, Homiston, Voll, and Mulder; nays: none.

Jan Dodge, Watford City Centennial Committee, presented information regarding the Centennial/Homefest weekend. Discussed alcohol during the event. It was the consensus of the council to proceed with filing out alcohol permits for the event.

Shane Hart, Reservation Telephone Cooperation, was present to discuss the 1 acre of land that the city would like to purchase. Mr. Hart indicated that RTC was willing to sell the land but would like the purchase negotiations to include changing their current franchise agreement to a 20 year exclusive franchise agreement. Council indicated that at this time the city is interested in just purchasing the land and requested a price. Mr. Hart indicated that he did not have a dollar amount for just the land and would have to speak to the RTC Board or Directors. Council also indicated to Mr. Hart that RTC is allowed to request a meeting with the Franchise Committee if they would like to revisit their current franchise agreement.

Lonnie Laffen, JLG Architects, was present and gave a presentation on a City Event Center. Mr. Laffen handed out preliminary site plans along with a brochure of projects completed by JLG Architects. Council Member Voll moved to approve signing an AIA Contract Document with JLC Architects to begin the discovery phase. Motion seconded by Council Member Samuelson and carried by the following roll call vote: ayes: Homiston, Bolken, Samuelson, Mulder, and Voll; nays: none.

Katie Walters, Bakken Housing Partners, presented Pay Application #4 from Consolidated Construction Company (Wolf Run Daycare) in the amount of $274,443.40. Council Member Voll moved to approve Pay Application #4 in the amount of $274,443.40 with $125,000 reimbursable to the city by the Energy Impact Office and the remaining $149,443.40 to be repaid by Bakken Housing Partners. Motion seconded by Council Member Homiston and carried by the following roll call vote: ayes: Bolken, Mulder, Samuelson, Homison, and Voll; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by City of Watford City (SE1/4SE1/4NW1/4 Section 18, T150N, R98W- 29.70 acres). There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Samuelson moved to approve the First Reading on an Ordinance Annexing Property to the City of Watford City per Annexation Application submitted by City of Watford City (SE1/4SE1/4NW1/4 Section 18, T150N, R98W- 29.70 acres). Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Homiston, Samuelson, Bolken, Voll, and Mulder; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Consolidated Investment Group LLC (The Highlands – Phase II -40 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 Consolidated Investment Group LLC (The Highlands – Phase II -40 acres). Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Samuelson, Mulder, Bolken, Voll, and Homiston; nays: none.

Tim Taylor, Watford City Airport Authority, was present and provided an update on airport proceedings which included projects they are currently working on and future projects.

Todd Norton, Advanced Engineering and Environmental Services, provided one final pay estimate and an invoice for review.

Council Member Voll moved to approve Pay Estimate #5 – Final from Moorehead Electric (Wastewater Treatment Facility Improvements – Phase I) for $68,922.07. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Mulder, Homiston, Samuelson, Voll, and Bolken; nays: none.

Council Member Mulder moved to approve Invoice #2013-1027 from Titanium Builders, LLC (Hunters Run Subdivision 12” Water Main Upgrade) for $345,000. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Homiston, Samuelson, Voll, Mulder, and Bolken; nays: none.

Chief Jesse Wellen was present and gave an update on the police department.

Council Member Samuelson moved to approve the 2014 Jail Agreement with McKenzie County for $212,000.00. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Bolken, Voll, Samuelson, Homiston, and Mulder; nays: none.

Council Member Bolken moved to approve the recommendations from the Planning Commission from their January 27, 2014 meeting with the exceptions of items 2 & 7 to be voted on separately. Approved the following: Final Amended Subdivision Plat Application submitted by Valley View/ The Highlands at Watford City for property located in Section 13, T150N, R99W, 42.66 acres; Conditional Use Permit annual review issued to Joseph and Margaret Girard Family Trust/US Forest Service, on property located at 1901 S. Main St., 4.9 acres, to continue employee housing; Conditional Use Permit annual review issued to JDM Development Group, LLC. / Michael Jelsing for property located at 324 3rd St NW, to continue a temporary Home Occupation (Dental Office). Approval is contingent upon that the conditional use becomes invalid when the business moves into the new location, or in one year, whichever one comes first; Conditional Use Permit annual review issued to Pilot Travel Centers, LLC on property located 1009 11th St SW, to continue allowing a 12,000 gallon above ground storage tank; Conditional Use Permit annual review issued to SkyPath Wireless Network, LLC on property located in Section 25, T150N, R99W, McKenzie County, 2.43 Acres to continue allowing a new wireless communication tower; Conditional Use Permit annual review issued to Verizon Wireless on property located at Beginning on the north line of Section 24, 612.8 feet West of the northeast corner of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section 24, Township 150 North, Range 99W, South 230 feet, West 210 feet, North 230 feet, East along the said North line 210 feet to the point of beginning, 4th Ave NW across from city water tanks to continue allowing operation of a wireless communication site. Motion seconded by Council Member Homiston and carried by the following roll call vote: ayes: Bolken, Samuelson, Voll, Homiston, and Mulder; nays: none.

Council Member Mulder moved to approve the Conditional Use Permit annual review issued to Don Moberg on property located at 101 4th Ave SE, Lot 1 Blk 1 -Dahls Addition to Watford City to continue operating a Home Occupation (Barber); Conditional Use Permit annual review to SSID, LLC. / Robert Trupe for property located at 1005 S. Main St, to continue Employee Housing; both approvals contingent on all required off-street parking areas be improved with asphalt or concrete within 6 months or upon approval from the Building Inspector. Motion seconded by Council Member Bolken and carried by the following roll call vote: Homiston, Mulder, Bolken, Voll, and Samuelson; nays: none.

Member Homiston moved to approve the following annual step increase for Kyle Geirsdorf, Category 12, Step 1; effective March 1, 2014. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Mulder, Bolken, Samuelson, Voll, and Homiston; nays: none.

Council Member Bolken moved to approve the Second Reading on Ordinance #339 Annexing Property to the City of Watford City per Annexation Application submitted by Kyle Caulk (SW1/4NW1/4, Sec 22, T150N, R98W - 5 acres). Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Mulder, Samuelson, Homiston, Voll, and Bolken; nays: none.

Council Member Bolken moved to approve the Second Reading on Ordinance #336 Annexing Property to the City of Watford City per Annexation Application submitted by Bakken Development (Lot 4, Blocks 8-11 Bakken Holdings Subdivision – 36.43 acers). Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Voll, Homiston, Bolken, Samuelson, and Mulder; nays: none.

Council Member Bolken moved to approve the Second Reading on Ordinance #337 Amending Chapter IV, Article 404, Section A – Relating to Duties of Building Inspector. Motion seconded by Council Member Samuelson and carried by the following roll call vote: ayes: Homiston, Samuelson, Mulder, Bolken, and Voll; nays: none.

Council Member Bolken moved to approve the Second Reading on Ordinance #338 Amending Chapter XV, Article XX – Relating to Parking and Loading Regulations. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Homiston, Mulder, Samuelson, Voll, and Bolken; nays: none.

Council Member Bolken moved to approve Resolution 2014-02 – Resolution of Exhibits Relating to Parking and Loading Regulations Ordinance #338. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Homiston, Mulder, Samuelson, Voll, and Bolken; nays: none.

Council Member Bolken moved to approve Resolution 2014-03- Resolution of Proposal for Annexation. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Voll, Samuelson, Bolken, Mulder, and Homiston; nays: none.

Council Member Homiston moved to approve Mayor Sanford’s appointment of Jeff Kummer to the Airport Board to fulfill Ron Broderson’s unexpired term until 6/30/2014. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Mulder, Voll, Bolken, Samuelson, and Homiston; nays: none.

Council Member Voll moved to approve releasing a portion of the 2nd bond back to The Crossings at Watford City, LLC in the amount of $756,291.00 or 38.76% of the total Phase2 Bond for Improvements made to date. Motion seconded by Council Member Homiston and carried by the following roll call vote: ayes: Bolken, Samuelson, Mulder, Homiston, and Voll; nays: none.

Council Member Bolken moved to approve beginning the noticing process to extend the Extraterritorial Area to the full allowable 1 mile area. Motion seconded by Council Member Homiston and carried by the following roll call vote: ayes: Mulder, Bolken, Homiston, Voll, and Samuelson; nays: none.

Reviewed a letter from Sandra Thompson-Ball, McKenzie County Social Services, regarding Conditional Use Permit fees for Home Occupation/Daycares. No action was taken.

Council Member Voll moved to approve advertising for bids for a new street sweeper. Motion seconded by Council Member Homiston and carried by the following roll call vote: ayes: Bolken, Mulder, Samuelson, Homiston, and Voll; nays: none.

Discussed a letter received by Vogel Law Firm representing JN Field Services. Justin Smith will construct a letter addressing JN Field Services concerns.

Council Member Samuelson moved to approve the bills as listed. Motion seconded by Council Member Homiston and carried unanimously. EFPTS $22,054.89; EFTPS $27,374.06; TASC $247.55; TASC $359.46; NDPERS $560.00; NDPERS $560.00; Payroll $124,526.87; BCBS $23,445.10; NDPERS $22,791.90; NDPERS $236.17; Symetra $303.90; AFLAC $602.14; 3-D Specialties, Inc. $646.86; Advanced Engineering $128,771.11; Astro Chem Services $175.00; Badlands Hardware $1,252.05; Balco Uniform Comp $209.50; Barrett Pharmacy, Inc. $42.98; Bluetarp Financial $57.21; Bonnie Dehaven $469.40; Border States Electric Supply $609.39; Braun Intertec Corp. 742.50; Carquest Auto Parts $570.33; Coborn’s $18.26; Comfort Inn Bismarck $74.00; Consolidated Construction $274,443.40; Construction Services Inc. $3,203.00; Dacotah Paper Co. $481.22; Dakota Dumpster $375.00; Dakota Fluid Power, Inc. $58.60; Dakota Supply Group $49,466.60; Darrington Snow Removal $900.00; Dean Anderson, Inc. $1,529.95; Display Sales Company $1,484.00; DW Excavating $8,755.00; Electronic Communications $300.00; Elliot Excavating $18000.00; Farmers Union Oil Co $7,432.55; Fastenal Company $1,250.46; Foley Brothers $7,105.00; Gaffaney’s Inc $18,632.07; Galls $114.39; General Services Administration $4,696.58; Hach Company, Inc. $190.07; Hawkeye Oil Field Supply LLC $782.17 Heggen Equipment, Inc. $887.07; Information Technology Dept $354.60; Jehn Engineering $4,688.00; Jesse Wellen $135.00; Kotana Communications, Inc. $1,024.65; Larsen Service Drug Inc. $11.98; Law Enforecement Systems, Inc. $190.00; Locators & Supplies $42.69; Lund Oil $3,072.46; Mailbox Solutions $100.00; Mandan Northwest Pipe Fittings $73.47; McKennett Law Firm $9,987.50; McKenzie County Auditor $535.34; McKenzie County Farmer $1,632.96; McKenzie County Landfill $9,979.90; McKenzie County Recorder $124.00; McKenzie County Tourism $1,962.49; McKenzie County Veterans Service $31.00; McKenzie Electric Coop $1,247.00; Meuchel Enterprises, Inc. $405.70; Montana Dakota Utilities $13,485.33; Motorola $14,031.75; MyGov $1,450.00; My-LOR, Inc. $57.15; ND Building Official Association $230.00; ND League of Cities $1,830.00; ND Safety Council, Inc. $185.00; ND State Radio Communications $446.00; North Dakota Workforce Safety $27,587.13; Northern Underground $2,040.00; NSC Minerals $2,627.73; OK Implement $2,474.75; OK Tire Store $309.79; One Way Service Machine Shop $98.00; Oscar Knudtson $1,210.00; Outlaws Bar & Grill $1,614.48; Petty Cash $439.55; PFC Equipment $2,357.51; PostMaster $334.69; Pro Auto Body $714.05; Red Carpet $182.98; Reservation Telephone $1,223.50; River Aggregates $7,991.93; Rough Rider Industries $5,068.00; S & S Motors $1,035.00 Shannon Wellen $38.00; Sirchie Finger Print $2,507.90; State Disbursement Unit $325.00; Suds Laundry $122.10; Swanston Equipment $2,224.85; TASC $1,062.20; Taser International $96.46; TD & H Engineering $14,220.00; The Forum $35.72; Theodore Roosevelt Expressway $7,000.00; Titanium Builders $345,000.00; Titanium Plumbing $415.00; Triple AAA Safety $202.82; Upper Missouri District Health $62.75; Verizon $1,704.78; VISA $5,168.66; Vogel Law Firm $98.00; Watford City Enterprises $600.00; Watford City Rotary Club $400.00; Wingate By Wyndham Bismarck $271.41.

The next regularly scheduled City Council meeting will be on Monday, March 3rd, 2014 at 6:00 p.m. at City Hall in the Civic Center.

There being no further business, the meeting was adjourned at 9:47 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