CITY OF WATFORD CITY

CITY COUNCIL MEETING

September 8, 2015

Minutes of the regular City Council meeting held on September 8, 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, Doug Bolken 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 August 3rd and August 26th, 2015. Motion also included approving the agenda. Motion seconded by Council Member Sanford and carried unanimously.

A Roughrider Grant Application submitted by the American Legion Carl E Rogen Post #29 was reviewed. Council Member Mulder moved to approve the application submitted by the American Legion in the amount of $60,000 for renovations of their exterior store front and lower level meeting room. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Riely, Mulder, Voll, Bolken, Gravos, and Sanford; nays: none.

Chad Larson, Krause-Anderson, presented Pay Application #9 in the amount of $3,868,701.92.

Council Member Voll moved to approve Pay Application #9 from Krause-Anderson (Watford City Events Center) in the amount of $3,868,701.92. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Mulder, Gravos, Riely, Sanford, Voll, and Bolken; nays: none.

Crystal Mulder, Watford City Visitor’s Committee, recommended to City Council to dedicate the full 1% Restaurant/Lodging Tax for Event Center operations. Council Member Gravos moved to approve the recommendation from the Watford City Visitor’s Committee to dedicate the full 1% Restaurant/Lodging Tax for Event Center operations. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Riely, Bolken, Sanford, Voll, Mulder, and Gravos; 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 Right-of-Way Easement submitted by Hunter’s Run, LLC, Lots 3, 4, 5, & 6 of Hunter’s Run Subdivision 2nd Addition. There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Gravos moved to approve the Petition to Vacate Right-of-Way Easement submitted by Hunter’s Run, LLC. Motion seconded by Council Member Mulder and carried by the following roll call vote: Sanford, Riely, Voll, Bolken, Gravos, and Mulder; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Petition to Vacate Utility Easement submitted by Hunter’s Run, LLC, Lots 3, 4, 5, & 6 of Hunter’s Run Subdivision 2nd Addition. There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Bolken moved to approve the Petition to Vacate Utility Easement submitted by Hunter’s Run, LLC. Motion seconded by Council Member Riely and carried by the following roll call vote: Mulder, Bolken, Voll, Gravos, Sanford, and Riely; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Dr. Bruce Pedersen (Section 24, T150N, R99W, 3rd Ave SE – 2 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 Dr. Bruce Pedersen (Section 24, T150N, R99W, 3rd Ave SE – 2 acres). Motion seconded by Council Member Gravos and carried unanimously.

Rita Olson, City Assessor, presented an annual application for Property Tax Exemption from Prairie Heights Apartments in the amount of $10,391.40. This is a correction from what was presented at the August 3, 2015 meeting. Council Member Riely moved to approve the exemption in the amount of $10,391.40 for Prairie Heights Apartments. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Bolken, Mulder, Sanford, Riely, Voll, and Gravos; nays: none.

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

Council Member Voll moved to accept the bid from Rice Lake Construction Group in the amount of $2,279,900 for combined general and electrical construction of the Fox Hills Regional Lift Station. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Gravos, Sanford, Riely, Voll, Mulder, and Bolken; nays: none.

Council Member Sanford moved to approve Change Order #6 from Northern Improvement Company (17th Ave NE Street Improvements) in the amount of -$161,764.83. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Voll, Mulder, Bolken, Gravos, Sanford, and Riely; nays: none.

Council Member Gravos moved to approve Pay Estimate #7 (Final) from Northern Improvement Company (17th Ave NE Street Improvements) in the amount of $5,248.91. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Bolken, Sanford, Mulder, Riely, Gravos, and Voll; nays: none.

Council Member Gravos moved to approve Change Order #1 from 24/7 Contracting Services (2014 Street Improvements) in the amount of $252,048.33. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Riely, Gravos, Bolken, Voll, Sanford, and Mulder; nays: none.

Council Member Voll moved to approve Pay Estimate #2 from 24/7 Contracting Services (2014 Street Improvements) in the amount of $754,092.85. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Sanford, Voll, Gravos, Bolken, Mulder, and Riely; nays: none.

Council Member Voll moved to approve Pay Estimate #1 from North Country Contacting (12th St Reconstruction- Wet Utilities) in the amount of $1,237,135.41. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Voll, Bolken, Mulder, Gravos, Sanford, and Riely; nays: none.

Council Member Bolken moved to approve Pay Estimate #2 from Park Construction Co. (4th Ave NW Street Improvements) in the amount of $495,134.15. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Gravos, Bolken, Mulder, Voll, Sanford, and Riely; nays: none.

Council Member Mulder moved to approve Change Order #4 from Crow River Construction, LLC (2015 Pressure Zone Improvements) in the amount of $14,100. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Sanford, Mulder, Bolken, Voll, Riely, and Gravos; nays: none.

Council Member Gravos moved to approve Pay Estimate #4 from Crow River Construction, LLC (2015 Pressure Zone Improvements) in the amount of $471,064.55. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Gravos, Voll, Bolken, Mulder, Sanford, and Riely; nays: none.

Council Member Voll moved to approve Pay Estimate #4 from Wagner Construction (HS/EC Offsite Improvements) in the amount of $1,123,798.74. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Mulder, Riely, Gravos, Sanford, Bolken, and Voll; nays: none.

Council Member Gravos moved to approve Pay Estimate #10 from Rice Lake Construction Group (Water Resource Reclamation Facility) in the amount of $1,026,743. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Riely, Sanford, Bolken, Voll, and Gravos; nays: none.

Chief Walgren gave an update on the police department and requested to offer employment to Andrew Swanson, David Vines, Andrew Eisenscherk and Amanda Eisenscherk.

Council Member Gravos moved to offer employment to Andrew Swanson, Patrol Officer, at Category 12, Step 0 with a hire date of August 1, 2015. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Bolken, Voll, Sanford, Riely, Gravos, and Mulder; nays: none.

Council Member Voll moved to offer employment to David Vines, Patrol Officer, at Category 12, Step 0 with a hire date of October 1, 2015. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Mulder, Bolken, Sanford, Riely, Gravos, and Voll; nays: none.

Council Member Voll moved to offer employment to Andy Eisenchenk, Patrol Officer, at Category 12, Step 0 with a hire date of November 1, 2015, and to offer employment to Amanda Eisenchenk, Police Department Administrative Assistant, Category 3, Step 0 with a hire date of November 1, 2015. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Sanford, Riely, Gravos, Mulder, Bolken, and Voll; nays: none.

Chief Walgren requested that the unused balance of an Impact Grant, that was to be used for two new police vehicles, be spent on two unmarked vehicles due to the lack of Chevy Tahoes. It was the consensus of the Council to approve the change but would like to approve the amount before the unmarked vehicles are purchased.

Chief Walgren informed the Council that McKenzie County will be holding a vehicle auction soon and would like to request that the Judge allocate a vehicle to the City to use for surveillance work. The consensus of the council was to approve this request.

Council Member Mulder moved to approve the recommendations from the Planning Commission from their September 3, 2015 meeting with the exception of items #11 and #13 to be voted on separately. Approved the following: Land Use Application -Zone Change submitted by Lolo Creek Holdings, LLC / Franklin Muth on property located NE ¼ SE ¼ Section 11, T150, R99W, (14th Street North West) 1.0 acres, rezoning AG Agricultural District parcel to C1 Commercial District parcel; Division of Land Application-Simple Lot Split submitted by Adam Berger for Rosie Glow, LLC. on property located Section 36, T150N, R99W, 132.7 acres, creating 3 lots from one large parcel; Conditional Use Permit Annual Review for Pilot Travel Centers, Jerrod Heron on property located at 1009 11th Ave SW, 3.5 acres to continue allowing an above ground fuel storage tank; Conditional Use Permit Annual Review for Western Area Water Supply, Jaret Wirtz on property located at NW ¼ Section 15, T150N, R98W (Hwy 1806) to continue allowing an 80 ft. free standing tower for telemetry; Conditional Use Permit Annual Review for Western Area Water Supply, Jaret Wirtz on property located 608 4th Ave NW, Section 13, T150N, R99W (water towers) to continue allowing a 60 ft. free standing tower for telemetry; Conditional Use Permit Annual Review for AWS3, LLC and The Crossing @ Watford City LLC on property located Hwy 23, County Hwy 37 and 26 F St NW to continue allowing a 12” water transmission line to furnish water; Land Use Application-Conditional Use Permit submitted by JMAC Resources on property owned by Hunter’s Run LLC located on Lot 135 of Hunter’s Run Subdivision, NE ¼ Section 16, T150N, R98W to continue the operation of a concrete batch plant on an industrial zoned parcel within Hunter’s Run Subdivision; Land Use Application -Zone Change submitted by Wolf Run Village, Inc. & Watford City Park District by Jake Walters on property located 120-130 4th Ave SE, 3.168 acres rezoning 3.168 acres to R4 High Density Residential; Land Use Application-Zone Change submitted by John Phillips of Lutheran Social Services Housing, Inc., for McKenzie County on property located Lots 7-12 and Lot 17 of Block 2, and Lots 3-6 of Block 3 Cherry Creek Second Addition, 3.65 acres (1017, 1025 2nd Ave SE and 1008, 1009 4th Ave SE) rezoning R2M Mobile Home Residential District to R4 High Density Residential. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Sanford, Riely, Gravos, Voll, Mulder, and Bolken; nays: none.

Council Member Gravos moved to approve a Division of Land Application-Preliminary Plat submitted by John Phillips of Lutheran Social Services Housing, Inc., for McKenzie County on property located Lots 7-12 and Lot 17 of Block 2, and Lots 3-6 of Block 3 Cherry Creek Second Addition (1017, 1025 2nd Ave SE and 1008, 1009 4th Ave SE) contingent on an approved vacate application. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Riely, Sanford, Voll, Bolken, Mulder, and Gravos; nays: none.

Council Member Gravos moved to approve a Final Plat Application -Busch Subdivision (Watford 80, Industrial), Hammers Construction contingent on an approved Development Agreement and that bonding requirements are fulfilled. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Voll, Mulder, Bolken, Gravos, Riely, and Sanford; nays: none.

Council Member Gravos moved to approve the purchase of an ALTEC AT40-G bucket truck in the amount of $105,923 from Altec, Inc. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Bolken, Sanford, Riely, Gravos, and Voll; nays: none.

Council Member Bolken moved to approve the First Reading on an ordinance Amending Chapter XV Relating to Addressing. Motion seconded by Council Member Gravos and carried unanimously.

Second Reading on Ordinance #416 Amending Chapter XV, Article XX, Section 1 Relating to Miscellaneous Parking Restrictions – On Street Parking was tabled until the September 14, 2015 special meeting.

Council Member Bolken moved to approve Special Liquor Permits for Ana Coria for Saturday, September 19th from 6 p.m. – 10:00 a.m. at the Civic Center, and for D & M’s Office for Saturday, October 10th from 4:00 p.m. – 12:00 a.m. at the McKenzie County Veteran’s Memorial Building. Motion seconded by Council Member Sanford and carried unanimously

Council Member Bolken moved to approve the raffle permit for WCHS Close Up #729. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Voll moved to approve hiring Kimberly Clemons, Human Resources Specialist, at Category 7, Step 1, with a hire date of September 15, 2015. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Mulder, Bolken, Sanford, Riely, Voll, and Gravos; nays: none.

Council Member Riely moved to accept a letter of resignation from Shane Boulds, Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Mulder, Voll, Sanford, Riely, Gravos, and Bolken; nays: none.

Council Member Gravos moved to approve moving Francisco Moreno to a full-time public works position at Category 3, Step 0, effective September 1, 2015. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Sanford, Riely, Gravos, Bolken, and Voll; nays: none.

Council Member Gravos moved to approve promoting Philip Mula to Senior Operator at Category 6, Step 1, effective September 1, 2015. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Riely, Bolken, Gravos, Mulder, Voll, and Sanford; nays: none.

Council Member Riely moved to approve an offer of employment to Kevin Leiseth, Senior Operator, at Category 6, Step 0, with a hire date of September 16, 2015. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Mulder, Sanford, Voll, Bolken, Gravos, and Riely; nays: none.

Council Member Voll moved to approve Resolution 2015-25 Providing for the Issuance and Sale of City of Watford City, North Dakota $14,000,000 Sewer Revenue Bonds, Series 2015B. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Sanford, Riely, Bolken, Voll, Mulder, and Gravos; nays: none.

Council Member Voll moved to approve the Post- Issuance Compliance Procedure and Policy for Bond Issues. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Bolken, Mulder, Gravos, Voll, Sanford, and Riely; nays: none.

Council Member Mulder moved to approve the Mayor Sanford’s appointment of Jeff Gronos to the McKenzie County Ambulance Service Board of Directors. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Riely moved to approve the reappointment of City Assessor Rita Olson. Motion seconded by Council Member Voll and carried unanimously.

Council Member Voll moved to add Mohave Engineering to the 3rd party inspection list. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Voll moved to approve Task Order 42a from Advanced Engineering (Fox Hills Master Lift Station Bidding) in the amount of $10,000. Motion seconded by Council Member Riely and carried unanimously.

Council Member Gravos moved to approve two Agreement for Line Extension agreements from McKenzie Electric Cooperative in the amounts of $12,000 and $8,000 for 170 LF and 100 LF of replacement 3 phase URD. Motion seconded by Council Member Bolken and carried by the following roll call vote: Sanford, Riely, Mulder, Bolken, Voll, and Gravos; nays: none.

Mike Graham, Knife River, gave an update on the current street projects.

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

City Planner Moen asked the Council to consider revisiting Temporary Workforce Housing Conditional Use Permits.

Council Member Bolken moved to order that a public hearing be held by Planning and Zoning to review Temporary Workforce Housing Conditional Use Permits. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Gravos, Riely, Voll, Bolken, and Mulder; nays: Sanford.

Council Member Bolken moved to payback MDU in the amount of $3,525 for an easement that was approved May 5, 2015 but was not needed. Payback is contingent on getting an easement release from MDU. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Mulder, Bolken, Sanford, Riely, Voll, and Gravos; nays: none.

Council Member Gravos moved to approve the bills as listed.  Motion seconded by Council Member Mulder and carried unanimously. EFTPS $87,421.24; TASC $242.32; NDPERS $2,500.00; Nationwide Financial $330.00; Nationwide Retirement Solutions $2,614.00; Payroll $201,371.47; BCBS $34,998.45; NDPERS $35,172.93; NDPERS $281.81; Symetra $662.83; AFLAC $1,567.20; 24/7 Contracting $775,592.87; Accusource Inc. $310.50; Addco Office Systems Inc. $156.89; Advanced Engineering $525,895.76; Ahtna Technical Services $413,187.45; American Legion Post #29 $60,100.95; Arntson Stewart Wegner PC $22,624.31; Arrow-Magnolia International $1,088.55; Astro Chem Services $2,550.00; Badlands Hardware $290.96; Badlands Occupational Testing $860.00; Badlands Power Fuels LLC $160.00;  Bakken Beacon $28,500.00; Bakken Communities $188.10; Barrett Pharmacy $7.58; Battery Junction $59.39; Bayfront Builders $2,800.00; Bert’s Truck Equipment $1,970.00; BlueTarp Financial $1,158.34; Border States Electric $1,286.63; Brent Steed $10,000.00; Buttons By Fish $75.00; Cass County Sheriff’s Office $350.00; CIM Sanitary Tech $7,500.00; City of Detroit Lakes PD $800.00; City of Watford City $668.76; Coburn’s Inc. $11.98; Colby Storkamp $16,800.00; Cole Papers 723.68; Comfort Inn $222.00; Cornerstone Bank $6,301.97; Crash + Sues $18,950.00; Crow River Construction $669,118.93; Dakota Back & Neck $240.00; Dakota Supply Group $7,856.16; Dealers Electrical Supply $996.35; Denise Heiser $272.67; Diaz Concrete $1,347.00 DW Excavating $19,755.00; Employment Benefits Collection $936.00; Farmer’s Union Oil $10,521.86; Fastenal $463.71; Federal Signal Corp $117,835.00; First International Bank $30,215.31; First International Insurance $58,945.00; Flagshooter Inc. $592.52; Flexible Pipe Tool Company $377.65; Found It Now $89.20; Gaffaney’s $319.75; Garman’s Flooring, LLC $5,267.25; GFS Enterprise, LLC $6,128.00; Gooseneck Implement $626.11; Graybar $41.68; Hawkeye Oilfield Supply $93.64; Helena Chemical Co. $42.50; Hewlett Packard Co. $478.00; Holiday Credit Office $3,314.47; Homestead Management $792.00; Information Technology Dept $926.80; Jack & Jill $205.67; Jamar Company $252.00; JLG $92,482.39; JobsHQ $3,187.44; JN Tire & Auto Repair $948.00; Jonathan Cummings $125.00; Joshua Trevena $28.00; Kraus Anderson Const. $3,868,701.92; Locators & Supplies $3,784.58; Lupine Construction $52,015.00; Lund Oil $1,945.88; Lyle Signs $79.61; Mainstay Suites $378.30; Marco $9,699.97; McKennett Law $23,497.75; McKenzie County Landfill $13,009.00; McKenzie County Recorder $68.00; McKenzie County Tourism Bureau $14,243.38; McKenzie County Water Resource $96,386.61; McKenzie Electric $3,864.00; Meuchel Enterprises $3,676.37; MonDak Motorsports $416.91; Montana Dakota Utilities $11,107.44; Municipal Code Corporation $652.79; ND Dept of Health $20.00; ND Water & Pollution Control $175.00; NDACO Resources Group $5,175.28; NDUCFA $40.00; North Country Contracting $1,237,135.41; New Mexico Child Support $500.00; Northern Improvement Co. Inc. $14,154.00; Northern Improvement Company $5,248.91; Northwestern Power Equipment $303.05; Northwest Public Transit $15.00; NYS Child Support Processing $336.76; Office Depot $1,861.51; OK Implement $3,671.89; OK Tire Stores $422.72; One Call Concepts $311.30; One Way Service $2,692.22; OR Dept Of Justice $155.00; Park Construction $495,134.15; POST Board $380.00; Postmaster $466.06; Power Plan OIB $644.30; Precision Roadway Services $4,940.00; Pro Auto Body $3,022.09; PXI, Inc. $56,819.09; Quality Flow Systems $309.90; R&C Tree Service $4,500.00; RDO Trust $8,500.00; Respond Systems $133.80; Reservation Telephone $2,315.48; Rice Lake Construction $1,026,743.00; Rita Olson $42.00; River Aggregates $26,319.20; Roadworx, LLC $2,552.61; Roughrider Industries $16,014.00; S&S Motors $1,068.11; Sanjar Construction $4,350.00; Select Ford $1,090.69; Share Corporation $1,246.20; Sherwin-Williams Co. $1,486.07; State Disbursement Unit $325.00; SUDS Laundry $11.85; Swanston Equipment $7,047.00; The Bismarck Tribune $1,655.60; Thompson Flooring $4,944.00; Titanium Plumbing $1,335.00; Total Funds by Hasler $1,500.69; Tractor Supply Credit Plan $659.69; Triple AAA Safety $1,057.17; Van Diest Supply Co. $3,699.40; Verizon $2,722.58; Wagner Construction $1,123.798.74; WA Support Registry $321.00; Watford City Enterprises $700.00; Watford City Express Laundry $480.21; Watford City Park District $94,000.00; Whipplewood CPA’s $14,000.00.

The next regularly scheduled City Council meeting will be on Monday, October 5, 2015 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 9:24 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