CITY OF WATFORD CITY

CITY COUNCIL MEETING

January 5, 2015

Minutes of the regular City Council meeting held on January 5, 2015 at 6:00 p.m. at City Hall. Present were Mayor Brent Sanford and Council Members Justin Voll, Doug Bolken, Marty Mulder, Steve Sanford, Aaron Gravos, and Phil Riely. 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 December 1 and December 8, 2014. Motion also included approving the agenda. Motion seconded by Council Member Mulder and carried unanimously.

City Assessor Rita Olson presented an Application for Abatement or Refund of Taxes submitted by Jules and Lynette Ostrander. City Assessor Olson informed the council that Mr. and Mrs. Ostrander’s property was incorrectly assessed and recommended reducing the True and Full Value of the parcel from $307,330 to $224,670. Council Member Voll moved to approve reducing the True and Full Value on the parcel from $307,330 to $224,670. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Sanford, Mulder, Gravos, Bolken, Riely, and Voll; nays: none.

Lee Rafferty, Fox Hills Golf Course, presented to the council a 2014 Profit and Loss Budget vs Actual financial sheet for the Fox Hills Golf Course. Mr. Rafferty will continue to present golf course information at future council meetings.

Mayor Sanford called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Kira Stenehjem – South 40 (Hwy 85S & 24th St., 35.881 acres). There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Mulder moved to approve the First Reading on an Ordinance Annexing Property to the City of Watford City per Annexation Application submitted by Kira Stenehjem – South 40 (Hwy 85S & 24th St., 35.881 acres). Motion seconded by Council Member Bolken and carried unanimously.

Mayor Sanford called the Public Hearing, as advertised, to order for the Petition to Vacate Easement submitted by Hunter’s Run, LLC for Lot 132. 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 Easement submitted by Hunter’s Run, LLC for Lot 132. Motion seconded by Council Member Voll and carried by the following roll call vote: Bolken, Mulder, Sanford, Gravos, Riely, and Voll; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Petition to Vacate Easement submitted by Hunter’s Run, LLC for Lot 125. 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 Easement submitted by Hunter’s Run, LLC for Lot 125. Motion seconded by Council Member Gravos and carried by the following roll call vote: Bolken, Voll, Mulder, Sanford, Riely, and Gravos; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Petition to Vacate Easement submitted by Hunter’s Run, LLC for Lots 1, 2, 3, 4, 5, and 6. 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 Easement submitted by Hunter’s Run, LLC for Lots 1, 2, 3, 4, 5, and 6. Motion seconded by Council Member Riely and carried by the following roll call vote: Voll, Mulder, Riely, Gravos, Bolken, and Sanford; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Petition to Vacate Right-of-Way submitted by Hunter’s Run, LLC for Lot 9. There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Voll moved to approve the Petition to VacateRight-of-Way submitted by Hunter’s Run, LLC for Lot 9. Motion seconded by Council Member Gravos and carried by the following roll call vote: Riely, Gravos, Bolken, Sanford, Mulder, and Voll; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Petition to Vacate Right-of-Way submitted by Bakken Select Fund I, LLC for Hunter’s Run Street. 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 Right-of-Way submitted by Bakken Select Fund I, LLC for Hunter’s Run Street. Motion seconded by Council Member Riely and carried by the following roll call vote: Mulder, Gravos, Riely, Voll, and Sanford; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Petition to Vacate Easement submitted by Hunter’s Run, LLC for Lots 7 and 8. There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Mulder moved to approve the Petition to Vacate Easement submitted by Hunter’s Run, LLC for Lots 7 and 8. Motion seconded by Council Member Gravos and carried by the following roll call vote: Voll, Gravos, Bolken, Sanford, Riely, and Mulder; nays: none.

Mayor Sanford called the Public Hearing, as advertised, to order for the Petition to Vacate Easement submitted by Bakken Select Fund I, LLC for Lot 1 Hunter’s Run Subdivision, 1st 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 Easement submitted Bakken Select Fund I, LLC for Lot 1 Hunter’s Run Subdivision, 1st Addition. Motion seconded by Council Member Voll and carried by the following roll call vote: Bolken, Voll, Riely, Gravos, Sanford, and Mulder; nays: none.

Todd Norton, Advanced Engineering, presented pay estimates and change orders.

Council Member Voll moved to approve advertising for bids for the High School/Event Center Offsite Infrastructure Improvements Project. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Mulder, Bolken, Gravos, Riely, Voll, and Sanford; nays: none.

Council Member Gravos moved to approve Task Order #35 from Advanced Engineering (South Water Resource Recovery Facility (WRRF) Facility Plan – Study Phase) in the amount of $50,000. Motion seconded by Sanford and carried by the following roll call vote: ayes: Mulder, Bolken, Gravos, Riely, Voll, and Sanford; nays: none.

Council Member Gravos moved to approve Task Order #36 from Advanced Engineering (2015 CIP Update and Expansion – Study and Report Phase) in the amount of $85,000. Motion seconded by Council Member Riley and carried by the following roll call vote: ayes: Voll, Bolken, Mulder, Gravos, Sanford, and Riely; nays: none.

Council Member Sanford moved to approve Task Order #37 from Advanced Engineering (North Watford City Regional Drainage Study – Study and Report Phase) in the amount of $58,400. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Gravos, Voll, Riely, Mulder, Bolken, and Sanford; nays: none.

Council Member Voll moved to approve Pay Estimate #11 from Landmark Structures (East Water Tower) in the amount of $102,500. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Gravos, Bolken, Sanford, Riley, and Voll; nays: none.

Council Member Riely moved to approve Pay Estimate #9 from Phoenix Fabricators & Erectors, Inc. (Northwest Water Tower) in the amount of $33,900. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Riely, Bolken, Voll, Gravos, and Mulder; nays: none.

Council Member Voll moved to approve Change Order #5 from Northern Improvement (17th Ave NE Street Improvements) change to substantial completion date from October 31, 2014 to June 15, 2015 and final completion date from November 30, 2014 to June 30, 2015. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Voll, Bolken, Riely, Gravos, and Mulder; nays: none.

Council Member Bolken moved to approve Pay Estimate #3 from Merryman Excavation (Hwy 23 Watermain Extension) in the amount of $27,975.71. Motion seconded by Council Member Mulder and carried by the following roll call vote: Bolken, Sanford, Riely, Mulder, Gravos, and Voll; nays: none.

Council Member Riely moved to approve Pay Estimate #2 from Rice Lake Construction Group (Water Resource Reclamation Facility) in the amount of $1,393,089. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Riely, Gravos, Bolken, Sanford, Voll, and Mulder; nays: none.

Chief Art Walgren gave an update on the police department. Chief Walgren recommended hiring Addie Gross as the Community Service Officer at Category 3, Step 0 with a starting date of January 16, 2015. Council Member Voll moved to approve the offer of employment to Addie Gross. Motion seconded by Council Member Gravos and carried by the following roll call vote: Riely, Sanford, Gravos, Bolken, Voll, and Mulder; nays: none.

Council Member Mulder moved to approve the recommendations from the Planning Commission from their December 29, 2014 meeting with the exceptions of item numbers 8, 9, 10, 11, to be referred to the Ordinance Committee. Approved the following: Zone Change Application submitted by Adam Berger for Diane Gariety & Pamela Scott & Rosie Glow LLC on property located in portion of Section 12, Township 150N, Range 99W, 224.91 net acres. Rezoning AG land as follows: 172.26 acres to R1 Single Family Dwelling, 18.83 acres to R3 Medium to High Density Residential, 13.33 acres to R4 High Density Residential, 20.49 acres to C1 General Commercial. (The Homestead Subdivision North); Subdivision Final Plat submitted by Diane Gariety, Pamela Scott and Adam Berger Development for a portion of unplatted land located in Section 13, T150N, R99W, 245.7 gross acres, 14 lots. (The Homestead-West); Subdivision Final Plat submitted by Diane Gariety, Pamela Scott and Adam Berger Development for a portion of unplatted land located in Section 13, T150N, R99W, 15.579 gross acres, 1 lot. (The Homestead-School); Subdivision Preliminary Plat submitted by Diane Gariety, Pamela Scott and Adam Berger Development for a portion of unplatted land located in Section 12, T150N, R99W, 224.91 gross acres, 9 lots. (The Homestead-North); Subdivision Preliminary Plat Application submitted by W No.2, LLC/Steve Rude of AE2s for property located Section 22, T150N, R98W, 17.81 acres. Plat of Lots 12, 13, & 14 in Block 1 of The Crossings @ Watford City, and a REPLAT of lots 2 & 3 of the Crossings @ Watford City; Simple Lot Split submitted by Hunter’s Run LLC / Jason Vedadi on property located in Section 16, Township 150N, Range 98W, Lot 125 of Hunter’s Run Subdivision, 9.96 acres. For the purpose of creating three lots: Lot 1=2.45 acres, Lot 2=3.248 acres, Lot 3=4.26 acres; Simple Lot Split submitted by Dale Garmann on property located Section 24, T150N, R99W, Parcel # 11-00-09832, 11-00-09838, 8.0 +/- acres. For the purpose of creating two lots: Lot 1=4.53 acres, Lot 2= 3.57 acres; Subdivision Final Plat – Stenehjem Commons Subdivision, HWY 85 South. Motion seconded by Council Member Bolken and carried by the following roll call vote: ayes: Mulder, Voll, Gravos, Bolken, Sanford and Riely; nays: none.

Discussion was held regarding the Fox Hills Golf Course proposed expansion project. Council Member Gravos stated the proposed contractor for the golf course expansion is requesting a Municipal Guarantee from the City by January 15th stating that the city will financially back the project. It was the consensus of the City Council that the golf course board should continue with a golf course expansion but they recommended that the golf course board contact the contractor and ask for an extension until February 5th. City Council would like the golf course board to attend the February 1st city council meeting and present their proposal and plans for the expansion.

Council Member Gravos moved to approve the 2015 Hall Rental rates of Civic Center $50.00/day, Kitchen $30.00/day, Gym $10.00 per hour up to 5 hours or $200.00/day. Motion seconded by Council Member Bolken and carried unanimously.

Reviewed an Employee Housing Lease Agreement. Council Member Sanford moved to approve the presented Employee Housing Lease Agreement. Motion seconded by Council Member Riely and carried unanimously.

Council Member Bolken moved to approve the Second Reading on Ordinance #392 Annexing Property to the City of Watford City per Annexation Application submitted by CKW Properties (404 11th Ave SE – .267 acres). Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Sanford, Riely, Voll, Bolken, Gravos, and Mulder; nays: none.

Council Member Bolken moved to approve the Second Reading on Ordinance #393 Annexing Property to the City of Watford City per Annexation Application submitted by Stenehjem Commons (Hwy 85 S and Bypass Intersection – 184.07 acres). Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Voll, Mulder, Gravos, Riely, Sanford, and Bolken; nays: none.

Council Member Bolken moved to approve the Second Reading on Ordinance #394 Annexing Property to the City of Watford City per Annexation Application submitted by Troy Tooz – Long X Commercial Town Centre. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Mulder, Gravos, Bolken, Sanford, Riely, and Voll; nays: none.

Council Member Bolken moved to approve Raffle Permit #718 NWTF Badlands Toms Chapter. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Voll moved to approve publishing the 2014 annual salaries for city employees. Motion seconded by Council Member Riely and carried unanimously. Allex, Brianna $6,691.30; Beard, Glen A $900.00; Blood, Daniel $87,340.32; Bolken, Douglas $8,250.00; Bostic, Dylan $72,537.63; Carter, Margaret $9,444.67; Chaffee, Ryan $70,379.94; Cummings, Jonathan $7,259.53; Elzinga, Ashley $12,685.79; Fisketjon, Larry $44,365.15; Giersdorf, Kyle $78,321.10; Gravos, Aaron $6,000.00; Gumke, Logan $315.00; Hoffman, Gary $62,468.20; Holm, Rick $700.00; Jeffries, Terry $73,130.70; Jensen, Jeffery $50,584.33; Johnson, Cory $700.00; Johnson, Sonja $850.00; Kay, Miah Joy $4,479.86; Kelley, Todd $41,249.97; Lamell, Robert $46,098.64; Langowski, Andrew $84,853.20; Larson, Curtis $55,213.14; Lawrence, Jesse $850.00; Mitchell, Aaron $77,169.33; Moen, Curtis $108,000.00; Mudi, Sulleiman $47,332.81; Mula, Philip $8,442.19; Mulder, Marty L. $8,250.00; Nelson, Mariah $19,209.86; Nelson, Rena D. $46,257.52; O'Neill, Becky $43,717.97; Oakley, Brian $12,653.23; Olson, Rita $58,825.15; Pavek, Nicholas $69,259.10; Peterson, Peni S. $80,032.52; Pittsley, James D $62,526.56; Riely, Philip K $6,900.00; Roff, Kylee $45,670.07; Sampson, Seth $51,686.42; Sanford, Brent $38,500.00; Sanford, Steve $6,000.00; Sherk, Larry $26,393.99; Smith, Asha $2,957.50; Smith, Jedediah $15,654.75; Smith, Justin $99,146.33; Trevena, Joshua $81,500.24; Turner, Michael $13,024.16; Vera, Eddy $47,355.78; Voll, Justin D. $8,250.00; Walgren, Arthur $74,593.28; Walgren, Collin $2,460.50; Wellen, Jesse $89,673.89; Wellen, Shannon $85,326.80; Williams, Mildred $53,898.30; Williams, Steven $90,505.74; Wiredu, Yaw $25,160.11; Wold, Brett C. $48,845.07.

City Engineer Kelley informed the council that one written protest was received regarding the Linear Park Improvement District No. 2014-01LP.

Council Member Voll moved to approve the Resolution of Necessity – Linear Park Improvements District No. 2014-01LP. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Mulder, Bolken, Sanford, Riely, Gravos, and Voll; nays: none.

Council Member Riely moved to approve the Resolution of Necessity – Paving District Improvement District No. 2014-01P2. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Gravos, Sanford, Mulder, Voll, Bolken, and Riely; nays: none.

Council Member Voll moved to approve the Release of Bond Application #1 from Madison Heights in the amount of $500,000 or 72% of the total bond for improvements made to date for a cumulative bond release at 72%. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Gravos, Bolken, Mulder, Sanford, Riely, and Voll; nays: none.

Council Member Gravos moved to approve a temporary lease with Verizon Wireless so they may place a temporary tower at the golf course. Approval is contingent on Verizon Wireless applying for a conditional use permit for the temporary tower. Motion seconded by Council Member Bolken and carried unanimously.

Council Member Voll moved to approve to the following for The Homestead; Infrastructure Improvement Agreement, Mortgage, Development Agreement (with verbal changes), School Land Use Agreement, and the Subdivision Improvement, Maintenance and Warranty Agreement with changes to 2. Cost Estimates for Improvement Works and Security –removing the capped dollar amount and adding *City will construct on behalf of developers for infrastructure build, but solely funded by the developer*. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Bolken, Sanford, Riely, Voll, and Gravos; nays: none.

Council Member Sanford moved to approve the bills as listed. Motion seconded by Council Member Gravos and carried unanimously. EFTPS $80,035.44; TASC $485.80; NDPERS $1,220.00; Nationwide Financial $170.00; Nationwide Retirement Solutions $1,054.00; Payroll $185,771.06; BCBS $31,612.24; NDPERS $28,964.57; NDPERS $228.60; Symetra $411.31; AFLAC $1,344.20; 24/7 Contracting Services $25,214.00; Acme Tools $89.99; Advanced Engineering $390,500.89; American Waterworks Association $295.00; Andrew Langowski $267.34; Arbor Day Foundation $15.00; Astro Chem Services $125.00; Badlands Hardware $2,853.93; Basin Broker’s Trust Account $3,000.00; Black Mountain $13,131.00; Blue Lube $161.00; BlueTarp Financial $3,238.31; Brian Deutsch $443.31; Brown & Saenger $4,528.00; Carquest Auto Parts $81.93; Chief Supply Corporation $65.85; City of Watford City $1,698.02; Comfort Suites Bismarck $74.00; Construction Services, Inc. $720.00; Country Suites Bismarck $240.00; Crash & Sues $25,000.00 CRU $5,000.00; Curtis Coffman $70.00; Dacotah Paper $707.00; Dakota Supply Group $3,959.77; Darrington Snow Removal $300.00; Digital Ally $157.00; Duane Dotson $157.14; DW Excavating $1,093.00; Earl’s Electric $1,707.75; Electronic Communications $65.00; Farmer’s Union Oil $8,469.34; Fastenal $604.38; First International Bank $4,250.00; First International Insurance $307.00; Fleet Safety Equipment $4,559.95; Forsgren Associates Inc. $7,350.00; Gaffaney’s $1,301.53; Galls $880.86; Gene’s Tree Service $1,150.71; Hach Company $3,402.47; Heggen Equipment, Inc. $28,500.00; Holiday Credit Office $263.92; Information Technology Dept $843.40; International Code Council $125.00; Interstate Engineering $914.64; Intoximeters $170.40; Jack & Jill $263.47; Jesse Wellen $52.50; JLG Architects $494,223.80; Keeprs, Inc. $1,921.99; Kohler Communications, Inc. $436.00; Kully Supply $128.40; Kupper Chevrolet $96,699.00; Kyle Giersdorf $75.00; Landmark Structures Inc. $102,500.00; Larsen Service Drug $10.58; Lund Oil $3,227.94; Lupine Construction $2,500.00; M&T Fire & Safety $2,316.21; Mail Finance $315.00; McKennett Law $16,557.50; McKenzie County Ambulance $292,378.12; McKenzie County Farmer $2,442.62; McKenzie County Healthcare $175,000.00; McKenzie County Landfill $11,324.74; McKenzie County Recorder $146.00; McKenzie County School $115,378.12; McKenzie County Tourism $2,975.00; McKenzie County Water Resource $84,697.63; McKenzie Electric $1,462.00; Merryman Excavation $27,975.71; Meuchel Enterprises $13,100.83; MFOA $30.00; Michael Turner $125.00; Montana Department of Justice $400.00; Montana Dakota Utilities $13,600.51; National Seminars Training $199.00; ND Firefighters Association $253.98; ND League of Cities $2,385.00; ND Rural Water Systems Assoc. $205.00; ND Safety Council $1,440.00; NYS Child Support Processing $336.76; Office of State Tax Commissioner $9,602.85; OK Implement $762.04; OK Tire Stores $279.85; Olympic Sales $1,832.98; One Call Concepts $292.60; OR Dept Of Justice $186.00;Peni Peterson $246.42; Phoenix Fabricators $33,900.00; Post Board $155.00; Postmaster $220.00; Powerplan OIB $244.19; Probst Electric $1,711.70; Radisson Hotel Bismarck $224.10; Ramada Bismarck Hotel $149.40; Ray Allen Manufacturing $1,914.70; Red Carpet Carwash $2026.44; Reservation Telephone $1,440.16; Respond Systems $126.54; Rice Lake Construction $1,393,098.00; Rita Olson $192.49; River Aggregates $35,244.96;; Ryan Chaffee $63.78; S&S Motors $948.80; Safeguard Business Systems $148.17; Sigfusson Construction $623.02; Sirchie Fingerprint Lab $257.32; State Disbursement Unit $325.00; Suds Laundry $23.60; Tactical Design Labs $460.35TD & H Engineering $37,634.50; Titanium Plumbing $3,030.00; Todd Kelley $35.00; Tractor Supply $1,031.41; Triple AAA Safety/Training $2,745.70; Uline $166.11; Vanguard Appraisals, Inc. $275.00; Verizon $2,312.18; Visa $8,826.63; Watford City Enterprises $700.00; Watford City Park District $115,378.12; Watford City Vet Clinic $85.00; Whipplewood CPA’s $10,000.00; Wingate by Wyndham Bismarck $90.98.

The next regularly scheduled City Council meeting will be on Monday, February 2, 2015 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 10:22 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