CITY OF WATFORD CITY

CITY COUNCIL MEETING

November 2, 2015

Minutes of the regular City Council meeting held on November 2, 2015 at 6:00 p.m. at City Hall. Present were Mayor Brent Sanford and Council Members Justin Voll, Steve Sanford, Marty Mulder, Doug Bolken, Phil Riely, and Aaron Gravos. 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 5, 19, and 27, 2015. Motion also included approving the agenda. Motion seconded by Council Member Gravos and carried unanimously.

Mike Graham, Knife River, gave an update on the 4th Ave/Hwy 23 road project.

Chad Larson, Krause-Anderson, presented Pay Application #11 in the amount of $6,221,771.85.

Council Member Voll moved to approve Pay Application #11 from Krause-Anderson (Watford City Events Center) in the amount of $6,221,771.85. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Mulder, Riely, Voll, Bolken, Gravos, and Sanford; nays: none.

Luke Taylor, Airport Authority, gave an update on the Airport.

Matt Beard, TD&H, presented Release of Bond Application #3 for CKW Properties requesting to release $300,000 or 20% of the total bond.

Council Member Gravos left the meeting at 6:43 p.m.

Council Member Voll moved to approve the Release of Bond Application #3 for CKW Properties releasing $300,000 or 20% of the total bond but did not approve the transfer responsibilities as outlined in the South Park Punchlist that was provided. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Voll, Sanford, Bolken, Riely, and Mulder; nays: none.

Council Member Gravos returned to the meeting at 6:47 p.m.

Todd Norton, Advanced Engineering, presented Pay Estimates and Change Orders.

Council Member Bolken moved to approve Pay Estimate #3 from North Country Contacting (12th St Reconstruction- Wet Utilities) in the amount of $409,064.63. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Mulder, Bolken, Voll, Gravos, Riely, and Sanford; nays: none.

Council Member Voll moved to approve Change Order #1 from Park Construction Co. (4th Ave NW Street Improvements) in the amount of $23,793.76. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Gravos, Mulder, Sanford, Voll, Bolken, and Riely; nays: none.

Council Member Riely moved to approve Pay Estimate #4 from Park Construction Co. (4th Ave NW Street Improvements) in the amount of $481,760.44. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Bolken, Riely, Voll, Sanford, Gravos, and Mulder; nays: none.

Council Member Mulder moved to approve Change Order #2 from Wagner Construction (HS/EC Offsite Improvements) in the amount of $534,527. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Riely, Sanford, Voll, Bolken, Mulder, and Gravos; nays: none.

Council Member Voll moved to approve Pay Estimate #6 from Wagner Construction (HS/EC Offsite Improvements) in the amount of $3,378,227.76. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Gravos, Bolken, Mulder, Sanford, and Riley; nays: none.

Council Member Voll moved to approve Pay Estimate #1 from Rice Lake Construction Group (Fox Hills Regional Lift Station) in the amount of $267,367. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Mulder, Riely, Voll, Sanford, Bolken, and Gravos; nays: none.

Council Member Bolken moved to approve Pay Estimate #12 from Rice Lake Construction Group (Water Resource Reclamation Facility) in the amount of $1,098,233. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Sanford, Gravos, Bolken, Voll, Mulder, and Riely; nays: none.

Council Member Voll moved to approve Pay Estimate #1 from Rice Lake Construction Group (Water Resource Reclamation Facility – Phase II) in the amount of $1,955,022. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Voll, Mulder, Gravos, Sanford, Bolken, and Riely; nays: none.

Council Member Riely moved to approve the recommendations from the Planning Commission from their October 26, 2015 meeting with the exception of items #1 to be voted on separately. Approved the following: Conditional Use Permit Annual Review for Don located at 101 4th Ave SE Lot 1 Block 1 - Dahls Addition to Watford City to continue allowing a Home Occupation;Conditional Use Permit Annual Review for Sky Path Wireless Network, LLC located in Section 25, T150N, R99W, 2.43 Acres to continue allowing a network tower; Final Plat Application forCherry Creek Fourth Addition Lutheran Social Services (LSS) / McKenzie County. Denied a Conditional Use Permit Annual Review for Links Owned Properties, LLC located at 605 11th Ave SW, 10 Acres to discontinue manufacturing and/or processing operations (sand storage). Motion seconded by Council Member Mulder and carried unanimously.

Council Member Bolken moved to waive the conflict of interest for Marty Mulder and Steve Sanford allowing them to comment and vote on the outstanding Planning and Zoning item #1. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Gravos, Bolken, Voll, and Riely; Nays: none.

Council Member Bolken moved to deny the Planning and Zoning recommendation to continue annual review of Conditional Use Permits for Temporary Workforce Housing. City Council set the date of December 1, 2016 for Temporary Workforce Housing Conditional Use Permits to expire. Planning staff will work with current permit holders to develop a solution for each circumstances prior to the deadline. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Bolken, Sanford, Riely, Voll, Gravos, and Mulder; nays: none.

Council Member Gravos moved to approve City Auditor Peterson to purchase 9 IPads and accessories but not to exceed $5,000. 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 Bolken moved to approve the First Reading on an Ordinance Amending Sections 6-904, 6-905, and 6-915 Article 9, Chapter VI Relating to Taxi Cabs. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Bolken moved to approve the Second Reading on Ordinance # 419 Amending Section 6-501, Article 5, Chapter VI Relating to Definitions. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Riely Voll, Sanford, Gravos, and Bolken; nays: none.

Council Member Bolken moved to approve the Second Reading on Ordinance #420 Amending Section 6-505, Article 5, Chapter VI Relating to License – Classes Of. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Gravos, Mulder, Voll, Riely, Sanford, and Bolken; nays: none.

Council Member Bolken moved to approve the Second Reading on Ordinance #421 Amending Section 6-506, Article 5, Chapter VI Relating to License – Qualifications For. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Voll, Sanford, Gravos, Bolken, Riely, and Mulder; nays: none.

Council Member Bolken moved to approve the Second Reading on Ordinance #422 Adding Article XXXI, Chapter XV Relation to Street Naming and Property Numbering. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Sanford, Bolken, Mulder, Riely, Voll, and Gravos; nays: none.

Council Member Bolken moved to approve Resolution 2015-28 Amending Application Fee Schedule adding Taxi Cab fees. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Riely, Sanford, Gravos, Voll, Bolken, and Mulder: nays: none.

Council Member Mulder moved to approve the Permit to Exceed Dog Limitation for Mark Clemons allowing for 5 dogs that were specified in the request. Motion seconded by Council Member Voll and carried unanimously.

Council Member Bolken moved to approve Special Liquor Permits for D & M’s Office, December 5, 2015, 6:00 p.m. – 1:00 a.m., Veteran’s Memorial Building and for Peni Peterson – December 11th 6:00 p.m. – 12:00 a.m., Civic Center. Motion seconded by Council Member Gravos and motion carried.

Council Member Voll moved to approve annual step increases for Ryan Chaffee- Cat 12, Step 2 to Cat 12, Step 3, effective November 1, 2015; Rita Olson- Cat 6, Step 5 to Cat 6, Step 6; effective November 1, 2015; Peni Peterson – Cat 10, Step 2 to Cat 10, Step 3, effective November 1, 2015. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Bolken, Voll, Mulder, Sanford, Riely, and Gravos; nays: none.

Council Member Voll moved to accept the resignation of Miah-Joy Kay. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Gravos, Riely, Voll, Sanford, and Gravos; nays: none.

Council Member Gravos moved to approve offering an Employee Assistance Program to employees through The Village Business Institute. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Voll moved to approve November 27th as a holiday for city employees and for City Hall to close at noon on December 24th. Motion seconded by Council Member Gravos and carried unanimously.

Council Member Riely moved to approve the 2013 & 2014 Audits prepared by WhippleWood CPAs. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Mulder, Bolken, Gravos, Sanford, Riely, and Voll; nays: none.

Council Member Bolken moved to approve waiving building rental fees for Veteran events held in the Veteran’s Memorial Building and Civic Center. There would not be a rental charge for curtains unless they are damaged or they require cleaning. Security for events would be their responsibility. Motion seconded by Council Member Riely and carried unanimously.

Council Member Voll moved to approve Pay Application #2 from Knife River (High School/Event Center On-site Grading and Paving) in the amount of $1,359,367.61. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Mulder, Bolken, Sanford, Riely, Voll, and Gravos; nays: none.

Council Member Riely moved to approve the Cost Estimate from MDU (Water Treatment Plant) in the amount of $15,963. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Bolken, Sanford, Riely, Gravos, Voll, and Mulder; nays: none.

Reviewed a Fox Hills Regional Force Main Change Order #1 from Wagner Construction. No action required.

Council Member Gravos moved to approve Task Order #40a from Advanced Engineering Services (Water Resource Recovery Facility Phase 2 –Construction and Post-Construction) in the amount of $1,119,000. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Sanford, Voll, Bolken, Gravos, Riely, and Mulder; nays: none.

Council Member Gravos moved to approve an advertisement for Statement of Qualifications for Engineering Services with changes to read… *The City will utilize the selected firm for not more than three years for State Water Commission Projects.* Motion seconded by Council Member Mulder and carried unanimously.

Council Member Gravos moved to approve the Stallion Meadows Development Agreement. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Voll, Mulder, Sanford, Gravos, Riely, and Bolken; nays: none.

Council Member Riely moved to approve an Agency Agreement for City Prosecution of Simple Assault- Domestic Violence between the City of Watford City and McKenzie County. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Bolken, Sanford, Mulder, Riely, Gravos, and Voll; nays: none.

Attorney Voll informed the council that the Renaissance Zone Application submitted by JL Beers would not be accepted by the State due to the application was not filed in a timely manner.

Council Member Sanford moved to approve the bills as listed.  Motion seconded by Council Member Riely and carried unanimously. EFTPS $94,668.12; TASC $317.32; NDPERS $2,900.00; Nationwide Financial $730.00; Nationwide Retirement Solutions $2,714.00; Payroll $204,014.96; BCBS $38,167.65; NDPERS $38,365.14; NDPERS $328.21; Symetra $723.08; AFLAC $2,148.16; 3-D Specialties $2,867.17; Always LLC $9,775.00; American Society of Civil Engineers $250.00;  Apple Time $770.86; Astro Chem Services $1,408.00; Badlands Hardware $2,852.74; Badlands Occupational Testing $408.00; Badlands Power Fuels LLC $1,280.00;  Badlands Trailers $4,100.00; Baymont Inn & Suites $149.40; Ben Meadows $366.38;  Black Mountain Software $4,012.75; BlueTarp Financial $162.26; Border States Electric $37.35; Brosz Engineering $51,472.50; Buttons By Fish $600.00; C Emery Nelson, Inc. $349.94; Carquest $33.00; CIM Sanitary Tech $5,000.00; City of Watford City $1,176.32; Cole Papers $78.59; Comfort Inn $80.00; Dakota Pump & Control $4,224.35; Dakota Supply Group $6,200.68; Design Space Modular Buildings $4,495.64; DW Excavating $28,451.00; Farmer’s Union Oil $5,405.72; Fastenal $257.70; Federal Signal Corp $315.00; First International Bank $55,400.00; Flexible Pipe Tool Company $72.80; Foley Brothers LLC $1,155.00; Found It Now $34.74; Galls $743.33; Gene’s Tree Service $300.00; GG & G Inc. $422.30; GFOA $160.00; Glenn & Tina Wahus $16,925.70; Graybar $258.12; Heggen Equipment Inc. $447.20; Helena Chemical Co. $23.47; Holiday Credit Office $2,264.59; Homestead Management $951.00; HUS Industries $21,864.50; ITD $455.05; J&C Custom LLC $1,761.93; Jack & Jill $220.95; Jamar Company $707.00; Knife River Corp $1,359,367.61;  Kohler Communications $2,634.00; Kraus Anderson Const. $7,131,757.85; L-Tron Corp $1,088.87; Lund Oil $1,891.48; Lupine Construction $17,887.00; Lyle Signs $862.50; M Space Holdings $320.00; Marco $1,418.25; McKennett Law $25,388.75; McKenzie County Ambulance $82,747.00; McKenzie County Farmer $1,063.14; McKenzie County Healthcare $36.00; McKenzie County Landfill $13,193.05; McKenzie County Recorder $137.00; McKenzie County Tourism $7,995.25; McKenzie County Water Resource $420,907.09; McKenzie Electric $18,794.38; Meuchel Enterprises $2,772.96; Mohave Engineering $1,931.50; Montana Dakota Utilities $30,894.34; Motorola $7,061.76; MTI Distributing $8,351.14; National Safety Council $395.00; NDAAO $350.00; ND Secretary of State $36.00; ND State Radio Communications $360.00; North Country Contracting $425,295.00; NSC Minerals $5,510.63; Office Depot $337.89; OK Implement $1,093.95; OK Tire Stores $4,700.05; One Call Concepts $326.70; Otis Elevator $2,250.42; Park Construction $481,760.44; Pioneer Research Corp $246.25; Pollardwater $379.75; Postmaster $451.38; Power Plan OIB $430.04; PT Contracting $97,382.00; Public Financial Management $12,500.00; Reservation Telephone $2,525.10; Rice Lake Construction $3,320,622.00; Roosevelt Inn & Suites $109.45; Ryan Chaffee $401.00; S&S Motors $143.54; Select Ford $7,498.54; Selid Plumbing & Heating $503.60; Share Corp $2,693.81; Sherwin Williams $2,976.50; Sirchie Finger Print $249.90; Spectrum Sports $45,401.24; Steve Williams $49.00;Taser International $296.81; TD&H Engineering $28,684.58; The Knox Company $2,747.00, Titanium Plumbing $300.00; Todd Kelley $275.42; Total Funds by Hasler $500.00; Triple AAA Safety $160.00; Verizon $2,483.30; Uline $146.15; Veit & Company $1,272.83; Visa $1,496.91; Wagner Construction $3,378,227.76; Watford City Chamber of Commerce $2,171.12; Watford City Economic Development Corp $100.00; Watford City Express Laundry $577.95; Watford City Vet Clinic $412.50; Williston Fire & Safety $26.00.

The next regularly scheduled City Council meeting will be on Monday, December 7, 2015 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 9:22 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