CITY OF WATFORD CITY

CITY COUNCIL MEETING

March 2, 2015

Minutes of the regular City Council meeting held on March 2, 2015 at 6:00 p.m. at City Hall. Present were Mayor Brent Sanford and Council Members Justin Voll, Phil Riely, Steve Sanford, Marty Mulder (via phone), and Doug Bolken. Absent was Aaron Gravos. Also present were City Planner Curt Moen, City Auditor Peni Peterson and Attorney Wyatt Voll.

Council Member Sanford moved to approve the minutes of the city council meeting held on February 2, 2015. Motion also included approving the agenda. Motion seconded by Council Member Riley and carried unanimously.

Ron Bass, Whipplewood CPA’s, gave an update on the 2013 and 2014 city audits his firm is conducting.

Lee Rafferty, Fox Hills Golf Course, gave an update on the golf course.

Council Member Doug Bolken arrived at 6:08 p.m.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by McKenzie County (McKenzie L.E.C. Subdivision, Lot 2, Block 1 Hegg Addition – 51.21 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 McKenzie County (McKenzie L.E.C. Subdivision, Lot 2, Block 1 Hegg Addition – 51.21 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 Bakken Development Solutions (The Crossings South, ND Hwy 23 & Co –156.59 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 Bakken Development Solutions (The Crossings South, ND Hwy 23 & Co – 156.59 acres). Motion seconded by Council Member Riely and carried unanimously.

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

Council Member Riely moved to approve Task Order #39 from Advanced Engineering (Hunter’s Run Detention Basin and LS and ForceMain Desgin and Bidding Phases) in the amount of $124,000. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Riely, Bolken, Mulder; nays: Sanford and Voll.

Council Member Voll moved to approve Task Order #40 from Advanced Engineering (WRRF Phase II Design and Bidding Phases) in the amount of $597,000. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Riely, Mulder, Voll, Bolken, and Sanford; nays: none.

Council Member Voll moved to approve the Area 3 LS Geotechnical Proposal from TD&H in the amount of $9,750. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Voll, Bolken, Mulder, and Riely; nays: none.

Council Member Bolken moved to approve the SE Water Towers Geotechnical Proposal from TD&H in the amount of $25,000. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Voll, Riely, Mulder, Sanford, and Bolken; nays: none.

Council Member Bolken moved to approve advertising for bids for the Pressure Zone Improvements Project. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Bolken, Mulder, Sanford, Riely, and Voll; nays: none.

Council Member Voll moved to approve Pay Estimate #1 from John’s Refrigiration and Heating, Inc. (Northwest Water Tower) in the amount of $158,760. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Voll, Bolken, Sanford and Riely; nays: none.

Council Member Riely moved to approve Pay Estimate #2 from John’s Refrigiration and Heating, Inc. (East Water Tower) in the amount of $34,110. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Voll, Bolken, Sanford, Riely, and Mulder; nays: none.

Council Member Voll moved to approve Pay Estimate #4 from Rice Lake Construction Group (Water Resource Reclamation Facility) in the amount of $1,288,984. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Bolken, Voll, Riely, Mulder, and Sanford; nays: none.

Council Member Voll moved to approve the Bond Release Application #1 from Stepping Stone Inc, releasing $255,391.47 or 37% of the total bond in place. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Sanford, Bolken, Voll, Mulder, and Riely; nays: none.

No action was taken on the Layton Construction Bond Release #1.

Chief Walgren gave an update on the police department. Council Member Voll moved to approve resignations from Daniel Blood and Kyle Giersdorf. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Bolken, Sanford, Riely, Voll, and Mulder; nays: none.

Council Member Voll moved to approve the recommendations from the Planning Commission from their February 23, 2015 meeting with the exceptions of item numbers 2 and 10 to be voted on seperatly. Approved the following: Zone Change Application submitted by PVJ, LLC / Lenny Badger and property owner Nancy Bischoff for property located Block 3 Lot 1 of Amended Plat of Lot 1 Block 2 of the Rose Meadow Subdivision, being a part of the E1/2 of Section 12, T150N, R99W, 20.01 acres. Rezoning to R-3, R-T from Ag; Zone Change Application submitted by McKenzie County and Sonia (Hegg) Thompson for property in Section 30, T150N R98W, 59.95 acres. Rezoning 39.97 acres to I-Industrial from AG and 19.98 acres to CF-Community Facilities from AG; Preliminary Plat Application (Spruce Estates) submitted by property owner Ellen Boyer and Gordon Weathers of Alliance Engineering for property located SE1/4NE1/4 Section 11, T150N, R99W, IT# 1165, 9.685 acres, 8 lots; Zone Change Application submitted by property owner Ellen Boyer and Gordon Weathers of Alliance Engineering for property located SE/14NE1/4 Section 11, T150N, R99W, IT # 1165, 9.685 acres. Rezoning to R-1 Single Family from AG; Preliminary Plat Application (The Crossings South) submitted by property owners Curtis & Jennifer Sorenson by Steve Rude of AE2s for property located SE1/4 Section 21 Parcel # 20-00-14900 & NW1/4 Section 28 Parcel # 20-00-1900 T150N, R98W, 156+/- acres, 22 lots; Zone Change Application submitted by property owner Curtis & Jennifer Sorenson and Bakken Development Solutions for property located SE1/4 Section 21, Parcel # 20-00-14900 & NW1/4 Section 28, Parcel # 20-00-1900, T150N, R98W. Rezoning 159.57 total acres from AG to 61.03 acres R-4, 88.72 acres C-1, and 9.82 acre CF; Preliminary Plat Application submitted by McKenzie County and Sonia (Hegg) Thomson for property in Section 29 Parcel # 20-18-00200, Section 30 portion of Parcel # 20-00-21450, T150N, R98W, 59.95 acres; Simple Lot Split submitted by City of Watford City, Todd Kelley on property located Section 16, T150, R98W, Parcel # 82-73-00750 & 82-73-00852, 43.3 acres. Creating three (3) lots from two (2) large parcels. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Riely, Sanford, Bolken, Voll, and Mulder; nays: none.

Council Member Riely moved to appove the Amended Plat Application submitted by Hunter’s Run, LLC. / Jason Vedadi for property located Lots 3-6 of Hunter’s Run Subdivision 2nd Addition NE1/4, Section 16, T150N, R98W, 4.696 acres, 5 lots. Amending internal lot lines of Lots 3-6. Motion seconded by Counil Member Voll and carried by the following roll call vote: ayes: Bolken, Sanford, Riely, Mulder, and Voll; nays: none.

Council Member Voll moved to table the Final Plat Application submitted by W No.2, LLC for property located Lots 2 & 3 Block 1 of the Crossings @ Watford City, Parcel #’s 82-23-03000, 82-23-00200, Section 22, T150N, R98W, 17.81 acres, 3 lots. Application requests reconfiguration of Lots 12, 13 & 14 of Block 1 the Crossings. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Riely moved to accept the proposal submitted by the Watford City Park District to take over the Veteran’s Memorial Gym rental and custodial duties. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Sanford, Riely, Voll, Mulder, and Bolken; nays: none.

Council Member Voll moved to approve purchasing Schaeffer totes from Olympic Sales at $74/tote and appoved trading in the 2002 John Deere 770CH and purchasing a 2012 John Deere 772G for $142,500.01 from RDO Equipment Co. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Bolken, Mulder, Riely, Voll, and Sanford; nays: none.

Council Mmber Bolken moved to approve Raffle Permit #719 – McKenzie County Healthcare Auxiliary and Raffle Permit #720 – Badlands Toms NWTF Chapter. Motion seconded by Council Member Voll and carried unanimously.

Council Member Bolken moved to approve the Second Rading on Ordiannce #398 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 Project. Motion seconded by Council Member Sanford. Motion was amended to change the issuance amount from $40,000,000 to $50,000,000. Motion was carried by the following roll call vote: aye: Mulder, Bolken, Voll, Riely, and Sanford; nays: none.

Council Member Bolken moved to approve the Second Reading on Ordinance #396 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 Voll and carried by the following roll call vote: ayes: Riely, Sanford, Voll, Mulder, and Bolken; nays: none.

Council Member Bolken moved to approve the Second Reading on Ordinance #397 Annexing Property to the City of Watford City per Annexation submitted by Kira Stenehjem/Stenehjem Development, LLP – South 40 (Hwy 85S & 24th St – 35.881 acres). Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Riely, Voll, Bolken, Sanford, and Mulder; nays: none.

Council Member Bolken moved to approve Resolution 2015-04 Amending the Application Fee Schedule. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Voll, Mulder, Bolken, Sanford, and Riely; nays: none.

Council Member Voll moved to approve job descriptions for GIS Technician, Senior Public Works Oporator, Assistant Public Works Superintendent, Engineering Technician, Chief Civil Inspector, and to update the Public Works Operator job description. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Sanford, Mulder, Riely, Voll, and Bolken; nays: none.

Council Member Voll moved to approve offers of employment to Jason Faller, Assistant Public Works Supervisor, Category 10, Step 6, hire date 3-16-2015; Michael Snook, Public Works Operator, Category 4, Step 0, hire date 3-1-2015; August Nelson, Public Works Operator, Category 4, Step 0, hire date 3-1-2015, and approved a position change for Nate Jefferies to Chief Water Operator, Category 9, Step 0, effective 3-1-2015. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Bolken, Sanford, Riely, Voll, and Mulder; nays: none.

Council Member Voll moved to approve annual step increases for Dylan Bostic - Cat 12, Step 3 to Cat 12, Step 4, effective April 1, 2015; Jeffery Jensen- Cat 12, Step 0 to Cat 12, Step 1, effective April 16, 2015; Nicolas Pavek – Cat 12, Step 2 to Cat 12,Step 3, effective April 16, 2015; Steve Williams – Cat 9, Step 3 to Cat 9, Step 4, effective April 16, 2015. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Mulder, Sanford, Riely, Bolken, and Voll; nays: none.

Council Member Voll moved to charge off three water salesman accounts. Hettinger, LLC $1,136.26 ($451.92 water charges, $684.34 penalties); Polar Cap Inc $6,625.12 ($4,117.85 water charges, $2,507.27 penalties); Halo Trucking, LLC $4,165.79 ($3,022.73 water charges, $1,143.06 penalties). Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Riely, Voll, Sanford, Bolken, and Mulder; nays: none.

Council Member Sanford moved to approve the Mayor’s appointment of Shane Homiston to the Planning and Zoning Commission to fulfill Phil Riely’s unexpired term until June 30, 2017. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Bolken, Voll, Mulder, Riely, and Sanford; nays: none.

Council Member Riely moved to appove the purchase agreement from Basin Brokers for property located at 105 Main St N, W 72’ of Lot 12 and Lot 11, Block 11, Original Townsite of Watford City, in the amount of $45,000. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Mulder, Voll, Riely, and Bolken; nays: none.

Council Member Voll moved to approve the bid from Wagner Construction for Contract No. 1 – General Construction w/Roadway Improvements – Alternate 2 (High School/Event Center Off-site Infrastructure) in the amount of $14,795,269.20, and approve the bid from Strata Corporation for Contact No. 2 – Electrical Construction (High School/Event Center Off-site Infrastructure) in the amount of $570,397. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Sanford, Riely, Mulder, Bolken, and Voll; nays: none.

Council Member Bolken moved to approve the bid from Knife River – North Central for Option

No. 2 – Concrete Paving (High School/Event Center On-site Grading and Paving) in the amount of $4,487,030. Motion seconded by Council Member Riely carried by the following roll call vote: ayes: Riely, Sanford, Voll, Mulder, and Bolken; nays: none.

Council Member Voll moved to begin advertising for the Fox Hills Linear Parkway Improvements. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Riley, Bolken, Sanford, Voll, and Mulder; nays: none.

Dan Brosz and Brady Bertram, Brosz Engineering, were present and introduced themselves to the council.

Josh Hinds, HDR Engineering, was present and introduced himself and updated the council on the Watford City, 2040 Future Land Use and Long Range Transportation Plan he is currently working on with NDDOT and city staff.

Council Member Voll moved to approve the Assignement of Developement Agreement from Engineer Mountain Partners, LLC to Chemtec Energy Services, LLC and ratifies and approves the prior transfer of the property dated September 9, 2014 from GT Investments, Inc to Engineer Mountain Partners, LLC for land described as Lot 7 GTI Industrial Park as shown on the Subdivision Plat for GTI Industrial Park. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Sanford, Voll, Bolken, Muler, and Riely; nays: none.

Council reviewd a request from Aaron Chisholm, County GIS Coordinator, asking for the city to share costs in updateing the current GIS map to correct parcel lines that do not match up with the aerial imgery. Council Member Bolken moved to reimburse the county approximately $20,454 for parcels in the Watford City ETA. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Bolken, Sanford, Riely, Voll, and Mulder; nays: none.

Council discussed selling 30 acres of land northwest of the golf course. Consensus was for City Attorney Voll to prepare a purchase agreement to sell 30 acres at $50,000/acre.

Attorney Voll informed the council that Lot 11, Fox Hills Sudivision is owned by the City and should be deeded to McKenzie County School District #1 as a protion of the new school will be built on this lot. Council Member Voll moved to deed Lot 11, Fox Hills Subdivision to McKenzie County School District #1. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Sanford, Voll, Mulder, Bolken, and Riely; nays: none.

Council Member Bolken moved to approve the bills as listed. Motion seconded by Council Member Sanford and carried unanimously. EFTPS $79,695.03; TASC $267.32; NDPERS $1,245.00; Nationwide Financial $170.00; Nationwide Retirement Solutions $1,054.00; Payroll $184,752.88; BCBS $31,072.30; NDPERS $32,709.06; NDPERS $231.62; Symetra $768.87; AFLAC $2,011.80; Advanced Engineering $436,586.53; American Insurance Center $4,788.61; American Landmark Homes $3,775.27; American Legion $62.00; Applied Concepts $2,467.50; Arntson Stewart Wegner $9,579.55; Astro Chem Services $228.00; Balco Uniform $3,180.18; Biolynceus, LLC $1,785.32; BlueTarp Financial $547.04; Brent Sanford $925.27; Buds Pump Service $981.91; CIM Sanitary Tech $5,375.00; City of Watford City $526.21; CMI $101.41; Cole Papers $1,343.77; Comfort Inn Bismarck $74.00; Construction Services, Inc. $120.00; Dakota Back & Neck $360.00; Dakota Supply Group $498.49; Dealers Electrical Supply $1,132.08; Dennis & Maria Botrager $176.15; Devin Clark $17.50; Digital Ally $255.00; Direct Electric $144.87; DW Excavating $4,405.00; Electronic Communications $2,135.00; Farmer’s Union Oil $6,958.22; Fastenal $431.39; Ferguson Waterworks $1,175.00; First International Insurance $1,306.90; Flexible Pipe Tool Company $1,586.05; Foley Brother’s Towing $1,000.00; Forever Auto Glass $1,676.56; Found It Now $133.83; Galls $82.94; Gene’s Tree Service $812.50; Greystone Construction $1,725.00; Heggen Equipment, Inc. $199.84; Holiday Credit Office $2,016.21; Information Technology Dept $683.55; Intergraph Corporation $6,892.00; Jamar Company $54.00; Jesse Wellen $50.38; JLG Architects $425,777.11; John’s Refrigeration $192,870.00; K9 Working Dogs Itl., LLC $17,223.25; Locators & Supplies $823.94; Lund Oil $1,240.46; Lyle Signs $493.38; Marco, Inc. $1,915.31; McKennett Law $15,098.75; McKenzie County Farmer $1,877.92; McKenzie County Landfill $11,570.27; McKenzie County Recorder $202.00; McKenzie County Road & Bridge $613.20; McKenzie County Water Resource $56,622.11; McKenzie Electric $16,093.57; Meuchel Enterprises $3,975.23; Montana Dakota Utilities $15,147.92; Motorola $3,530.88; Municipal Code Corp. $945.92; ND Chiefs of Police Assoc $50.00; ND Dept. of Health $120.00; ND Rural Water Systems Assoc $113.66; ND State Radio $240.00; ND Water & Pollution Control $450.00; Nelson Contracting $1,984.40; North Dakota Insurance Dept. $304.56; Northland Truck Sales $174,980.00; Northwest Grading $255,391.47; NYS Child Support Processing $336.76; OK Implement $3,380.75; OK Tire Stores $2,601.80; Olympic Sales $313.85; One Call Concepts $78.10; One Way Services $1,029.48; OR Dept Of Justice $186.00; Petty Cash $458.45; Pioneer Research Corp. $254.40;PostMaster $824.76; Pro Auto Body $3,493.80; R&C Tree Servic $3,200.00; Ramada Bismarck Hotel $184.00; Ramkota Bismarck $208.00; Red Carpet Carwash $41.54; Reservation Telephone $1,623.94; Rice Lake Construction $1,288,984.00; Rita Olson $65.26; River Aggregates $3,795.46; Ryan Chaffee $1,416.88; Shannon Wellen $35.00; State Disbursement Unit $325.00; Stein’s $69.15; Suds Laundry $13.80; Swanston Equipment $983.26; TD & H Engineering $37,196.25; Terry Nate Jeffries $125.00; Total Funds By Hasler $7.49; Tractor Supply $69.97; Verizon $3,194.02; Visa $4,065.72; Washington State Support Reg. $321.00; Watford City Airport Authority $116,206.20; Watford City Enterprises $1,608.92; Watford City Vet Clinic $97.45; Wingate by Wyndham Bismarck $399.91.

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

There being no further business, the meeting was adjourned at 9:04 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