CITY OF WATFORD CITY

CITY COUNCIL MEETING

March 4, 2013

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

Council Member Bolken moved to approve the minutes of the city council meetings held on February 4 and February 25, 2013. Motion also included approving the agenda and the additions to the agenda. Motion seconded by Council Member Pacheco and carried unanimously.

Council Member Voll moved to approve the 2013 Facilities (Jail) Agreement with McKenzie County in the amount of $200,000. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Pacheco, Bolken, Homiston, and Voll; nays: none.

David Johnson and Lee Rafferty were present to provide information on a golf course expansion project they have been working on.

Mayor Sanford called the Public Hearing, as advertised, to order for the Petition to Vacate Street application submitted by Wolf Run Village, Inc. (2nd St SE, Dahl’s 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 Street application submitted by Wolf Run Village, Inc. (2nd St SE, Dahl’s Addition). Motion seconded by Council Member Pacheco and carried by the following roll call vote: ayes: Homiston, Voll, Pacheco, and Bolken; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Petition to Vacate Street application submitted by Wolf Run Village, Inc. (3rd Ave SE, Dahl’s Addition). There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Pacheco moved to approve the Petition to Vacate Street application submitted by Wolf Run Village, Inc. (3rd Ave SE, Dahl’s Addition). Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Bolken, Homiston, Voll, and Pacheco; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Petition to Vacate Alley application submitted by Wolf Run Village, Inc. (Dahl’s Addition). There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Voll moved to approve the Petition to Vacate Alley application submitted by Wolf Run Village, Inc. (Dahl’s Addition). Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Pacheco, Voll, Homiston, and Bolken; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Warren Hovland (NE1/4SE1/4 Sect 23, T150, R99W). 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 Warren Hovland (NE1/4SE1/4 Sect 23, T150, R99W). Motion seconded by Council Member Bolken and carried unanimously.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Robin Greenhagen (IT 2310 PT NW1/4) Dakota Ridge Tract I. 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 Robin Greenhagen (IT 2310 PT NW1/4) Dakota Ridge Tract I. Motion seconded by Council Member Pacheco and carried unanimously.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Robin Greenhagen (IT 2372 PT NW1/4) Dakota Ridge Tract II. There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Homiston moved to approve the First Reading on an Ordinance Annexing Property to the City of Watford City per Annexation Application submitted by Robin Greenhagen (IT 2372 PT NW1/4) Dakota Ridge Tract II. Motion seconded by Council Member Voll and carried unanimously.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Robin Greenhagen (E1/2NW1/4, Lots 1-2 EX PT IT 885, IT 771, 1014 1594, 772, PT IT 743, 2310, 2372) Nelson. 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 Robin Greenhagen (E1/2NW1/4, Lots 1-2 EX PT IT 885, IT 771, 1014 1594, 772, PT IT 743, 2310, 2372) Nelson. Motion seconded by Council Member Homiston and carried unanimously.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Robin Greenhagen (IT 1014 PT IT 771) Hall. 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 Robin Greenhagen (IT 1014 PT IT 771) Hall. Motion seconded by Council Member Pacheco and carried unanimously.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Robin Greenhagen (IT 1249 PT NW1/4 EX IT 1250, 2142, 2144, 2361) Simonson I. 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 Robin Greenhagen (IT 1249 PT NW1/4 EX IT 1250, 2142, 2144, 2361) Simonson I. Motion seconded by Council Member Bolken and carried unanimously.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Robin Greenhagen (E1/2 NW1/4, Lots 1-2 Ex 10A City Lagoon & EX IT 1249, 1250, 1374, 1581, 2332, 2461 & EX .78 A in IT 2361) Simonson II. 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 Robin Greenhagen (E1/2 NW1/4, Lots 1-2 Ex 10A City Lagoon & EX IT 1249, 1250, 1374, 1581, 2332, 2461 & EX .78 A in IT 2361) Simonson II. Motion seconded by Council Member Homiston and carried unanimously.

Council Member Voll moved to approve releasing the Sign Easement Agreement between Donald F Fritel and Ruby R Fritel dated July 26, 2010. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Homiston, Pacheco, Voll, and Bolken; nays: none.

Advanced Engineering and Environmental Services provided partial pay estimates, change orders, and task orders for review.

Council Member Pacheco moved to approve Pay Estimate #7 from Glacier Construction Company, Inc. (WWT Phase I Improvements) for $29,539.36. Motion seconded by Homiston and carried by the following roll call vote: ayes: Homiston, Bolken, Pacheco, and Voll; nays: none.

Council Member Homiston moved to approve Pay Estimate #2 from Moorehead Electric (WWT Phase I Improvements) for $421,731.00. Motion seconded by Bolken and carried by the following roll call vote: ayes: Voll, Pacheco, Homiston, and Bolken; nays: none.

Council Member Voll moved to approve Pay Estimate #6 from Williams Plumbing and Heating, Inc. (WWTF Phase I Improvements) for $8,100.00. Motion seconded by Pacheco and carried by the following roll call vote: ayes: Bolken, Pacheco, Voll, Homiston; nays: none.

Council Member Bolken moved to approve Pay Estimate #6 from Williams Plumbing and Heating, Inc. (Area 2A & 2B Equipment Improvements) for $33,321.34. Motion seconded by Pacheco and carried by the following roll call vote: ayes: Pacheco, Homiston, Voll, and Bolken; nays: none.

No action was taken on Task Order #10 from Advanced Engineering for $10,000.00 until more information is received from Advanced Engineering.

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

Upon the recommendation of the Planning Commission, Council Member Pacheco moved to approve the Subdivision Preliminary Plat application filed by Greg and Monica Simonson and Robin Greenhagen on property located Section 18, T 150N, R98W, Plat of Bison Meadows Subdivision, 62.58 acres, McKenzie County, ND. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Bolken, Homiston, Voll, and Pacheco; nays: none.

Subdivision Preliminary Plat application filed by Reservation Telephone Cooperative / Warren Hovland for property located NE1/4SE1/4 Section 23, T150N, R99W; Irregular Tract containing 5.317 acres, McKenzie County, ND, no action was taken and was tabled until the next City Council meeting.

Upon the recommendation of the Planning Commission, Council Member Bolken moved to approve the Simple Lot Split submitted by Paul Deutsch / AE2S Steve Rude to create two parcels for transfer; one to applicant and one to another party at later date on property located NW1/4 Section 15, T150N, R98W, 17.52 acres, McKenzie County, ND. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Pacheco, Voll, Bolken, and Homiston; nays: none.

Zone Change Application submitted by Reservation Telephone Cooperative / Warren Hovland on property located NE1/4 SE1/4 Section 23, T150N, R99W; Irregular Tract contains 5.317 acres, McKenzie County, ND, no action was taken and was tabled until the next City Council meeting.

Upon the recommendation of the Planning Commission, Council Member Homiston to approve the Zone Change Application submitted by Paul Deutsch / Western Area Water Supply / AE2S Steve Rude on property located NW1/4 Section 15, T150N, R98W, 17.52 acres, McKenzie County, ND. Application would re-zone AG2 to C1. Motion seconded by Voll and carried by the following roll call vote: Pacheco, Bolken, Homiston, and Voll; nays: none.

Council Member Homiston moved to approve the recommendation from the Personnel Committee to approve the changes to the employee personnel manual regarding non-paid time off. Motion Seconded by Voll and carried by the following roll call vote: ayes: Pacheco, Homiston, and Voll; nays: Bolken.

Council Member Homiston moved to approve the following step increase; Justin Smith step increase from Category 11, Step 4 to Category 11, Step 5 effective April 16, 2013. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Pacheco, Bolken, Voll, and Homiston; nays: none.

Council Member Pacheco moved to approve the raffle permit application submitted by Good Shepherd Home Aux #690. Motion seconded by Bolken and carried unanimously.

Council Member Pacheco moved to approve Resolution No. 2013-03 - North Dakota Municipal Government Week of the City of Watford City Recognizing City Government Week, April 1-5, 2013 and Encouraging all Citizens to Support the Celebration and Corresponding Activities. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Bolken, Pacheco, Homiston, and Voll; nays: none.

Council Member Pacheco moved to approve the Second Reading on Ordinance #291 Annexing Property to the City of Watford City per Annexation Application submitted by Valley View RE LLC (IT2204 Part of SE1/4 of Sect 13, T150N, R99W0 41.66 acres. Motion seconded by Homiston and carried by the following roll call vote: ayes: Bolken, Homiston, Pacheco; nays: Voll. Motion failed.

Council Member Pacheco moved to approve the Second Reading on Ordinance #292 Annexing Property to the City of Watford City per Annexation Application submitted by Axton Land 300 (NE ¼ SE1/4 Sect 16, T150N, Range 98W) 294.28 acres. Motion seconded by Homiston and carried by the following roll call vote: ayes: Bolken, Pacheco, Homiston, and Voll; nays: none.

Council Member Pacheco moved to approve the First Reading on Ordinance #293 to Amend Chapter VI, Article 5, Section 6-523 – Street Sales Consumption and Possession Limited. Motion seconded by Council Member Bolken and carried unanimously.

Council Member Pacheco moved to approve the First Reading on Ordinance #294 to Amend Chapter VII, Article 2, Section 7-219 – Penalty. Motion seconded by Council Member Bolken and carried unanimously.

Council Member Voll moved to approve Resolution 2013-04 – Resolution Authorizing Sale regarding 2008 GO Bonds and 2008 Revenue Bonds. Motion seconded by Council Member Homiston and carried by the following roll call vote: ayes: Pacheco, Voll, Bolken, and Homiston; nays: none.

The January 2013 cash reports were reviewed.

Council Member Voll moved to approve the bills as listed. Motion seconded by Council Member Pacheco and carried unanimously. EFPTS $15,896.61; EFTPS $19,142.51; TASC $251.22; TASC $499.76; NDPERS $447.50; NDPERS $447.50; Payroll $88,118.12; Colonial Ins. $117.15; BCBS $18,160.10; NDPERS $15,553.07; NDPERS $203.40; Symetra $282.05; AFLAC $1,224.48; Advanced Engineering $91,271.06; Badlands Hardware $428.42; Balco $261.58; Bank of ND $14,430.00; Bluetarp Financial, Inc. $918.88; Brenna Law Firm, PLLC $120.00; Brent Sanford $358.48; Buttons By Fish $ 35.00; Carquest Auto Parts $63.76; Comfort Suites $79.00; Corporate Apparel Unlimited $27.58; Dakota Supply Group $2,113.79; Dean Anderson $240.00; Dickinson Truck Equipment $1,200.00; Digital Ally $12,975.00; Direct Electric $3,003.50; DW Excavating, Inc $2,435.00; Ed Roeher Safety Products $801.14; Electronic Communications $110.00; Elliot Excavating $3,000.00; Emergency Medical Products $6,323.70; Emergi-Safe $899.00; Farmers Union Oil $11,143.76; Fastenal Company $313.57; First International Insurance $50.00; Foley Brothers, LLC $1,100.00; Forthun Septic Tank Service $1,500.00; Gaffaney’s Inc $259.79; Galls $86.22; Gary Hoffman $398.67; Heart Medical $140.00; Heggen Equipment, Inc. $245.87; Information Technology Dept $216.00; Jack and Jill $346.59; Jackola Engineering $4,904.96; Justin Smith $125.00; L-Tron Corporation $7,168.09; Line Finders $39.00; Lund Oil, Inc $1,954.47; Lyle Signs $70.44; M & T Fire and Safety, Inc. $460.38; McKennett Law Firm $11,375.00; McKenzie County Farmer $1,544.86; McKenzie County Healthcare $85.00; McKenzie County Hockey Club $1,747.90; McKenzie County Landfill $8,317.50; McKenzie Co Recorder $48.00; McKenzie County Rural Water $249,904.40; McKenzie County Treasurer $225.00; McKenzie Electric Coop, Inc. $530.00; MainStays Suites $77.00; Meuchel Enterprises, Inc. $398.03; Mike’s Super Valu $21.53; Montana Dakota Utilities $7,951.75; Nelson International $968.12; ND Building Official Association $100.00; North Dakota Safety Council $200.00; O’Day Equipment $11,658.75; OK Implement $720.05; One Call Concepts $98.75; Post Board $140.00; Postmaster $418.11; Quality Flow Systems $45,327.00; Rita Olson $70.03; Reservation Telephone $1,257.66; Roughrider Industries $3,240.00; Sanitation Products $554.88; Schock’s Safe & Lock $189.90; Soltis Business Forms $287.70; State Disbursement Unit $325.00; Stein’s, Inc $68.74; Suds Laundry $17.80; TD & H Engineering $11,277.00; The Attic $4,718.00; Titan Plumbing $950.00; Verizon Wireless $974.97; Visa $2,889.37; Vogel Law Firm $3,699.50; Watford City Chamber of Commerce $100.00; Watford City Enterprises, LLC $600.00; Watford City Express Laundry $178.50; West Plains Insurance $675.00; Williston Fire & Safety $298.32; Xerox Corporation $455.00.

The next regularly scheduled City Council meeting will be on Monday, April 1, 2013 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 9:35 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