CITY OF WATFORD CITY

CITY COUNCIL MEETING

February 2, 2015

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

Jody Renbarger, Roughrider Committee, presented a Roughrider Application from McKenzie Village Apartments (senior housing project). Roughrider Committee recommends approving $250,000 per year for two years ($500,000 total).

Council Member Voll moved to approve the Roughrider Application submitted by McKenzie Village Apartments in the amount of $250,000 per year for two years pending final approval of plans with the City of Watford City and McKenzie County payable once project is under construction. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Riely, Gravos, Mulder, Voll, and Bolken; nays: none.

Chamber Members Darick Franzen, Mary Gumke, Wade Elder, Lynn Walker, and Dana Roff presented the City of Watford City with a metal wall art commemorative of the 2014 Centennial.

City Assessor Rita Olson presented an Application for Abatement or Refund of Taxes submitted by LSS Housing Watford City, LLC. City Assessor Olson informed the council that the exemption for affordable housing allows LLS to receive a credit if they provide housing at a reduced rate. The total amount of the tax abatement for the 3 parcels for 2013 totals $777.04 and for 2014 totals $709.90. Council Member Mulder moved to approve credits of $777.04 and $709.90. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Voll, Mulder, Bolken, Gravos, and Riely; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Beer License and Application for Sunday Alcoholic Beverage Permit submitted by American Smoke Wagon, LLC. There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Voll moved to approve the Application for Beer License and Application for Sunday Alcoholic Beverage Permit submitted by American Smoke Wagon, LLC. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Bolken, Gravos, Mulder, Voll, and Riely; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Legacy Highlands North (S 20.016 acres Lot 1, Block 2 Rose Meadow Subdivision – 20.016 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 Legacy Highlands North (S 20.016 acres of Lot 1, Block 2 Rose Meadow Subdivision – 20.016 acres). Motion seconded by Council Member Bolken and carried unanimously.

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

Council Member Bolken moved to approve advertising for bids for the North WRRF Phase II Construction. Motion seconded by Council Member Mulder and carried unanimously.

Council Member Voll moved to approve the Geotech Proposal from Braun Intertec (North WRRF Phase II Design) in the amount of $9,968.50. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Riely, Bolken, Voll, Gravos, and Mulder; nays: none.

Council Member Voll moved to approve Task Order #38 from Advanced Engineering (Southwest Water Storage and Transmission- Preliminary Design Phase) in the amount of $37,000. Motion seconded by Riely and carried by the following roll call vote: ayes: Gravos, Mulder, Riely, Voll, and Bolken; nays: none.

Council Member Bolken moved to approve Change Order #4 from Phoenix Fabricators & Erectors, Inc. (Northwest Water Tower) in the amount of $5,742. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Voll, Gravos, Bolken, Mulder, and Riely; nays: none.

Council Member Voll moved to approve Pay Estimate #10 from Phoenix Fabricators & Erectors, Inc. (Northwest Water Tower) in the amount of $76,854.90. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Riely, Gravos, Voll, and Bolken; nays: none.

Council Member Bolken moved to approve Pay Estimate #5 (final) from PXI, Inc. (2014 Watermain Replacement) in the amount of $12,570.39. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Gravos, Riely, Mulder, Bolken, and Voll; nays: none.

Council Member Mulder moved to approve Pay Estimate #3 from Rice Lake Construction Group (Water Resource Reclamation Facility) in the amount of $362,185.00. Motion seconded by Council Member Gravos and carried by the following roll call vote: Bolken, Gravos, Riely, Voll, and Mulder; nays: none.

Assistant Chief Jesse Wellen gave an update on the police department. Assistant Chief Wellen recommended hiring Officer Devin Clark at Category 12, Step 0 with a starting date of February 1, 2015, and Officer Shane Boulds at Category 12, Step 0 with a starting date of February 1, 2015. Council Member Voll moved to approve the offers of employment to Devin Clark and Shane Boulds. Motion seconded by Council Member Gravos and carried by the following roll call vote: Bolken, Gravos, Mulder, Voll, and Riely; nays: none.

Council Member Voll moved to approve the recommendations from the Planning Commission from their January 26, 2015 meeting. Approved the following: Simple Lot Split submitted by PVJ, LLC, and Lenny Badger for Nancy Bischoff on property located Lot 1 Block 2 of Rose Meadow Subdivision Plat being the E1/2NE1/4 Section 12, T150N, R99W, for the purpose of creating two lots from one parcel: Lot 1=40.014 acres, Lot 2=20.016 acres; Subdivision Preliminary Plat submitted by Matrixx Equities Watford, LLC for Edward & Charlotte Schilke on property located SW1/4 of Section 21, T150N, R98W, 138 +/- acres, 17 lots; Zone Change Application submitted by Bob Watt of Matrixx Equities Watford, LLC for Edward & Charlotte Schilke on property located SW1/4 of Section 21, T150N, R98W, 138 acres, rezoning AG land as follows: 111.50 acres AG to R4, 6.58 AG to C2, 19.56 acres AG to CF, 137.64 acres total; Simple Lot Split submitted by Mychal Gorden for Erik Stenehjem of Stenehjem Development, LLP on property located Lot 4 of Section 31, T150N, R98W, creating two lots - Lot 1=14.78 acres, Lot 2=20.19 acres; Zone Change Application submitted by Mychal Gorden for Erik Stenehjem of Stenehjem Development, LLP on property located Lot 4 of Section 31, T150N, R98W, rezoning AG land as follows: 14.78 acres to C1, 20.19 acres to R4 (35 +/- acres total); Simple Lot Split submitted by T. Jason Vedadi for Hunter’s Run on property located Lot 138 of Hunter’s Run Subdivision, SE1/4 Section 16, T150N, R98W, creating two parcels from one parcel of land, Lot 1(158) =2.70 acres, Lot 2(159) =2.645; Subdivision Final Plat – The Homestead (east) 93.32 acres 9 lots (#28-#35); Subdivision Final Plat – The Homestead North 224.91 acres, 9 lots. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Gravos, Riely, Bolken, Mulder, and Voll; nays: none.

Council Member Gravos moved to approve the revised Employee Housing Lease Agreement adding *the monthly rent to include basic utilities*. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Bolken, Voll, Mulder, Riely, and Gravos; nays: none.

Council reviewed a letter from Addie Gross requesting more than three animals at her residence 604 Park Ave E. Council Member Bolken moved to approve the request from Addie Gross. Motion seconded by Council Member Mulder and carried unanimously.

Referred Adding Section 8-1312 to Article 13, Chapter VIII Relating to Trailer Parking Prohibited to the Ordinance Committee.

Council Member Bolken moved to approve the Second Reading on Ordinance #395 Annexing Property to the City of Watford City per Annexation Application submitted by Watford Center (Hwy 85 S and Bypass – 132.7 acres). Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Voll, Gravos, Mulder, Bolken, and Riely; nays: none.

Council Member Voll moved to approve the First Reading on an Ordinance Authorizing the Issuance of up to $40,000,000 City of Watford City, North Dakota Sales Tax Revenue Bonds to Finance Event and Recreation Center. Motion Seconded by Council Member Gravos and carried unanimously.

Council Member Riely moved to approve Resolution #2015-02 Resolution Providing for the Issuance and Sale of City of Watford City, North Dakota $19,000,000 Sewer Revenue Bonds, Series 2015. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Riely, Voll, Bolken, Mulder, and Gravos; nays: none.

Council Member Riely moved to approve Resolution #2015-03 Resolution of City of Watford City, North Dakota Relating to the Issuance of Bonds and the Reimbursement of Certain Expenditures. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Bolken, Voll, Mulder, Gravos, and Riely; nays: none.

Council Member Voll moved to terminate for cause Jedadiah Smith effective February 2, 2015. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Voll, Bolken, Riely, Gravos, and Mulder; nays: none.

Council Member Voll moved to approve the following Public Works Category and Step changes effective February 1, 2015: Suliman Mudi and Yaw Wiredu, Category 3, Step 1; Robert Lamell, Brian Oakley, Jonathon Cummings, Michael Turner, Category 4, Step 0; Larry Fisketjon, Eddy Vera, Category 4, Step 1; Philip Mula, Category 4, Step 2; Curtis Larson, Category 4, Step 3; Gary Hoffman, Category 6, Step 3; Nate Jefferies, Jimmy Pittsley, Category 6, Step 4. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Bolken, Gravos, Mulder, Voll, and Riely; nays: none.

Council Member Voll moved to approve the following Police Department changes: adding additional categories to the current police department pay schedule. Adding categories 13 (Corporal, Detective), 14 (Police Sergeant), 15 (Captain), 16 (Assistant Chief of Police), 17 (Chief of Police); accepting the proposed schedule for Corporal/Detective, Captain, and Police Chief; Assistant Chief Jesse Wellen will not receive a step increase for 2015 or 2016, but will receive annual cost of living increases; step increase for Chief Art Walgren to Category 17, Step 1, effective February 1, 2015. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Riely, Voll, Gravos, Mulder, and Bolken; nays: none.

Council Member Voll moved to change the Public Works On Call policy to include 2nd employee on call will receive minimum 4 hours Saturday and minimum 4 hours Sunday pay, 3rd employee on call (seasonal if needed) will receive minimum 2 hours Saturday and minimum 2 hours Sunday pay. Seconded by Council Member Riely and carried by the following roll call vote: ayes: Gravos, Bolken, Voll, Mulder, and Riely; nays: none.

Council Member Voll moved to approve Curt Moen as City Planner/ City Administrator at a rate of $10,000/month. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Mulder, Bolken, Gravos, Voll, and Riely; nays: none.

Council Member Voll moved to approve a Category and Step change for Justin Smith from Category 11, Step 6, to Category 8, Step 0; effective February 1, 2015. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Bolken, Riely, Voll, Mulder, and Gravos; nays: none.

Council Member Voll moved to approve the annual step increases for Daniel Blood, Andrew Langowski, Shannon Wellen from Category 7, Step 1 to Category 14, Step 2; effective February 1, 2015. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Riely, Bolken, Voll, Gravos; nays: none.

Council Member Voll moved to approve the following amendments to the 2014 budget. Motion seconded by Riely and carried by the following roll call vote: Mulder, Bolken, Riely, Gravos, Voll; nays: none. The 2014 Budget Amendments Total: $27,769,680.99

**General Fund (1000)**

Additional expenditures for General Fund of $7,200,000

Amend budget from $14,208,861 to 21,408,861

**Fire Unit Fees (1020)**

Additional expenditures for Fire Department Unit Fees of $255,865.12

Amend budget from $0 to $255,865.12

**Road Fund (2010)**

Decrease in expenditures for Road Fund of -$1,600,000

Amend budget from $3,430,075 to $1,830,075

**Social Security (2020)**

Additional expenditures for Social Security of $69,000

Amend budget from $131,000 to $200,000

**Retirement (2030)**

Additional expenditures for Retirement of $34,000

Amend budget from $97,100 to $131,100

**Insurance Reserve (2040)**

Additional expenditures for Insurance Reserve Fund of $15,000

Amend budget from $30,000.00 to $45,000

**Planning Commission Fund (2070)**

Additional expenditures for Planning Commission Fund of $246,750

Amend budget from $553,250 to $800,000

**Lease of Law Enforcement Facilities (2100)**

Additional expenditures for Lease of Law Enforcement Facilities Fund of $2,000

Amend budget from $210,000 to $212,000

**City Improvements Fund (2230)**

Decrease in expenditures for City Improvements Fund of -$6,000,000

Amend budget from $6,000,000 to $0

**Forestry (2270)**

Additional expenditures for Forestry of $3,700

Amend budget from $15,300 to $19,000

**Lodging Tax Fund (2280)**

Additional expenditures for Lodging Tax Fund of $110,000

Amend budget from $30,000 to $140,000

**Roughrider Tax (2399)**

Additional expenditures for Roughrider Tax of $800,000

Amend budget from $1,500,075 to $2,300,075

**Mainstreet Project (4000)**

Additional expenditures for Main St Project of $5,322.49

Amend budget from $0 to $25,322.49

**Bike Path Project (4001)**

Additional expenditures for Bike Path Project of $10,664.70

Amend budget from $0 to $10,664.70

**2011 Utility Extension (4004)**

Decrease in expenditures for 2011 Utility Extension of -$2,300,000

Amend budget from $3,500,000 to $1,200,000

**Capital Improvement Projects (4005)**

Additional Expenditures for CIP of $900,000

Amend budget from $0 to $900,000

**E Water Tower (4006)**

Additional expenditures for E Water Tower of $3,700,000

Amend budget from $0 to $3,700,000

**NW Water Tower (4007)**

Additional expenditures for NW Water Tower of $3,600,000

Amend budget from $0 to $3,600,000

**WRRF (4008)**

Additional expenditures for WRRF of $4,500,000

Amend budget from $0 to $4,500,000

**Events Center (4009)**

Additional expenditures for Events Center of $5,000,000

Amend budget from $0 to $5,000,000

**NW Pressure Zone (4011)**

Additional expenditures for NW Pressure Zone of $40,000

Amend budget from $0 to $40,000

**2014-01 Water Main (4012)**

Additional expenditures for 2014-01 Water Main of $600,000

Amend budget from $0 to $600,000

**17th Ave NE (4013)**

Additional expenditures for 17th Ave NE of $9,500,000

Amend budget from $0 to $9,500,000

**Regrade & Lower 4th & 6th (4014)**

Additional expenditures for Regrade & Lower 4th & 6th of $22,000

Amend budget from $0 to $22,000

**Water (5010)**

Additional expenditures for Water of $870,000

Amend budget from $1,630,957 to $2,500,957

**Garbage (5030)**

Additional expenditures for Garbage of $29,273

Amend budget from $570,727 to $600,000

**McKenzie Rural Water (5050)**

Additional expenditures for McKenzie Rural Water of $156,105.68

Amend budget from $0 to $156,105.68

Council Member Voll moved to approve the Mayor’s appointment of Marty Mulder to the Roughrider Committee to fulfill Kris Pacheco’s unexpired term until September 30, 2015. Motion seconded by Council Member Gravos and carried unanimously.

City Engineer Kelley presented informational material on the following: Brosz Engineering Introduction & Proposal for on-call services, 11th Ave. SW Flood Control Levee, High School/Event Center Infrastructure – Preliminary Assessments, and an East Area Regional Drainage Study.

Council Member Voll moved to approve advertising for an Engineering Tech and a Chief Civil Inspector for the Engineering Department. Motion seconded by Council Member Gravos and carried unanimously.

Council Member Riely moved to terminate the Conditional Use Permit issued to the Watford City Livestock Association for Temporary Workforce Housing/Employee Housing located at 502 3rd Ave SW. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Voll, Mulder, Bolken, Gravos, Riely; nays: none.

Council Member Riely moved to approve an extension to the zoning approval of the master plan for Watford City Town Center LLC for property located at 902 11th Ave SW, Tract A containing 59.8 acres, Tract B containing 58.2 gross acres rezoning from Ag to IP, R1, R2, R3, R4, C2 and C1, extending until 03/03/2016. Motion seconded by Council Member Mulder and carried unanimously.

Council Member Gravos moved to approve the bills as listed. Motion seconded by Council Member Mulder and carried unanimously. EFTPS $39,247.28; TASC $267.32; NDPERS $1,195.00; Nationwide Financial $170.00; Nationwide Retirement Solutions $1,054.00; Payroll $167,540.72; BCBS $29,885.56; NDPERS $29,966.57; NDPERS $224.24; Symetra $406.40; AFLAC $1,876.86; Advanced Engineering $380,814.31; Arthur Walgren $45.50; Astro Chem Services $228.00; Badlands Hardware $2,220.53; Balco Uniform $9,996.50; Bank of North Dakota $12,945.00; Beulah Police Dept. $679.00; BlueTarp Financial $17.78; C Emery Nelson $444.68; Chief Supply Corporation $121.26; Cole Papers $262.37; Construction Services, Inc. $960.00; CRU $5,000.00; Dacotah Paper $166.83; Dakota Supply Group $3,793.12; Darrington Snow Removal $300.00; DW Excavating $40,785.00; Eddy Vera $125.00; Electronic Communications $45,623.00; Farmer’s Union Oil $8,608.03; Fastenal $211.88; Flexible Pipe Tool Company $1,825.30; Foley Brother’s Towing $2,810.00; Fred Pryor Seminars $128.00; Gaffaney’s $8,260.00; Galls $96.80; Hach Company $686.67; Heggen Equipment, Inc. $3,944.20; Holiday Credit Office $1,123.84; Hus Industries $2,814.00; Information Technology Dept $594.70; Jack & Jill $158.34; Jeffrey Jensen $105.00; JLG Architects $367,819.93; Joshua Trevena $105.00; Kraus Anderson Construction $392,500.00; Larry Sherk $77.00; Law Enforcement Systems $298.66; Lund Oil $2,531.56; M&T Fire & Safety $1,079.06; Marco, Inc. $12,934.32; Mark Thorland $42.11; McKennett Law $9,767.50; McKenzie County Ambulance $45,000.00; McKenzie Couty Fair Board $4,000.00; McKenzie County Farmer $2,305.04; McKenzie County Healthcare $50,000.00; McKenzie County Heritage Assoc. $25,000.00; McKenzie County Landfill $13,237.41; McKenzie County Recorder $40.00; McKenzie County Tourism $36,899.00; McKenzie County Treasurer $924.34; McKenzie County Water Resource $64,708.99; McKenzie Electric $1,309.00; Meuchel Enterprises $2,652.37; Mid-States Organized Crime $150.00; Montana Dakota Utilities $17,742.63; National Safety Council $395.00; ND Building Official Assoc. $230.00; ND Dept. of Health $30.00; ND Safety Council $245.00; ND State Radio $170.00; ND Workforce Safety & Insurance $31,894.51; NYS Child Support Processing $336.76; OK Implement $1,109.32; OK Tire Stores $1,188.67; One Call Concepts $123.20; One Way Services $567.00; OR Dept Of Justice $186.00; Phoenix Fabricators $76,854.90; Pioneer Museum $16,001.76; Post Board $265.00; Powerplan OIB $3,060.40; Pro Auto Body $631.67; Public Financial Management $12,500.00; PXI, Inc. $12,570.39; Quality Flow Systems $304.15; Ray Allen Manufacturing $129.99; Red Carpet Carwash $194.53; Reservation Telephone $1,362.76; Rice Lake Construction $362,185.00; River Aggregates $31,722.56; Roughrider Industries $13,892.45; Ryan Chaffee $150.00; Schock’s Safe & Lock Service $52.50; State Disbursement Unit $325.00; Summit Fire Protection $7,000.00; TASC $953.60; TD & H Engineering $31,582.25; Theodore Roosevelt Expressway $7,000.00; Timber Creek Services $1,110.00; Total Funds By Hasler $542.67; Tractor Supply $926.91; Triple AAA Safety/Training $1,141.43; Ultramax $1,845.00; Verizon $2,173.66; Visa $2,512.59; Watch Guard Video $4,820.00; Watford City Airport Authority $30,000.00; Watford City Chamber of Commerce $12,969.51; Watford City Chiropractic $120.00; Watford City Enterprises $700.00; Watford City Express Laundry $880.09; Watford City Golf Club $10,000.00; Watford City Park District $28,911.50; Watford City Vet Clinic $85.00; William Carlson $138.52; Wingate by Wyndham Bismarck $272.67.

The next regularly scheduled City Council meeting will be on Monday, March 2, 2015 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 9:02 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