CITY OF WATFORD CITY

CITY COUNCIL MEETING

July 6, 2015

Minutes of the regular City Council meeting held on July 6, 2015 at 6:00 p.m. at City Hall. Present were Mayor Brent Sanford and Council Members Phil Riely, Steve Sanford, Marty Mulder, Doug Bolken and Aaron Gravos. Absent was Justin Voll. 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 meetings held on June 1st, 2015 and June 17th, 2015. Motion also included approving the agenda. Motion seconded by Council Member Mulder and carried unanimously.

Daniel Stenberg, Director of Heritage Park and Pioneer Museum, was present and provided information on his new position with the Heritage Park and Pioneer Museum.

Chad Larson, Krause-Anderson, presented Pay Application #7 in the amount of $3,761,563.82.

Council Member Bolken moved to approve Pay Application #7 from Krause-Anderson (Watford City Events Center) in the amount of $3,761,563.82. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Mulder, Sanford, Riely, Bolken, and Gravos; nays: none.

Greg Shelton, United States Postal Service, held a public meeting and comment period for the proposed relocation of the Watford City Post Office. There were no comments or written comments from the public.

Brett Erdmann, Lodging Tax Committee, presented lodging tax requests. McKenzie County Tourism requested reimbursement for a photo shoot with Agency MABU in the amount of $12,170. McKenzie County JDA requested funds for a video project with Crash + Sues, total project amount will be $75,000. JDA is requesting reimbursement of $37,500 and to pay Crash + Sues $18,750. Final payment of $18,750 will be paid upon completion of the project.

Council Member Mulder moved to reimburse McKenzie County Tourism $12,170, reimburse McKenzie County JDA $75,000 and to pay Crash + Sues $18,750. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Gravos, Mulder, Riely, Bolken, and Sanford; nays: none.

Lee Rafferty, Fox Hills Golf Course Board Member, gave an update on the golf course and distributed current financial information for the golf course.

Mayor Sanford called the Public Hearing, as advertised, to order for the Petition to Vacate Drainage Easement submitted by Dry Creek Business Community. There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Riely moved to approve the Petition to Vacate Drainage Easement submitted by Dry Creek Business Community. Motion seconded by Council Member Sanford and carried by the following roll call vote: Bolken, Riely, Sanford, Gravos, and Mulder; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Forest Valley Properties, LLC (6 4 Development – 1612 11th Ave SE 5.23 acres). There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Gravos moved to approve the First Reading on an Ordinance Annexing Property to the City of Watford City per Annexation Application submitted by Forest Valley Properties, LLC (6 4 Development – 1612 11th Ave SE 5.23 acres). Motion seconded by Council Member Mulder and carried unanimously.

Council Member Gravos moved to approve holding a Public Hearing to hear comment on a Petition to Vacate Easement submitted by Hunter’s Run (Lots 3, 4, 5 & 6 of Hunter’s Run Subdivision 2nd Addition). Public Hearing will be held at the regular council meeting on September 8, 2015. Motion seconded by Council Member Riely and carried unanimously.

Council Member Riely moved to approve holding a Public Hearing to hear comment on a Petition to Vacate Right-of-Way Easement submitted by Hunter’s Run (Lots 3, 4, 5 & 6 of Hunter’s Run Subdivision 2nd Addition). Public Hearing will be held at the regular council meeting on September 8, 2015. Motion seconded by Council Member Bolken and carried unanimously.

Matt Beard, TD&H Engineering, presented Bond Release Applications.

Council Member Gravos moved to approve Bond Release Application #5 from Stepping Stone, Inc. releasing $37,967.60 or 5% of the total bond in place with contingencies of an approved development agreement and that as-built drawings are submitted. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Bolken, Gravos, Sanford, Riely, and Mulder; nays: none.

Council Member Bolken moved to approve Bond Release Application #1 from Layton Construction Company releasing $876,930 or 100% of the total bond in place as the contingencies set forth at the April 6, 2015 City Council meeting have been met. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Sanford, Gravos, Mulder, Riely, and Bolken; nays: none.

Todd Norton, Advanced Engineering, presented Pay Estimates and a Change Order.

Council Member Sanford moved to approve advertising for the 11th Ave SE Street Improvements Project. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Bolken, Mulder, Sanford, Riely, and Gravos; nays: none.

Council Member Gravos moved to approve Pay Estimate #12 from Phoenix Fabricators (Northwest Water Tower) in the amount of $17,000. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Bolken, Sanford, Riely, and Gravos; nays: none.

Council Member Riely moved to approve Pay Estimate #6 from Northern Improvement Company (17th Ave NE Street Improvements) in the amount of $193,404.59. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Gravos, Bolken, Riely, Sanford, and Mulder; nays: none.

Council Member Sanford moved to approve Change Order #2 from Crow River Construction, LLC (2015 Pressure Zone Improvements) in the amount of $112,500. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Riely, Mulder, Bolken, Sanford, and Gravos; nays: none.

Council Member Mulder moved to approve Pay Estimate #2 from Crow River Construction, LLC (2015 Pressure Zone Improvements) in the amount of $243,499.48. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Bolken, Gravos, Mulder, Sanford, and Riely; nays: none.

Council Member Gravos moved to approve Pay Estimate #3 from Wagner Construction (HS/EC Offsite Improvements) in the amount of $1,780,573.50. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Bolken, Riely, Mulder, and Gravos; nays: none.

Council Member Bolken moved to approve Pay Estimate #8 from Rice Lake Construction Group (Water Resource Reclamation Facility) in the amount of $2,067,701. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Mulder, Bolken, Sanford, Riely, and Gravos; nays: none.

Council Member Mulder moved to approve the 12th Street SE Reconstruction – Wet Utilities bid submitted by North Country Contracting in the amount of $2,743,080. Motion seconded by Council Member Bolken and carried by the following roll call vote: Bolken, Gravos, Riely, Mulder, and Sanford; nays: none.

Council Member Riely moved to approve Task Order 33b from Advanced Engineering (4th Ave NW Construction & Post Construction Phases) in the amount of $385,000 ($364,000 Basic Services and $21,000 Post Construction Phase). Motion seconded by Council Member Sanford and carried by the following roll call vote: Sanford, Gravos, Bolken, Mulder, and Riely; nays: none.

Council Member Riely moved to approve Task Order 41a from Advanced Engineering (12th St SE Utilities – Construction & Post Construction Phases) in the amount of $313,000 ($292,000 Basic Services and $21,000 Post Construction Phase). Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Sanford, Bolken, Riely, Mulder, and Gravos; nays: none.

Council Member Mulder moved to approve the amendment to Task Order 22b from Advanced Engineering (4th Ave NE Curb & Gutter/Unknown Utility Conflicts) in the amount of $35,000. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Gravos, Bolken, Sanford, Riely, and Mulder; nays: none.

Council Member Bolken moved to approve the amendment to Task Order 34a from Advanced Engineering (17th Ave NE Class III Cultural Survey) in the amount of $3,200. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Gravos, Sanford, Mulder, Riely, and Bolken; nays: none.

Council Member Gravos moved to approve the Revised Proposed Cost Model for the WRRF Phase 2A (Oxidation Ditch) GMP from Rice Lake Construction Group in the amount of $5,519,075. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Bolken, Gravos, Mulder, Sanford, and Riely; nays: none.

Todd Kelley, City Engineer, presented a Third Amendment to Member Agreements from Western Area Water Supply Authority. Consensus of the Council was to have Attorney Voll review the agreement.

Todd Kelley requested to purchase a new copier for the Engineering Department from Marco in the amount of $7,979.10. Council Member Gravos moved to approve purchasing a new copier for the engineering department. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Riely, Mulder, Bolken, Sanford, and Gravos: nays: none.

Dave Leftwich, NDDOT, and Mike Graham, Project Manager Knife River, gave an update on the current road projects being constructed in and around Watford City.

Chief Walgren gave an update on the police department.

Council Member Gravos moved to purchase a refurbished ambulance to use as a mobile crime scene unit in the amount of $8,000 plus repair expenses not to exceed $8,000. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Bolken, Sanford, Gravos, and Riely; nays: none.

Council Member Mulder moved to approve the recommendations from the Planning Commission from their June 29, 2015 meeting. Approved the following: Simple Lot Split Application submitted by Tammy Wilson, Cheetah Properties for property located at 216 6th Ave SE Watford City, (Sec 19 T 150 R98), creating two parcels from one parent parcel, Lot 1 3.891 acres, Lot 2 2.591 acres; Conditional Use Permit Application annual review for Badlands Cellular of ND, d/b/a Verizon Wireless & MBY15, LLC on property located @ 409 12th Street Southeast, Lot 22, Block 6 Cherry Creek 2nd Addition, to continue allowing a wireless telecommunications transmission facility including a 50’ monopole style antenna structure and 12’x30’ utility building; Conditional Use Permit Application annual review for Kotana Communications Inc. / Badlands Cellular of ND-Verizon Wireless on property located at 1208 11th Ave SW, 2.43 acres, to continue allowing a 109’ft wireless communication monopole with an equipment shelter; Conditional Use Permit Application annual review for Kathleen Tretter (Sew Fine Embroidery) located at 2601 2nd St NE (Dakota Ridge Subdivision), to continue allowing a home based small business of custom embroidery; Conditional Use Permit Application annual review for QEP to continue allowing mobile homes for Employee Housing on C-1 zoned property located 3112 4th Ave NE, SW1/4 SE1/4 Section 16, T150N, R98W, 10 acres; Simple Lot Split (re-plat of Lot 1 Blk 1 Wolf Run Village, First Addition) submitted by City of Watford City for Wolf Run Village 2 on property located Government Lot 2 (approximately 301 3rd St SE) 1.2 acres, creating two lots from original parcel; Zone Change Application for Creekside@ Fox Hills Village submitted by Mychal Gorden for Stenehjem Holdings, LLC on property located, Lot 8 Blk 1 and Lot 12-12 in Block 3 of Fox Hills Village Subdivision NE ¼ Section 20 & NW ¼ Section 21, T150N, 98W, 51.07 acres, permitting the grouping or clustering of residential and some customarily accessory nonresidential uses in court or similar arrangements; Zone Change Application submitted by Stepping Stone Inc for David and Jan Rolfson on property located NW1/4 Section 16, T150N, R98W, Lot 6 of replat Lot 3 of Rolfson Subdivision, 9.47 acres, re-zoning AG land to R4 High Density Residential; Preliminary Plat Application submitted by GC Busch, LLC by Hammers Construction Inc on property located S ½ NW ¼ Section 10, T150, R98, 78.73 acres. (Hwy 1806 and 28th St NW); Zone Change Application submitted by GC Busch, LLC by Hammers Construction Inc on property located S ½ NW ¼ Section 10, T150, R98, 78.73 acres, McKenzie County, ND. (Hwy 1806 and 28th St NW) rezoning AG land to IP Industrial Park; Final Plat Application submitted by Citation Hills (Previously submitted as Watford Ranch and / or Fox Ridge); Special Permit Application submitted by Border States Electric located at 3709 10th Ave NE, allowing an 8’ security fence. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Sanford, Riely, Mulder, Bolken, and Gravos; nays: none.

Council Member Bolken moved to approve Conceptual Layout 1 from TD&H for cemetery expansion. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Sanford, Mulder, Bolken, Gravos, and Riely; nays: none.

Council Member Bolken moved to request that the Planning and Zoning Commission hold a Public Hearing to Amend Chapter XV, Article XX, Section 1 Relating to Miscellaneous Parking Restrictions – On-street Parking. Motion seconded by Council Member Gravos and carried unanimously.

Council Member Bolken moved to approve raffle permits # 724 – After Prom Party, #725 – Williston Area Woodworks Club, #726 – Wolves Booster Club, and #727 – McKenzie County Pheasants Forever. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Bolken moved to require a $100.00 security deposit for security fence rental. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Sanford, Mulder, Bolken, Riely, and Gravos: nays: none.

Council Member Mulder moved to approve the First Reading on an Ordinance Adding Section 6-217 to Article 2 of Chapter VI, Relating to Food Vendors. Motion seconded by Council Member Gravos and carried unanimously.

Council Member Bolken moved to approve the Second Reading on Ordinance #413 Amending Article 2, Chapter VI, Relating to Transient Merchants. Motion Seconded by Council Member Gravos and carried by the following roll call vote: ayes: Sanford, Riely, Mulder, Bolken, and Gravos: nays: none.

Council Member Riely moved to accept the Letter of Resignation from Aaron Mitchell, effective July 31, 2015. Motion seconded by Council Member Gravos and carried unanimously.

Council Member Riely moved to begin advertising to for a Finance Director. Motion seconded by Council Member Bolken and carried unanimously.

Council Member Riely moved to approve the following annual step increases: Larry Sherk - Category 12, Step 1; effective August 1, 2015, Mariah Nelson – Category 3, Step 1; effective August 1, 2015, and Todd Kelley – Category 8, Step 1; effective August 16, 2015. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Mulder, Bolken, Riely, Sanford, and Gravos; nays: none.

Council Member Bolken moved to approve Resolution 2015-21 – Resolution of Governing Body of Applicant. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Gravos, Mulder, Bolken, Riely, and Sanford; nays: none.

Council Member Riely moved to approve Resolution 2015-22 – Resolution Providing for the Issuance and Sale of City of Watford City, North Dakota Sales Tax Revenue Bonds, Series 2015, and Related Matters. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Bolken, Sanford, Gravos, Riely, and Mulder; nays: none.

Council Member Gravos moved to approve moving Kevin Compton to a full-time status at Category 4, Step 0, effective July 1, 2015. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Mulder, Bolken, Sanford, Riely, and Gravos: nays: none.

Council Member Gravos moved to approve purchasing a generator for the EMS Building in the amount of $54,000 ($42,000 generator and $12,000 installation). Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Riely, Mulder, Bolken, Gravos, and Sanford; nays: none.

No action taken on Tatanka Hill Subdivision or the Municipal Guaranty for Wolf Run Village, Phase 2.

Council Member Gravos moved to approve the bills as listed.  Motion seconded by Council Member Riely and carried unanimously. EFTPS $88,907.76; TASC $242.32; NDPERS $2,495.00; Nationwide Financial $170.00; Nationwide Retirement Solutions $1,054.00; Payroll $207,124.23; ND Job Service $2,708.21; BCBS $32,802.05; NDPERS $34,943.03; NDPERS $562.05; Symetra $682.53; AFLAC $1,567.20; 24/7 Contracting $180,350.67; AccuSource $95.50; Advanced Engineering $779,803.07; Arthur Walgren $21.27; Astro Chem Services $771.00; Badlands Auction $10,000; Badlands Hardware $2,384.43; Badlands Occupational Testing $267.00; Badlands Power Fuels $640.00; Barrett Pharmacy $13.56; Blue Lube $209.23; Border States Electric $719.12; Brent Steed $10,000; Cheetah Services $8,000.00; Chief Supply Corporation $227.86; CIM Sanitary Tech $5,000.00; City of Watford City $881.61; Cole Papers $848.44; Country Suites Bismarck $90.89; Craig’s Small Engine Repair $1,502.95; Crash + Sues $18,750.00; Crow River Construction $243,499.48; Dakota Supply Group $1,122.95; Dealer’s Electric Supply $5,502.91; Derrike Hayden $200.00;  DW Excavating $109,273.00; Earl’s Electric $2,640.92; Electronic Communications $12,262.75; Esri Inc. $400.00; Farmer’s Union Oil $5,101.80; Fastenal $599.10; First International Bank $15.00; First International Insurance $170.00; Flexible Pipe Tool Company $1,648.25; Foley Brother’s Towing $2,600.00; Found It Now $454.38; Gaffaney’s $194.54; Galls $339.81; Grand Forks Fire Equipment $3,878.00; Graybar Electric $2,274.51; Heggen Equipment, Inc. $1,786.17; Helena Chemical Co. $546.88; Holiday Credit Office $2,033.67; Homestead Management, LLC $792.00; Information Technology Dept $762.35; J.J. Keller $182.39; Jack & Jill $217.11; Jamar Company $65.00; Jeff Gronos $1,402.85; Jeffrey Jensen $95.99; Jim Hanson Masonry $17,471.00; JLG $198,777.85; JN Tire & Auto Repair $1,760.00; Justin Smith $125.00; Kohler Communications $329.95;Kraus Anderson Const. $3,761,563.82; Kyle Cook $125.00; Kylee Roff $35.00; Lund Oil $1,589.67; Mail Finance $315.00; Marco $917.50; McKennett Law $22,038.50; McKenzie County Farmer $2,920.28; McKenzie County Healthcare $375,666.17; McKenzie County JDA $37,500.00; McKenzie County Landfill $12,155.83; McKenzie County Road & Bridge $3,359.20; McKenzie County Tourism Bureau $12,170.00; McKenzie County Water Resource $93,328.86; McKenzie Electric $87,355.00; Mike Snook $125.00; Mondak Motorsports $25.99; Montana Dakota Utilities $12,310.28; ND Association of Oil & Gas Producing Counties $4,000.00; NDACO Resources Group $3,133.69; NDSWRA $140.00; North Dakota Insurance Dept. $6,442.46; Northern Improvement Company $193,404.59; Northwestern Power Equipment $2,573.50; NYS Child Support Processing $336.76; Office Depot $129.29; Office of State Tax Commissioner $11,220.73; OK Implement $1,746.83; OK Tire Stores $570.25; One Call Concepts $513.70; One Way Services $192.21; OR Dept Of Justice $155.00; Oscar Knudtson $677.95; Otis Elevator Co. $1,417.80; Pacific Steel & Recycling $2,704.92; Peni Peterson $246.60; Phoenix Fabricators $17,000.00; Ramkota Hotel Bismarck $74.70; Reservation Telephone $1,439.69; Respond Systems $78.06; Rice Lake Construction $2,067,701.00; River Aggregates $2,877.55; S&S Motors $4,368.42; Safeguard Business Systems $249.79; Schocks Safe & Lock $371.80; Shangcheng Development $649.70; Sherwin-Williams Co. $3,713.10; Sirchie Fingerprint Labs $84.70; State Disbursement Unit $325.00; Stein’s $141.87; Swanston Equipment $290.04; TC North Dakota Ventures $400.00; TD&H Engineering $136,434.86; Team Laboratory Chemical Corp $604.00; Ten Five LLC $152.38; The Attic $1,992.00; Titanium Plumbing $925.00; Triple AAA Safety $1,413.25; Uniform Center $1,064.48; Van Diest Supply Company $8,808.80; Verizon $2,586.16; Visa $2,095.77; Wagner Construction $1,780,573.50; WA Support Registry $321.00; Watford City Enterprises $700.00; Watford City Express Laundry $832.52; Watford City Vet Clinic $177.57; Whipplewood CPA’s $10,000.00; Winn-911 Software $395.00.

The next regularly scheduled City Council meeting will be on Monday, August 3, 2015 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 10:18 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