CITY OF WATFORD CITY

CITY COUNCIL MEETING

April 6, 2015

Minutes of the regular City Council meeting held on April 6, 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 and Aaron Gravos. Absent was Doug Bolken. Also present were City Planner Curt Moen, City Auditor Peni Peterson and Attorney Wyatt Voll.

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

Council Member Voll moved to approve Resolution 2015-05 – North Dakota City Government Week. Motion seconded by Council Member Riely and carried unanimously.

Council Member Sanford moved to approve the minutes of the city council meeting held on March 2, 2015. Motion also included approving the agenda. Motion seconded by Council Member Mulder and carried unanimously.

Rex Korslein was present and requested to have a fireworks display during the Relay for Life event at the fairgrounds on June 5th, 2015 starting at dusk. Council Member Voll moved to approve the request. Motion seconded by Council Member Gravos and carried unanimously.

Jesse Scofield, Homefest and Ribfest Representative, discussed ideas for the two events pertaining to alcohol on mainstreet. Council recommended that the committee keep working with Chief Walgren to finalize plans and make a map designating the areas they would like alcohol during the events.

Gene Veeder, Roughrider Committee Representative, requested approval for an enhancement grant application submitted by Legendary Adventures New Discoveries (LAND) Nick Ybarra for the Maah Daah Hey 100 event, in the amount of $2,500. Council Member Voll moved to approve the enhancement grant application in the amount of $2,500 submitted by Nick Ybarra for the Maah Daah Hey 100 event. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Mulder, Riely, Voll, Sanford, and Gravos; nays: none.

Karolin Rockvoy, McKenzie County Emergency Manager, gave a presentation on the 2015 McKenzie County Multi-Hazard Mitigation Plan by the North Dakota Department of Emergency Services and FEMA Region VIII and provided a manual for the city. Council Member Riely moved to approve Resolution 2015-06 – McKenzie County, ND Multi-Hazard Mitigation Plan, February 2015. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Sanford, Voll, Gravos, Mulder, and Riely; nays: none.

Robin Arndt, Watford City Park Board, gave an update on a Community Park project the Park Board is currently working on south of the fishing pond.

Wayne Olson, Fox Hills Golf Course Board Member, gave an update on the golf course.

Tim Taylor, Watford City Airport Manager, gave an update on the airport.

Todd Norton, Advanced Engineering, presented a Pay Estimate.

Council Member Voll moved to approve Pay Estimate #5 from Rice Lake Construction Group (Water Resource Reclamation Facility) in the amount of $1,272,395. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Sanford, Mulder, Gravos, Riely, and Voll; nays: none.

Matt Beard, TD&H Engineering, presented Bond Release Applications.

Council Member Riely moved to approve Bond Release Application #2 from Stepping Stone, Inc. releasing $224,884.77 or 32% of the total bond in place. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Sanford, Riely, Mulder, Gravos, and Voll; nays: none.

Council Member Mulder moved to approve Bond Release Application #1 from Layton Construction Company releasing $876,930 or 100% of the total bond in place with the contingency that before the bond is released, Layton Construction Co must provide a 5-year Maintenance Bond in the amount of $150,000 for future sewer line sag repair or fix the sewer line now. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Gravos, Voll, Mulder, Sanford, and Riely; nays: none.

Council Member Gravos moved to approve the Bond Release Application # 4 from Tara Estates releasing $175,000 or 19% of the total bond in place. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Voll, Gravos, Riely, Sanford, and Mulder; nays: none.

Chief Walgren gave an update on the police department. Council Member Gravos moved to approve an IT Services contract with NRG for $2,000 per month. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Sanford, Mulder, Riely, Voll, and Gravos; nays: none.

Council Member Mulder moved to approve the recommendations from the Planning Commission from their March 30, 2015 meeting with the exceptions of item numbers 1 and 2 to be voted on separately. Approved the following: Simple Lot Split Application submitted by submitted by T. Jason Vedadi for Hunter’s Run on property located Lot 136, 9.883 acres of Hunter’s Run Subdivision, SE1/4 Section 16, T150N, R98W, creating two parcels from one parcel of land Lot 160 =5.789 acres, Lot 161 =4.094; Variance Application submitted by Shangcheng Development / Daniel Kuo on property located NE1/4 SE1/4 Section 14, T150, R99W, 8.1 acres (Building #2) approving 15 ft. in lieu of the permitted 25 ft. setback; Variance Application submitted by BLH LLC/Paul Dries on property located at 104 Prospect Street, Lot 9, Block 1, The Crossings Subdivision approving a 15ft height variance in a Central Business District; Preliminary Plat Application submitted by Stepping Stone for David & Jan Rolfson on property located NW ¼ Section 16, T150N, R98W, 9.47 acres; Simple Lot Split Application submitted by McKenzie County Healthcare Systems for property located NW1/4 Section 18, R150, R98W, portion of IT# 2361, 2.42 acres; Simple Lot Split submitted by Stenehjem Development, LLC for property located Fox Hills Village Lot 2 Block 2, NE ¼ Section 20, T150N, R98W, creating 3 lots from 1 parcel; Simple Lot Split submitted by Stenehjem Holdings, LLC for property located Fox Hills Village Lot 4 Block 4, NE ¼ Section 20, T150N, R98W, creating 2 lots from 1 parcel; Simple Lot Split submitted by Stenehjem Holdings, LLC for property located Fox Hills Village Lot 14, Block 3, NE ¼ Section 20, T150N, R98W, creating 2 lots from 1 parcel; Zone Change Application submitted by Stenehjem Holdings, LLC for property located Fox Hills Village, Lot 15, Block 3, NE ¼ Section 20, T150N, 98W, 2.77 acres, rezoning to C1 Commercial from R3 Medium Density Residential with RT Overlay;. Lot Line Adjustment per Simple Lot Split Application submitted by MondayOne, LLC and Mohave Engineering for property located MondayOne Townhome Subdivision, NW1/4 Section 18, T150, R98W, 1.79 acres; Simple Lot Split Application submitted by Jason Gillen of Watford City Town Center, LLC for property located 902 11th Ave Watford City, ND, 12.36 acres, Westgate Town Center Subdivision, creating 2 parcels from 1 parcel; Subdivision Preliminary Plat Application submitted by Matrixx Equities Watford, LLC. for Edward & Charlotte Schilke on property located SW1/4 of Section 21, T150N, R98W, 138+/- acres, 17 lots; Subdivision Final Plat Application for Peach and Justice Addition. Denied a Variance Application submitted by Shangcheng Development / Daniel Kuo on property located NE1/4 SE1/4 Section 14, T150, R99W, 8.1 acres (Building #3) denying a 10 ft. setback variance. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Gravos, Voll, Sanford, Riely, and Mulder; nays: none.

Council Member Voll moved to approve the Final Plat Application submitted by W No.2, LLC and Steve Rude with AE2s for property located Lots 2 & 3 Block 1 of the Crossings @ Watford City, Parcel #’s 82-23-03000, 82-23-00200, Section 22, T150N, R98W, 17.81 acres, 3 lots. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Riely, Sanford, Voll, Mulder, and Gravos; nays: none.

Council Member Voll moved to approve the First Reading on an Ordinance Adding Article IX(B) to Chapter XV - Rural Residential District. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Gravos moved to approve the First Reading on an Ordinance Adding Article IX(C) to Chapter XV - Rural Residential District 2.5 Acres. Motion seconded by Council Member Riely and carried unanimously.

Council Member Riely moved to approve the First Reading on an Ordinance Adding Article IX(D) to Chapter XV - Rural Residential District 5 Acres. Motion seconded by Council Member Voll and carried unanimously.

Council Member Riely moved to approve the First Reading on an Ordinance to Amending Sections 5 and 6 of Article XIV, Chapter XV relating to Setback Requirements. Motion seconded by Council Member Mulder and carried unanimously.

Council Member Voll moved to approve the Second Reading on Ordinance #399 Annexing property to the City of Watford City per Annexation Application submitted by McKenzie County – McKenzie L.E.C. Subdivision - 51.21 acres. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Voll, Gravos, Riely, and Sanford; nays: none.

Council Member Riely moved to approve the Second Reading on Ordinance #400 Annexing property to the City of Watford City per Annexation Application submitted by Curtis & Jennifer Sorenson/Bakken Development Solutions – The Crossings South 156.59 acres. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Gravos, Voll, Sanford, Riely, and Mulder; nays: none.

Council Member Voll moved to approve Resolution 2015-07 – Resolution Creating the Funds of Improvement Districts, Providing For and Appropriating Special Assessments for the Support and Maintenance of Said Funds, and Authorizing the Issuance of Improvement Warrants Thereon. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Mulder, Riely, Sanford, Gravos, and Voll; nays: none.

Council Member Voll moved to approve Resolution 2015-08 – Resolution Authorizing the Issuance of $27,750,000\* Refunding Improvement Bonds, Series 2015, Prescribing the Terms and Covenants Thereof, and Creating a Fund for the Payment Thereof. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Riely, Voll, Gravos, Mulder, and Sanford; nays: none.

Council Member Voll moved to approve Raffle Permit #721 – Friends of Jeremy Wedge. Motion seconded by Council Member Riely and carried unanimously.

Council Member Riely moved to approve Resolution 2015-09 – Resolution Providing for Public Sale of $54,000,000 State Funds Anticipation Certificates of Indebtedness, Series 2015, with May 4th, 2015 as the date to consider bids and take action. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Voll, Gravos, Riely, Mulder, and Sanford; nays: none.

Council Member Gravos moved to approve Resolution 2015-10 –Notice of Certificate of Indebtedness $54,000,000 City of Watford City, North Dakota State Funds Anticipation Certificates of Indebtedness Series 2015, with May 4th, 2015 as the date the City will receive sealed bids. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Gravos, Voll, Riely, Sanford, and Mulder; nays: none.

Council Member Gravos moved to approve the First Reading on an Ordinance Amending Section 6-501 of Article 5, Chapter VI Relating to Definitions. Motion seconded by Council Member Riely and carried unanimously.

Council Member Riely moved to approve the First Reading on an Ordinance Amending Section 6-506 of Article 5, Chapter VI Relating to Immediate Access to Security Video on Licensed Premises. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Gravos moved to approve the First Reading on an Ordinance Amending Section 6-516 of Article 5, Chapter VI Relating to Licensee’s Responsibility and Penalty. Motion seconded by Council Member Mulder and carried unanimously.

Council Member Riely moved to approve the First Reading on an Ordinance Amending Section 6-521 of Article 5, Chapter VI Relating to Electronic Card Readers. Motion seconded by Council Member Voll and carried unanimously.

Council Member Gravos moved to approve the First Reading on an Ordinance Amending Section 6-523 of Article 5, Chapter VI Relating to Consumption and Possession of Alcohol Limited. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Riely moved to approve the First Reading on an Ordinance Amending Section 6-535 of Article 5, Chapter VI Relating to Payment of Penalties. Motion seconded by Council Member Gravos and carried unanimously.

Council Member Voll moved to approve hiring Karlie Gjelsness as a summer intern for the Police Department at $10.00/hour. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Mulder, Sanford, Voll, Riely, and Gravos; nays: none.

Council Member Voll moved to approve offering a seasonal contract to Brent Steed as a consultant for the Building Department at a rate of $10,000/month beginning May 1st. Mr. Steed will need to provide a portfolio to the city. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Gravos, Mulder, Sanford, Riely, and Voll; nays: none.

Council Member Voll moved to approve the resignation of Seth Sampson, effective April 10, 2015. Motion seconded by Council Member Gravos and carried unanimously.

Council Member Voll moved to approve annual step increases for Mildred Williams - Category 5, Step 1, to Category 5, step 2, effective May 1, 2015 and for Rena Nelson - Category 3, Step 3 to Category 3, Step 4, effective May 16, 2015. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Mulder, Riely, Sanford, Gravos, and Voll; nays: none.

Council Member Voll moved to approve Resolution 2015-11 – Resolution Amending 2015 Utility Rates (Commercial 96 Gallon Tote Rates). Motion seconded by Council Member Gravos and carried by the following roll call vote: Sanford, Gravos, Voll, Riely, and Mulder; nays: none.

Council Member Riely moved to approve compensation of $5,399.52 for a Temporary Construction Easement with the NDDOT for construction of a shared use path. Motion seconded by Council Member Sanford and carried by the following roll call vote: Mulder, Sanford, Gravos, Voll, and Riely; nays: none.

Council Member Voll moved to approve an offer of employment to Mike Butalon, Chief Civil Inspector at Category 7, Step 0. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Gravos, Mulder, Voll, Sanford, and Riely; nays: none.

Council Member Voll moved to approve Task Order #24c from Advanced Engineering (High School/Events Center Offsite Improvements – Construction and Post Construction Phases) in the amount of $1,130,000. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Riely, Mulder, Sanford, Gravos, and Voll; nays: none.

Council Member Riely moved to approve Task Order #32a from Advanced Engineering (11th Ave SE Street Improvements – Final Design and Bidding Phases) in the amount of $574,000. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Mulder, Gravos, Riely, Voll, and Sanford; nays: none.

Council Member Gravos moved to approve Task Order #33a from Advanced Engineering (4th Ave NW Street Improvements – Final Design and Bidding Phases) in the amount of $189,000. Motion seconded by Council Member Mulder and carried by the following roll call vote: ayes: Sanford, Voll, Mulder, Gravos, and Riely; nays: none.

Council Member Voll moved to approve Task Order #34a from Advanced Engineering (17th Ave NE Street Improvements – Final Design and Bidding Phases) in the amount of $329,000. Motion seconded by Council Member Riely and carried by the following roll call vote: ayes: Gravos, Sanford, Riely, Mulder, and Voll; nays: none.

Council Member Sanford moved to approve Task Order #41 from Advanced Engineering (12th St SE Street Improvements – Final Design and Bidding Phases) in the amount of $556,000. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Mulder, Sanford, Riely, Voll, and Gravos; nays: none.

Council Member Voll moved to amend Area 3 LS/12th Street Geotechnical Proposal from $9,750 to $17,500 with TD&H Engineering. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Riely, Mulder, Gravos, Sanford, and Voll; nays: none.

Council Member Voll moved to approve the 4th Ave NW Geotechnical Proposal from Braun Intertec in the amount of $7,940. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Gravos, Sanford, Voll, Mulder, and Riely; nays: none.

Council Member Mulder moved to approve the 11th Ave S Geotechnical Proposal from Braun Intertec in the amount of $19,060. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Mulder, Riely, Sanford, Voll, and Gravos; nays: none.

Council Member Riely moved to approve a bid from Crow River Construction (Pressure Zone Improvements Project) in the amount of $924,275. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Voll, Mulder, Riely, Sanford, and Gravos; nays: none.

Council Member Voll moved to approve the CMAR Design Phase Contract (WRRF Phase II) with Rice Lake Construction in the amount of $10,000. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Riely, Gravos, Voll, Sanford, and Mulder; nays: none.

Council Member Mulder moved to approve Pay Application #4 from Kraus-Anderson Construction Company (Watford City Events Center) in the amount of $858,567.63. Motion seconded by Council Member Voll and carried by the following roll call vote: ayes: Riely, Voll, Sanford, Mulder, and Gravos; nays: none.

Discussed Temporary Workforce Housing Conditional Use Permits renewals.

Council Member Mulder moved to approve the bills as listed. Motion seconded by Council Member Sanford and carried unanimously. EFTPS $93,370.87; TASC $254.82; NDPERS $1,207.50; Nationwide Financial $170.00; Nationwide Retirement Solutions $1,054.00; Payroll $198,694.86; BCBS $32,448.15; NDPERS $33,883.86; NDPERS $229.10; Symetra $663.10; Abel Enterprises $25,605.21; Accusource Inc. $386.00; ACME Tools$509.00;  AFLAC $1,845.03; Advanced Engineering $437,913.70; Almquist Welding $119.80; American Legion $70.00; Astro Chem Services $1,196.00; Badlands Hardware $1,7844.43; Badlands Occupational Testing; $326.00; Balco Uniform $398.40; Beard Construction $437.19; Blue Lube $80.50; Blue Financial, INC $601.95; Brent Sanford $436.10; Brian Oakley $125.00; CIM Sanitary Tech $7,500.00; City of Watford City $598.45; C’MON INN of Fargo $180.00; Chief Supply Corporation $1,173.06; Cole Papers $542.80; Comfort Inn Bismarck $222.00; Curtis Moen $500.00; Dakota Supply Group $3,485.92; Darrington Snow Removal $200.00; Dealers Electrical Supply $619.16; Dickinson Truck Equip, INC $555.39; Doormen Overhead, LLC $517.68; DW Excavating $22,025.00; Electronic Communications $140.00; Farmer’s Union Oil $5,730.99; Fastenal $394.75; First International Insurance $266.00; Flexible Pipe Tool Company $426.45; Foley Brother’s Towing $5,115.00; Forever Auto Glass $80.00; Found It Now $544.85; Frontier Precision $117.00; Gaffaney’s $7,567.33; Galls $702.83; Geo R Pierce $84.16; Hawkeye Oil Field Supply $20.13; Hawkins $917.50; Heggen Equipment, Inc. $523.41; Hintz Fire Equipment $876.87; Holiday Credit Office $4,246.33; Information Technology Dept $1,030.70; Jack & Jill $147.61; Jason Faller $125.00; Jesse Wellen $87.00; Jim Pittsley $35.00; JLG $92,315.06; Joshua Trevena $70.81; Keith Larson $197.45; Kraus-Anderson $858,567.63; Kraus Anderson Const. $498,000.00; Kylee Roff $80.50; L-Tron Corp. $826.87; Law Enforcement Systems $142.00; Light & Siren $2,075.00; Lund Oil $1,081.16; Lyle Signs $467.33; Mail Finance $315.00; Marco, Inc. $917.50; McKennett Law $11,294.46; McKenzie County Farmer $2,614.45; McKenzie County Healthcare $225,000.00; McKenzie County Landfill $21,322.23; McKenzie County Recorder $45.00; McKenzie County Tourism $19,496.92; McKenzie County Water Resource $52,394.88; McKenzie Electric $1,972.00; Meuchel Enterprises $2,785.79; Mike Snook $87.50;  Montana Dakota Utilities $16,881.87; Mychal Gordon Design, Inc. $7,500.00; National Flood Insurance Pro. $15,000.00; ND State Radio Comm. $240.00; Nelson Contracting $30.00; North Dakota Insurance Dept. $199.20; Northland Truck Sales $84,010.00; Northern Pump & Equip. $5,250.00; Northwest Grading $255,391.47; NYS Child Support Processing $336.76; Office of State Tax Commissioner $10,687.51; OK Implement $2,052.16; OK Tire Stores $223.85; Olympic Sales $126.22; One Call Concepts $117.70; One Way Services $285.00; OR Dept Of Justice $155.00; Philip Mula $122.50; Post Master $426.87; Powerplan OIB $794.52; Pro Auto Body $1417.38; Pro Forms $661.01; Ramkota Bismarck $74.70RDO Equipment $143, 007.01; Red Carpet Carwash $41.54; Reservation Telephone $1,459.02; RestorX of MT $16,000.00; River Aggregates $1,831.68; Roosevelt Inn & Suites $282.00; S&S Motors $1,329.24; Safeguard Business Systems $138.94; Sanitation Products $4,849.61;Schock’s Safe & Lock Repair $615.83; Sirchie $831.06; Starion Bond Services $162,467.25; State Chemical Solutions $294.77; State Disbursement Unit $325.00; Stein’s $199.45; Steve Sanford $277.89; Steven Williams $35.00; Summit Fire Protection $4,000.00; Swanston Equipment $1,281.87; Symetra Life Insurance $663.10; Tara Estates $175,000.00; Taser International $1,597.05; TD & H Engineering $26,145.00; Terry Nate Jeffries $35.00; The Bismarck Tribune $1,583.00, Todd Kelley $38.50; Total Funds By Hasler $529.00; Tractor Supply $809.97; Triple AAA Safety $68.00; Verizon $2,937.73; Visa $7,088.54; Uline $283.29; Washington State Support Reg. $321.00; Watford City Enterprises $700.00; WC 100 Main LLC $155.64; Watford City Park District $64.97; Wingate by Wyndham $577.38.

The next regularly scheduled City Council meeting will be on Monday, May 4, 2015 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 10:20 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