CITY OF WATFORD CITY

CITY COUNCIL MEETING

February 4, 2013

Minutes of the regular City Council meeting held on February 4, 2013 at 6:00 p.m. at City Hall. Present were Council Members Justin Voll, Marty Mulder, Doug Bolken and Randy Samuelson. Also present was City Planner Curt Moen, Auditor Peni Peterson and Attorney Wyatt Voll. Absent was Kris Pacheco (excused) and Shane Homiston (excused). President Voll called the meeting to order with the Pledge of Allegiance.

Council Member Samuelson moved to approve the minutes of the city council meeting held on January 7, 2013. Motion also included approving the agenda and the additions to the agenda. Motion seconded by Council Member Bolken and carried unanimously.

Council Member Bolken moved to approve amending the Subdivision Improvement, Maintenance and Warranty agreement with Bayfront Builder, Inc. dated July 11, 2012. Motion seconded by Council Member Samuelson and carried by the following roll call vote: ayes: Mulder, Samuelson, and Bolken; nays: none.

Council Member Mulder moved to approve the 1st Reading on Application for Annexation submitted by Watford City Assembly of God (SE Sect 25 T150N R99W). Motion seconded by Bolken and carried unanimously.

Council Member Samuelson moved to approve the 1st Reading on Application for Annexation submitted by McKenzie Electric Cooperative (2304 Main Street South). Motion seconded by Bolken and carried unanimously.

Council Member Bolken moved to approve the 1st Reading on Application for Annexation submitted by Valley View Estates (SE1/4 Sect 13 T150N R99W). Motion seconded by Mulder and carried unanimously.

Council Member Mulder moved to approve the 1st Reading on Application for Annexation submitted by US Forest Service – McKenzie Ranger District (NE1/4SE1/4 Section 25 T150N R99W, IT 827, 1136 and 1688). Motion seconded by Bolken and carried unanimously.

Council Member Samuelson moved to approve the 1st Reading on Application for Annexation submitted by Axton Land 300 (NE1/4SE1/4 Section 16 T150N R98W). Motion seconded by Bolken and carried unanimously.

Council Member Bolken moved to approve holding a Public Hearing to hear comment on Petition to Vacate Alley submitted by Wolf Run Village, Inc. Public Hearing will be held at the regular council meeting on March 4, 2013. Motion seconded by Mulder and carried unanimously.

Todd Norton, Advanced Engineering and Environmental Services, was present to provide project updates and present partial pay estimates, change orders, and task orders for review.

Council Member Bolken moved to approve Task Order #6A from Advance Engineering and Environmental Services, (Wasteload Allocation Study) for $22,000.00. Motion seconded by Mulder and carried by the following roll call vote: ayes: Samuelson, Bolken, and Mulder; nays: none.

Council Member Samuelson moved to approve Task Order #9 from Advance Engineering and Environmental Services, (GIS 2013 Updates) up to $20,000.00. Motion seconded by Bolken and carried by the following roll call vote: ayes: Mulder, Samuelson, and Bolken; nays: none.

Council Member Bolken moved to approve Pay Estimate #6 from Glacier Construction Company, Inc. (WWT Phase I Improvements) for $118,037.10. Motion seconded by Mulder and carried by the following roll call vote: ayes: Samuelson, Mulder, and Bolken; nays: none.

Council Member Samuelson moved to approve Pay Estimate #1 from Moorehead Electric (WWT Phase I Improvements) for $129,712.50. Motion seconded by Bolken and carried by the following roll call vote: ayes: Samuelson, Mulder and Bolken; nays: none.

Council Member Bolken moved to approve Pay Estimate #5 from SJ Louis Construction, Inc. (Area 2B Utilities Extensions & Improvements) for $22,546.80. Motion seconded by Mulder and carried by the following roll call vote: ayes: Bolken, Mulder, and Samuelson; nays: none.

Council Member Samuelson moved to approve Change Order #2 from Williams Plumbing and Heating, Inc. (Area 2A & 2B Equipment Improvements) for $29,800.00. Motion seconded by Bolken and carried by the following roll call vote: ayes: Mulder, Samuelson, and Bolken; nays: none.

Council Member Bolken moved to approve Pay Estimate #5 from Williams Plumbing and Heating, Inc. (Area 2A & 2B Equipment Improvements) for $26,820.00. Motion seconded by Mulder and carried by the following roll call vote: ayes: Mulder, Samuelson, and Bolken; nays: none.

Council Member Bolken moved to approve Change Order #2 from Spearfish Excavating (RV Dump) for $-625.00. Motion seconded by Samuelson and carried by the following roll call vote: ayes: Samuelson, Mulder, and Bolken; nays: none.

Council Member Bolken moved to approve Pay Estimate #3 from Spearfish Excavating (RV Dump) for $0.00. Motion seconded by Mulder and carried by the following roll call vote: ayes: Mulder, Samuelson, and Bolken; nays: none.

Mayor Sanford joined the meeting at 6:35 pm.

Police Chief Jesse Wellen was present and gave an update on the police department

Council Member Samuelson made a motion to approve the updated Preliminary Subdivision Map presented by Valley View RE LLC/Adam Berger for property located at Irregular Tract No. 2204 in the SE1/4 Section 13, T150N, R99W, and 42.66 acres McKenzie County. Motion seconded by Mulder and carried by the following roll call vote: ayes: Samuelson, Mulder, and Bolken; nays: Voll.

Upon the recommendation of the Planning Commission, Council Member Voll moved to approve the Zone Change Application submitted by Mark Thorland / Bakken Housing Partners, LLC. for property located Lots 2-5 Block 2, Re-Survey of Block 2 of Dahl Addition located in Lot 2 of Section 19, T150N, and R98W. The application will re-zone R-2m to C-F on .08 acres. Motion seconded by Bolken and carried by the following roll call vote: ayes: Mulder, Voll, Samuelson, and Bolken; nays: none.

Upon the recommendation of the Planning Commission, Council Member Voll moved to approve the Zone Change Application submitted by Wolf Run Village, Inc. / Bakken Housing Partners, LLC. for property located Lots 2-5 Block 2, Re-Survey of Block 2 of Dahl Addition located in Lot 2 of Section 19, T150N, and R98W, 380 sq. ft. of Parcel # 82-25-00300. Motion seconded by Bolken and carried by the following roll call vote: ayes: Samuelson, Mulder, Bolken, and Voll; nays: none.

Upon the recommendation of the Planning Commission, Council Member Samuelson moved to approve the Zone Change Application submitted by Wolf Creek Estates / John J. Tennant for property located SW1/4 Section 18, T150N, R98W ( Main Street North and 7th Ave), 14.88 acres, McKenzie County. The application will re-zone R-1 & R-2 to C-B to allow for mixed use development consisting of residential above office parking space. Motion seconded by Mulder and carried by the following roll call vote: ayes: Bolken, Mulder, Samuelson, and Voll; nays: none.

Upon the recommendation of the Planning Commission, Council Member Voll moved to approve the Zone Change Application submitted by Bayfront Builders / Jeff Hausmann, LLC for property located 1105, 1101, 1013, and 1009 South Pheasant Ridge St., Lots 68, 69, 70, 71 of NW1/4 Section 18, T150N, R98W, 2.079 acres McKenzie County, with the contingency that each apartment building cannot exceed 42 units. The application will re-zone R-3 to R-4. Motion seconded by Bolken and carried by the following roll call vote: ayes: Bolken, Mulder, Voll, and Samuelson; nays: none.

Upon the recommendation of the Planning Commission, Council Member Voll moved to approve the Zone Change Application submitted by Jarvis & Kadie Sorenson for property located NW1/4 Section 22, T150N, R98W, parcel # 20-00-15200, contingent that prior to construction building plans must be provided and approved before construction as set forth under Recommendations in the Staff Report dated 1-21-2013. The application will re-zone 103.82 acres from AG, R1, and CB to C-1. Motion seconded by Samuelson and carried by the following roll call vote: ayes: Bolken, Voll, Samuelson, and Mulder; nays: none.

Upon the recommendation of the Planning Commission, Council Member Mulder moved to approve the Zone Change Application submitted by Cherry Creek Developers, LLC for property located at 904 17th Ave NE, Section 7, T150N, R98W, 60 acres McKenzie County. The application will re-zone R-3 to R-4. Motion seconded by Bolken and carried by the following roll call vote: ayes: Voll, Samuelson, Mulder, and Bolken; nays: none.

Upon the recommendation of the Planning Commission, Council Member Samuelson moved to enter into an agreement with the City of Arnegard allowing City Planner Moen to assist the City of Arnegard. Motion seconded by Voll and carried by the following roll call vote: ayes: Mulder, Voll, Samuelson, and Bolken; nays: none.

Council Member Voll moved to approve the contract with Jackola Engineering for engineering services in the amount of $83,840.00 for an Emergency Services Building. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Mulder, Samuelson, Voll, and Bolken; nays: none.

Council Member Bolken moved to approve the recommendation from the Personnel Committee to approve the following promotions: Officer Andrew Langowski to Sergeant, Category 7, Step 0; Officer Shannon Monnens to Sergeant, Category 7, Step 0; Officer Daniel Blood to Detective/Sergeant, Category 7, Step 0. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Samuelson, Voll, Bolken, and Mulder; nays: none.

Council Member Bolken moved to approve the recommendation from the Personnel Committee to create Category 12 for Police Officer with Step 0 starting at $49,626.34. Seconded by Samuelson and carried by the following roll call vote: ayes: Voll, Bolken, Mulder, and Samuelson; nays: none.

Council Member Samuelson moved to approve the following step increases; Page Rosenlund step increase from Category 3, Step 2 to Category 3, Step 3 effective March 16, 2013; Rena Nelson step increase from Category 3, Step 5 to Category 3, Step 6 effective February 1, 2013. Council Member Mulder moved to second the motion and carried unanimously.

Council Member Voll moved to approve hiring Police Officer Kyle Giersdorf at Category 12, Step 0 with a start date of March 1, 2013. Seconded by Mulder and carried by the following roll call vote: ayes: Samuelson, Voll, Mulder, and Bolken; nays: none.

Council Member Samuelson moved to approve the bid of $19,000.00 submitted by Brady, Martz and Associates to conduct 2011 and 2012 audits. Seconded by Bolken and carried by the following roll call vote: ayes: Voll, Bolken, Mulder, and Samuelson; nays: none.

Council Member Voll moved to approve the Mayor’s appointment of Jesse Wellen as Chief of Police. Motion seconded by Bolken and carried by the following roll call vote: ayes: Mulder, Samuelson, Bolken, and Voll; nays: none.

Council Member Mulder moved to approve the following committee assignments as presented by Mayor Sanford: Board of Health, Kris Pacheco and Doug Bolken; Personnel, Randy Samuelson and Justin Voll. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Voll, Bolken, Mulder and Samuelson; nays: none.

Council Member Samuelson moved to approve the resignation of Slade Herfindahl effective January 31, 2013. Motion seconded by Voll and carried unanimously.

City Planner Curt Moen recommended to council the hiring of Jake and Katie Walters at $35.00 per hour for approximately 10 – 12 hours per week to assist the city in updating city standard details and specifications. Council Member Voll moved to approve hiring Jake and Katie Walters. Motion seconded by Mulder and carried by the following roll call vote: ayes: Samuelson, Bolken, Mulder, and Voll; nays: none.

Council Member Bolken moved to pay Computer Professionals Unlimited, Inc $2,280.00 to provide training to City Assessor on the AS/400 computer system. Motion seconded by Mulder and carried by the following roll call vote: Samuelson, Voll, Bolken, and Mulder; nays: none.

The January 2013 cash reports were reviewed.

Council Member Voll moved to approve the bills as listed. Motion seconded by Council Member Bolken and carried unanimously. EFPTS $15,377.45; EFTPS $22,506.01; TASC $273.06; TASC $271.20; NDPERS $447.50; NDPERS $447.50; Payroll $94,586.02; Colonial Ins. $117.15; BCBS $18,305.35; NDPERS $13,353.29; NDPERS $254.97; Symetra $282.99; AFLAC $1,279.92; Abel Enterprises $337.94; Advanced Engineering $114,513.15; Astro Chem Service, Inc. $50.00; Badlands Hardware $1,285.57; Black Mountain Software $9,424.00; Bluetarp Financial, Inc. $1,130.99; Brent Sanford $566.40; Brown & Saenger $716.35; Buttons By Fish $ 310.00; Carquest Auto Parts $317.70; Dacotah Paper Co $480.89; Dakota Supply Group $2,326.91; Darrington Snow Removal $200.00; Dawn Tschetter $21.16; Edling Electric $79.50; Fargo Water Equipment $7,345.36; Fastenal Company $182.87; Foley Brothers, LLC $2,735.00; Gaffaney’s Inc $848.57; Galls $7,352.46; Gary Hoffman $2,019.23; Hawkeye Oil Field Supply, LLC $54.83; Heggen Equipment, Inc. $323.11; Information Technology Dept $221.00; Jackola Engineering $15,508.33; Lund Oil, Inc $2,468.68; M & T Fire and Safety, Inc. $1,175.44; Margaret Beyers $25.03; McKennett Law Firm $8,238.75; McKenzie County Ambulance $45,000.00; McKenzie County Fair Board $4000.00; McKenzie County Farmer $1,698.96; McKenzie County Heritage Association $20,000.00; McKenzie Co Recorder $207.20; McKenzie County Tourism Bur $19,000.00; McKenzie County Treasurer $550.00; McKenzie Electric Coop, Inc. $529.00; Meuchel Enterprises, Inc. $266.61; Mid-States Organized Crime Inf $100.00; Minot Daily News $109.18; Montana Dakota Utilities $10,036.19; ND Chiefs of Police Association $50.00; ND Department of Health $120.00; ND Rural Water Systems Assoc $165.00; ND State Radio Communications $396.00; ND Workforce Safety & Ins $22,548.31; ND Water & Pollution Control $100.00; NW Narcotics Task Force $64,163.75; OK Implement $109.18; One Way Service Machine Shop $950.74; Pioneer Museum $13,000.00; Postmaster $512.42; Power Plan $24.81; Pro Auto Body $1,584.50; Puklich Chevrolet $95,276.20; Red Carpet $23.10; Reservation Telephone $1,201.14; Roughrider Industries $3,830.00; S & S Motors $886.31; Safeguard Business Systems $117.23; Seth Sampson $1,388.11; Share Corporation $2,573.55; Sirchie Finger Print $35.00; State Disbursement Unit $325.00; Suds Laundry $50.67; SW Williams & Sons $2,200.00; Talk Time Wireless $40.00; TASC $900.00; TD & H Engineering $16,604.19; Titan Plumbing $4,290.00; Triple AAA Safety/Training $175.00; Verizon Wireless $900.15; Visa $1,411.89; Watford City Airport Authority $30,000.00; Watford City Chamber of Commerce $7,500.00; Watford City Economic Dev Corp $100.00; Watford City Enterprises, LLC $600.00; Watford City Golf Club $5,000.00; Watford City Park District $21,500.00; Watford City Rotary Club $130.00; West Plains Insurance $71.00; William Landmark $270.92; Williston Daily Herald $175.81; Xerox Corporation $1,260.66; Young at Heart Club $10,000.00.

The next regularly scheduled City Council meeting will be on Monday, February 4, 2013 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 9:15 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