CITY OF WATFORD CITY

CITY COUNCIL MEETING

April 7, 2014

Minutes of the regular City Council meeting held on April 7, 2014 at 6:00 p.m. at City Hall. Present were Mayor Brent Sanford and Council Members Justin Voll, Kris Pacheco, Randy Samuelson, Marty Mulder, Doug Bolken and Shane Homiston. Also present was City Planner Curt Moen, City Auditor Peni Peterson and Attorney Wyatt Voll.

Our special guest for tonight’s council meeting was Audrey Fowler who was chosen the “Mayor for the Day” from Mrs. Jacobson’s 3rd grade class. Mayor Fowler shared with the city council members her essay which earned her the title as “Mayor for the Day”. Mayor Fowler called the meeting to order with the Pledge of Allegiance.

Council Member Samuelson moved to approve the minutes of the city council meetings held on March 3, 17 and April 3, 2014. Motion also included approving the agenda and the additions to the agenda. Motion seconded by Council Member Mulder and carried unanimously.

Jody Renbarger, Roughrider Committee, was present to review a Roughrider Application submitted by Lutheran Social Services Housing, Inc. for the Prairie Heights Apartments as a local match in order to utilize the Bank of ND Flex Pace Program for the final financing package for this project. Council Member Bolken moved to approve the Roughrider Application submitted by Lutheran Social Services. Motion seconded by Council Member Pacheco and carried by the following roll call vote: ayes: Homiston, Samuelson, Bolken, Mulder, Pacheco, and Voll; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Northern States Fishing Tool (1004 4th St SW - 2.76 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 Northern States Fishing Tool (1004 4th St SW - 2.76 acres). Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Bolken, Mulder, Voll, Pacheco, Homiston, and Samuelson; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Link Logistics (605 11th Ave SW). There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Samuelson moved to approve the First Reading on an Ordinance Annexing Property to the City of Watford City per Annexation Application submitted by Link Logistics (605 11th Ave SW). Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Pacheco, Bolken, Samuelson, Mulder, Voll, and Homiston; nays: none.

Todd Norton, Advanced Engineering, presented pay estimates, task orders, and Energy Impact Grant Applications.

Council Member Voll moved to approve the Energy Impact Grant Application for High School and Events Center Core Infrastructure. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Mulder, Homiston, Pacheco, Voll, Bolken, and Samuelson; nays: none.

Council Member Homiston moved to approve the Energy Impact Grant Application for April Grant Round. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Bolken, Mulder, Samuelson, Pacheco, Homiston, and Voll; nays: none.

Council Member Samuelson moved to approve the Pay Estimate from Jehn Engineering (4th Ave NW and 6th St NW Street Intersection Design) for $32,900 max hourly plus expenses. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Pacheco, Homiston, Mulder, Samuelson, Voll, and Bolken; nays: none.

Council Member Pacheco moved to approve the Pay Estimate from TD&H Engineering (Geotech Services – 6th St NE) for $10,900. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Voll, Samuelson, Bolken, Mulder, Homiston, and Pacheco; nays: none.

Council Member Homiston moved to approve Task Order #20a from Advanced Engineering (Highway 23 Watermain – Construction and Post Construction Phases) for $84,500 max hourly plus expenses. Motion seconded by Council Member Samuelson and carried by the following roll call vote: ayes: Bolken, Pacheco, Homiston, Samuelson, Voll, and Mulder; nays: none.

Council Member Mulder moved to approve Task Order #21A from Advanced Engineering (2014 Distribution System Pressure Zone Improvements – Design and Bidding Phases) for $84,000. Motion seconded by Council Member Pacheco and carried by the following roll call vote: ayes: Samuelson, Homiston, Voll, Mulder, Bolken, and Pacheco; nays: none.

Todd Kelly, Advanced Engineering, presented Pay Applications.

Council Member Homiston moved to approve Pay Applications #1 & #2 from Landmark Structures, LLP (East Water Tower) for $720,225.72 and $214,154.28. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Mulder, Pacheco, Voll, Samuelson, Homiston, and Bolken; nays: none.

Council Member Bolken moved to approve Pay Application #1 from Phoenix Fabricators & Erectors, Inc. (Northwest Water Tower) for $328,230.00. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Homiston, Samuelson, Bolken, Mulder, Voll, and Pacheco; nays: none.

Police Sergeant Andrew Langowski was present and gave an update on the police department.

John Haivala, JN Field Services, was present to discuss an outstanding invoice. Council Member Mulder moved to approve paying JN Filed Services $2,600 and requiring JN Field Services to sign a waiver releasing the City from any additional amounts associated with the invoice. Motion seconded by Council Member Homiston and carried by the following roll call vote: ayes: Samuelson, Pacheco, Bolken, Voll, Homiston, and Mulder; nays: none.

Council Member Voll moved to call for a Public Hearing June 3, 2014 for public hearing on a Petition to Vacate Easement submitted by WCND Apartments, LLC to consider vacating a utility easement located in the Pheasant Ridge Subdivision. Motion seconded by Council Member Mulder and carried unanimously.

Council Member Mulder moved to approve the recommendations from the Planning Commission from their March 13 and 31st, 2014 meetings with the exception of item numbers 3, 4, and 5 to be voted on separately. Approved the following: Zone Change Application submitted by Foley Brothers Towing changing 12.63 acres zoned AG (Agriculture) to C1 (Commercial); Zone Change Application submitted by Monday One/Kenny Dewan for property in the Pheasant Ridge Subdivision Lot 57 from R1 to R3, this application was amended to reflect zone change on one lot not 10 lots; Conditional Use Permit Annual Review CU-18-2014 for Western Area Water Supply/Jaret Wirtz on property located NW1/4 Section 15, T150, R98W, .000516 acres of Parcel # 20-14-00200 to allow for bulk water sales and 80 ft. free standing tower for telemetry. Motion seconded by Council Member Homiston and carried by the following roll call vote: ayes: Bolken, Pacheco, Voll, Samuelson, Homiston, and Mulder; nays: none.

Council Member Mulder moved to approve the following with the contingency that all three applicants must bring their surfacing requirements into compliance by requiring hard surfaces in their parking area and drive isles: Conditional Use Permit Annual Review CU-15-2014 for Steve Sanford on property located at 1500 6th Ave NE, to continue to allow temporary workforce housing for 8 spaces to accommodate up to 8 campers, recreational vehicle or mobile homes; Conditional Use Permit Annual Review CU-16-2014 for JW Enterprises on property located at 1001 4th St SW, to continue to allow temporary workforce housing for 3 spaces to accommodate 3 mobile homes; Conditional Use Permit Annual Review CU-19-2014 for C & A Realty on property located at 202 3rd Ave SW, to continue to allow temporary workforce housing for1 mobile home or 2 recreational vehicles (Staff Recommendation states the conditional use permit with the existing structures to remain on site but no further campers or RV’s will be permitted on location and the conditional use permit is based on the acreage shown on submitted site plan and shall not be expanded nor the intensity increased). Motion seconded by Council Member Pacheco and carried by the following roll call vote: ayes: Homiston, Bolken, Mulder, Voll, Samuelson, and Pacheco; nays: none.

Council Member Homiston moved to approve a step increase for Building Inspector/Code Compliance Officer Steve Williams from Category 9, Step 1 to Category 9, Step 3; effective April, 16, 2014. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Pacheco, Bolken, Samuelson, Mulder, Voll, and Homiston; nays: none.

Council Member Homiston moved to approve the following annual step increases: Melissa Sandry - Category 3, Step 1 to Category 3, Step 2; effective May 1, 2014; Mildred Williams – Category 5, Step 0 to Category 5, Step 1; effective May 1, 2014; Rena Nelson – Category 3, Step 2 to Category 3, Step 3; effective May 16, 2014. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Mulder, Samuelson, Pacheco, Bolken, Homiston, and Voll; nays: none.

Council Member Homiston moved to approve an offer of employment to Matt Beard as City Engineer with a hire date of August 1, 2014. Motion seconded by Council Member Samuelson and carried by the following roll call vote: ayes: Pacheco, Voll, Mulder, Samuelson, Bolken, and Homiston; nays: none.

No action taken on Amending Chapter VII, Article 2, Section 7-206 – Relating to Impounding.

Council Member Pacheco moved to approve Ordinance #345 Annexing property to the City of Watford City per Annexation Application submitted by Jeff Koch/Roers Investments (SE1/4SE1/4 Section 24, T150N, R99W – 5.04 acres). Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Samuelson, Mulder, Homiston, Bolken, Pacheco, and Voll; nays: none.

Council Member Pacheco moved to approve Ordinance #346 Annexing property to the City of Watford City per Annexation Application submitted by City of Watford City (Highway 85 South). Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Homiston, Voll, Bolken, Pacheco, Mulder and Samuelson; nays: none.

Council Member Pacheco moved to approve Raffle Permits #707 – Badlands Toms and #708 – Watford City Centennial. Motion seconded by Council Member Homiston and carried unanimously.

Council Member Homiston moved to approve advertising for public works and cemetery summer help positions. Motion seconded by Council Member Samuelson and carried unanimously.

Council Member Samuelson moved to approve surveying at the city impound lot. Motion seconded by Council Member Homiston and carried unanimously.

Council Member Voll moved to approve the bills as listed. Motion seconded by Council Member Mulder and carried unanimously. EFPTS $27,727.32; EFTPS $30,439.39; TASC $236.98; TASC $236.98; NDPERS $572.50; NDPERS $572.50; Payroll $141,655.95; BCBS $24,643.60; NDPERS $24,244.46; NDPERS $222.94; Symetra $308.20; AFLAC $1,247.90; ND Job Service $571.44; Advanced Engineering $163,736.66; Agri Industries $346.27; Alco $61.17; Alex Quale $70.00; American Society of Civil Engineers $240.00; Astro Chem Services $184.00; Badlands Hardware $1,459.24; Badlands Hydrovac Services $2,400.00; Balco Uniform Comp $4,526.89; Barrett Pharmacy, Inc. $8.90; Bill Barth Ford $252.95; Bluetarp Financial $27.35; Border States Electric Supply $1,625.00; Braun Intertec Corp. $11,556.75; Brian Deutsch $211.25; C’Mon Inn of Fargo $373.50; Carquest Auto Parts $239.83; CMG Const. $1,265.00; Coborn’s $117.22; Comfort Inn Bismarck $148.00; Comfort Inn Minot $600.00; Construction Services Inc. $960.00; Cory Johnson $211.25; Craigs Small Engine Repair $622.90; Dacotah Paper Co. $481.27; Dakota Fire Extinguishers, Inc. $86.18; Dakota Supply Group $16,420.54; Daniel Blood $84.75; DW Excavating $2,000.00; Electronic Communications $65.00; Environmental Abatement Services $1,261.55; Expressway Suites Fargo $265.02; Farmers Union Oil Co $9,263.73; Fastenal Company $346.63; Foley Brothers $4,150.00; Fred’s Sewer & Drain Service $3,200.00; Gaffaney’s Inc $1,465.96; Gerad Andrews $97.11; Gun City $79.55; Hawkeye Oil Field Supply LLC $35.58; Hawkins, Inc. $911.12; Heggen Equipment, Inc. $243.56; HR Collaborative $150.00; Information Technology Dept $451.60; Inland Truck Parts & Service $727.79; Interstate Engineering $907.00; Jack & Jill $298.75; Jackola Engineering $9,613.16; Jesse Wellen $203.00; Justin Voll $70.00; Karson Knudtson $105.00; Kenny Liebel $70.00; Kotana Communications, Inc. $57.40; Kyle Giersdorf $344.54; L-Tron Corp. $1,017.00; Locators & Supplies, Inc. $535.41; Lund Oil $2,794.91; Lyle Signs $145.10; Mac’s Inc. $152.37; Magic City Janitorial $4,450.00; Mail Finance $315.00; McCody Concrete Products, Inc. $450.00; McKennett Law Firm $13,567.50; McKenzie County Ambulance $105,382.94; McKenzie County Farmer $1,387.46; McKenzie County Landfill $18,903.79; McKenzie County Road & Bridge $1,617.00; McKenzie County School $73,000.00; McKenzie Electric Coop $1,021.00; Meuchel Enterprises, Inc. $4,103.25; Mid-States Organized Crime $100.00; Minot Daily News $646.96; Mon-Dak Motorsports $206.55; Montana Dakota Utilities $15,901.02; Moritz Sport & Marine $81.76; Nick Shattuck $176.25; Nolan Kalberer $246.25; Northern Pump & Compression $284.15; Office of State Tax Commissioner $6,981.07; OK Implement $269.52; Olympic Sales, Inc. $109.41; One Call Concepts $207.90; Philip Riely $200.75; POST Board $250.00; Post Master $672.35; Power Plan OIB $3,632.51; Pro Auto Body $5,989.47; Ramkota Hotel $298.80; Reservation Telephone $6,710.89; Rita Olson $78.16; RMES Engineers $1530.00; Robert Lamell $125.00; S&S Motors $1,268.84; Schock’s Safe Lock $189.90; Shawn Rink $214.75; Sirchie Finger Print $55.78; Starion Bond Services $167,836.25; State Disbursement Unit $325.00; Steve Sanford $237.23; TD & H Engineering $3,150.00; The Bismarck Tribune $1,208.75; Total Funds By Hasler $503.00; Triple AAA Safety $1,704.94; Vanguard Appraisals, Inc. $275.00; Verizon $1,901.31; VISA $4,521.40; Vogel Law Firm $465.50; Watford City Enterprises $600.00; Watford City Park District $64,000.00; Wingate By Wyndham Bismarck $271.41; Wolf Run Village $726.00.

The next regularly scheduled City Council meeting will be on Monday, May 5, 2014 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 8:00 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