

CITY OF WATFORD CITY
CITY COUNCIL MEETING
September 11, 2018

Minutes of the regular City Council meeting held on September 11, 2018 at 6:00 p.m. at City Hall. Present were Council President Aaron Gravos and Council Members Steve Sanford, Bethany Devlin, Kenny Liebel, Lindsay Wingerter, and Matt Beard. Also present was City Planner Curt Moen, City Auditor Peni Peterson, and Attorney Wyatt Voll.

Council Member Liebel moved to approve the September 11, 2018 agenda as presented. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Liebel moved to approve the minutes of the city council meeting held on August 6, 2018. Motion seconded by Council Member Devlin and carried unanimously.

City Building Inspector Williams informed City Council that a Dangerous Building Hearing for 225 7th St NE was not needed as the burned home has been torn down.

Rita Olson, City Assessor, presented Applications for Abatement that required reapproval due to property owners were not noticed correctly when they were previously approved in August.

Council Member Liebel moved to approve the Applications for Abatement or Refund of Taxes submitted by Crossings Community Association (parcel #82-23-01800) abating 2016 and 2017 taxes as this parcel is a public right-of-way. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Wingerter, Liebel, and Gravos; nays: none.

Council Member Sanford moved to approve the Application for Abatement or Refund of Taxes submitted by Ryan Wall abating 2017 taxes for a mobile home that was foreclosed on and moved out of the Watford City Courtyard Addition. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Liebel, Sanford, Beard, Gravos, Wingerter, and Devlin; nays: none.

President Gravos called the Public Hearing, as advertised, to order for the Application for Annexation submitted by Aaron Evers (1601 E Pheasant Ridge St) and Annette Olson (1501 E Pheasant Ridge St). There were no written comments or comments from the public. The Public Hearing was closed.

Council Member Liebel moved to approve the First Reading on an Ordinance Annexing Property to the City of Watford City per Annexation Application submitted by Aaron Evers (1601 E Pheasant Ridge St) and Annette Olson (1501 E Pheasant Ridge St). Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Beard, Wingerter, Devlin, Liebel, Gravos, and Sanford; nays: none.

Josh Norby, Fox Hills Golf Course, gave an update on the golf course expansion and provided financial statements.

Council Member Beard moved to approve the TCF Equipment Finance Invoice #5658428 in the

amount of \$21,711.52. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Liebel, Beard, Wingerter, Sanford, Gravos, and Devlin; nays: none.

Brady Bertram, Brosz Engineering, gave an update on the DOT project (6th Ave SE/12th St SE).

Maria Effertz Hansen, AE2S, presented a Task Order to provide Legislative Services.

Council Member Liebel moved to approve the Task Order from AE2S (Legislative Services) not to exceed \$40,000. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Wingerter, Liebel, and Gravos; nays: none.

Assistant Chief Jesse Wellen was present and gave an update on the police department and introduced Officer Kyle Ruggles and SRO Andrew Schatz to the Council.

Council Member Liebel moved that the following resolution be adopted: “Whereas, the City Council did on the 24th of July 2018 adopt a preliminary budget for January 1, 2019 through December 31, 2019, and that the budget notice of the final hearing to be held at this time and place was published. A Preliminary Final Budget was adopted, and the following amounts were proposed to be levied: General Fund \$1,209,662; Emergency \$29,715; Cemetery \$0; Lease of Law Enforcement Facilities \$39,285 totaling \$1,278,662. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Sanford, Liebel, Gravos, Devlin, Wingerter, and Beard; nays: none.

Council Member Liebel moved to approve the recommendations from the Planning Commission from their August 27, 2018 meeting. Approved the following: Land Use Application – Conditional Use Permit Annual Review for Buell Consulting, Inc./Badlands Cellular to continue allowing for a wireless telecommunications transmission facility; Land Use Application – Conditional Use Permit Annual Review for Buell Consulting, Inc./Verizon Wireless (1809 Main St. S) to continue allowing for a wireless telecommunications transmission facility; Land Use Application – Conditional Use Permit Annual Review for Buell Consulting, Inc./Verizon Wireless (409 12th St NE) to continue allowing for a wireless telecommunications transmission facility; Land Use Application -Conditional Use Permit Annual Review for QEP to continue allowing for Employee Housing; Land Use Application – Conditional Use Permit Annual Review for Rolfson Oil GT Investments to continue allowing for a bulk fuel plant; Land Use Application – Conditional Use Permit Annual Review for Kathleen Tretter (SewFine) to continue allowing for a Home Occupation (2601 2nd St NE); Division of Land Application Subdivision Preliminary Plat (Stepping Stone Subdivision) submitted by Dakota Gold Properties, LLC; Division of Land Application Final Plat (Schafer Cemetery – Second Addition) submitted by City of Watford City. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Liebel, Devlin, Beard, Wingerter, and Gravos; nays: none.

Council Member Liebel moved to approve purchasing a new Genie 40’ Scissor Lift. This will be a joint purchase with McKenzie County School District #1 allowing for the scissor lift to be used at the school and the Rough Rider Center as needed. Total cost of the scissor lift is \$28,418 with the city portion being \$14,209. Motion seconded by Beard and carried by the following roll call vote: ayes: Liebel, Devlin, Sanford, Wingerter, Beard, and Gravos; nays: none.

Council Member Sanford moved to approve \$5,500 for commercial grade flooring and \$2500 for lighting in the lower level of the Long X Visitors Center. Also approved to designate \$5000 of the 2019 budget for new lighting in the upper level of the Long X Visitors Center. Motion seconded by Devlin and carried by the following roll call vote: ayes: Sanford, Liebel, Devlin, Beard, Wingerter, and Gravos; nays: none.

Council Member Beard moved to approve the Roughrider Application submitted by Wolf Pup Daycare in the amount of \$250,000. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Liebel, Gravos, Devlin, Wingerter, and Beard; nays: none.

Council Member Liebel moved to approve purchasing a new SCADA server and total upgrade to the current software from AE2S in the amount of \$21,405.40 with funds to be paid out of the sewer budget. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Beard, Sanford, Gravos, Devlin, Wingerter, and Liebel; nays: none.

Council Member Devlin moved to approve the annual step increases for Kimberly Clemons - F-4, Stephanie Packer - H-1, Becky Smith - K-6, Andrew Swanson - H-3, Jayson Tveter - K-3, and Shannon Wellen - E-4. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Devlin moved to approve the Lodging Tax Funding Applications submitted by Bakken Oil Rush in the amount of \$2700 for advertising and McKenzie County Tourism in the amount up \$2349 for printing Watford City Travel Guides. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Beard, Wingerter, Devlin, Liebel, Gravos, and Sanford; nays: none.

Council Member Liebel moved to approve the First Reading on an Ordinance amending Chapter XV, Article VII, Section 2, Subsection 21 Relating to Dwelling, Townhome. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Liebel moved to approve the First Reading on an Ordinance Amending Chapter XV, Article VII, Section 2 Relating to Bulk Freshwater Storage. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Liebel moved to approve the First Reading on an Ordinance Amending Chapter XV, Article XI-A-1, Section 3 Relating to Bulk Freshwater Storage. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Liebel moved to approve the First Reading on an Ordinance Amending Chapter XV, Article XI-A-2, Section 3 Relating to Bulk Freshwater Storage. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Liebel moved to approve the Second Reading on Ordinance #489 Adding Article XXXIII to Chapter XV Relating to Compassionate Care - Medical Marijuana. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Sanford, Liebel, Gravos, Devlin, Wingerter, and Beard; nays: none.

Council Member Liebel moved to approve the Second Reading on Ordinance #490 Amending Section 6-535 (2)(a-e) of Article 5 of Chapter VI Relating to Penalty Against Licensee for Ordinance Violations. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Wingerter, Liebel, and Gravos; nays: none.

Council Member Liebel moved to approve the Second Reding on Ordinance #491 Amending Section 6-521 of Article 5 of Chapter VI Relating to Age Identification. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Beard, Wingerter, Devlin, Liebel, Gravos, and Sanford; nays: none.

Council Member Liebel moved to approve the Second Reading on Ordinance #492 Amending Section 2 of Article XXIX of Chapter XV Relating to Building Permits Required. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Liebel, Beard, Wingerter, Sanford, Gravos, and Devlin; nays: none.

Council Member Liebel moved to approve the Second Reading on Ordinance #493 Amending Chapter XV, Article VII(A), Section 1 Relating to Minimum Requirements for Single-Family Dwellings in Zones R1, R2, R3, and R4. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Sanford, Liebel, Devlin, Beard, Wingerter, and Gravos; nays: none.

Council Member Liebel moved to approve the Second Reading on Ordinance #494 Amending Article XIX(A) of Chapter XV Relating to Heavy Industrial Zoning. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Wingerter, Liebel, and Gravos; nays: none.

Council Member Liebel moved to approve the Second Reading on Ordinance #495 Amending Article XIX of Chapter XV Relating to Industrial Park District. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Beard, Wingerter, Devlin, Liebel, Gravos, and Sanford; nays: none.

Council Member Liebel moved to approve the Second Reading on Ordinance #496 Amending Article XVIII of Chapter XV Relating to Central Business District. Motion seconded by Council Member Sanford. No roll call vote taken as Council Member Liebel moved to rescind the approval motion on the Second Reading of Ordinance #496 and will recommend placing the Ordinance on the next City Council agenda. Motion seconded by Devlin and carried unanimously.

Council Member Sanford moved to approve the following Special Liquor Permits: D & M's Office for September 22nd from 6:00 p.m. – 1:00 a.m. at the Rough Rider Center; D & M's Office for September 29th from 4:30 p.m. – 1:00 a.m. at the Rough Rider Center; Watford City Eagles Club for September 28th & 29th from 5:00 p.m. – 1:00 a.m. at the McKenzie County Fairgrounds Multi-Purpose Building; D & M's Office for October 6th from 5:00 p.m. – 1:00 a.m. at the Rough Rider Center. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Liebel moved to approve the Purchase Agreement for 3617 11th Ave NE in the

amount of \$185,000. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Wingerter, Liebel, and Gravos; nays: none.

Council Member Liebel moved to approve Resolution 2018-10 Resolution to Sell Real Property. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Beard, Wingerter, Devlin, Liebel, Gravos, and Sanford; nays: none.

Council Member Liebel moved to approve the Release of Claims – Conditions of Release between Paul Graham and City of Watford City. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Liebel, Beard, Wingerter, Sanford, Gravos, and Devlin; nays: none.

Council Member Liebel moved to approve the NDDOT 1806 Project Memorandum of Offer to Landowner. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Sanford, Liebel, Gravos, Devlin, Wingerter, and Beard; nays: none.

Council Member Liebel moved to approve the Hunters Run Phase 1 (A) Release of Bond Payment Application #4 in the amount of \$334,472.75 payable to Franz Construction, Inc. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Wingerter, Liebel, and Gravos; nays: none.

Council Member Beard moved to approve Pay Application #7 from Mayer Electric (Public Works Shop) in the amount of \$10,781.13. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Sanford, Liebel, Gravos, Devlin, Wingerter, and Beard; nays: none.

Council Member Sanford moved to approve the bills as listed. Motion seconded by Council Member Liebel and carried unanimously. AFLAC \$4,967.97; EFTPS \$98,869.67; Nationwide Financial \$1,402.50; Nationwide Retirement Solutions \$4,456.13; NDPERS \$434.46; NDPERS-Deferred Comp \$5,137.50; NDPERS-Retirement \$43,695.53; TASC \$5,166.70; Payroll \$257,709.32; 4Imprint, Inc. \$263.90; 701 Clean \$500.00; Accusource Inc. \$204.25; Advanced Engineering \$4,685.81; Andrew Eisenschenk \$35.00; Anthony Ell \$35.00; Andrew Langowski \$905.00; Applied Concepts \$6,127.20; Armor Interactive \$8,469.53; Automation-X Corp. \$1,300.48; Badlands Hardware Inc. \$624.32; Badlands Occupational Testing \$500.00; Badlands Power Fuels \$100.00; Bakken Oil Rush \$2,700.00; Balco \$1,475.88; Bismarck Tire Center \$424.10; Border States Electric \$726.03; Brady's Roadside Service \$750.00; Brandon Kindred \$112.00; Brosz Engineering \$1,635.00; Buttons by Fish \$100.00; C&D Water Services \$90.00; Chamley Pipe & Salvage \$1,800.00; Charlee Kidd \$100.00; Chief Supply Corp. \$28.64; Choice Property Management \$2,526.04; CIM Sanitary Tech \$6,250.00; Cimco Refrigeration \$76.94; City of Watford City \$1,447.12; Coborn's Inc. \$17.98; Code Red Towing \$1,125.00; Cole Papers \$69.44; Comfort Inn – Minot \$256.00; Complete Contracting Solutions \$1,445.12; Core & Main LP \$3,241.51; Cornerstone Bank \$85,607.62; Craig's Small Engine Repair \$239.59; CTS Language Link \$17.60; Dacotah Paper Co. \$1,224.56; Dakota Back & Neck \$120.00; Darrington Snow Removal \$125.00; Dealers Electrical Supply \$46.08; Eide Bailly LLP \$30,800.00; Electric & Magneto Inc. \$38.08; Family Crisis Shelter \$3,507.59; Farmer's Union Oil. Co \$8,786.50; Fastenal \$1,448.45; Ferguson Waterworks \$250.22; First International Bank & Trust \$424,124.36;

First International Insurance \$110,739.00; Frontier Precision \$105.00; Greg's Welding \$336.00; Hawkeye Oil Field \$194.63; Hawkins \$248.96; Heggen Equipment \$470.99; Holiday Credit Office \$6,390.14; Hovex \$4,950.00; ITD \$4,205.65; Interstate All Battery Center \$24.60; J Custom \$30,095.65; Jack & Jill \$86.37; Jamar Company \$161.62; James/Valley Regional Lodge \$46.00; John Hutter Towing \$1,050.00; Johnson Controls \$384.00; Jonathan Davis \$17.50; Kotana Communications \$230.00; Kupper Chevrolet \$1,615.79; Kyle Ruggles \$130.00; La Quinta Inn & Suites \$163.80; Legendary Adventures New Discoveries \$10,000.00; Lund Oil \$2,300.75; Lupine Construction \$3,075.00; Mandan Northwest Pipe Fittings \$1,692.78; Marco Technologies \$1,808.40; Matt Cude \$1,025; Matt Hooper \$125.00; Mayer Electric \$10,781.13; McKennett Law Firm \$22,344.41; McKenzie County Ambulance \$17,654.77; McKenzie County Community Coalition \$250.58; McKenzie County Farmer \$1,152.64; McKenzie County JDA \$25.00; McKenzie County Landfill \$23,612.70; McKenzie County Tourism \$2,349.00; McKenzie County Water Resource \$181,133.92; McKenzie Electric \$4,059.00; Melissa Holt \$460.58; Meuchel Enterprises \$2,728.45; MDU \$20,038.73; Municipal Code Corporation \$3,920.35; Muth Electric \$7,255.40; Nardini Fire Equipment \$221.50; NASRO \$1,070.00; ND Dept. of Health – Lab Service \$388.41; ND Safety Council \$765.29; ND Water & Pollution Control \$200.00; Nelson Contracting \$600.00; Northwest Pipe Fittings \$831.91; NOVA Fire Protection \$650.00; Office Depot \$375.72; OK Implement \$1,264.58; OK Tire Stores \$2,662.93; Olympic Sales \$66.16; One Way Service \$285.00; POST Board \$230.00; Power Plan \$157.75; Pro Auto Body \$970.84; PXI Inc. \$6,000.00; R&C Tree Service \$3,500.00; Radisson Hotel Bismarck \$334.80; RTC \$2,487.55; Rhonda Garmann \$50.00; Richard Mittelstaed \$1,250.00; RMB Environmental Labs \$776.00; Rough Rider Center \$1,450.00; Ryan Halverson \$45.50; S. W. Williams And Son \$5,500.00; Sanford Health Occupational \$394.82; Share Corporation \$4,011.27; SHRM \$189.00; Sleep Inn & Suites – Devils Lake \$167.40; Souris Valley Lodge #7 \$576.00; Stephanie Packer \$129.50; Streicher's, Inc. \$162.58; Stremick's Sprinkling \$2,500.00; Symetra Life Ins. Co. \$763.94; TCF Equipment Finance \$21,711.52; Terry Nate Jeffries \$192.87; Titanium Plumbing \$3,767.50; Total Funds by Hasler \$500.00; Triple AAA Safety/Training \$2,460.51; Uline \$483.67; UPS \$30.14; UPS Freight \$1,240.67; Valli Information Systems \$735.88; Verizon \$3,658.44; Visa \$5,056.28; WallWork Truck Center \$1,011.08; Watchguard Video \$10,590.00; Watford City Express Laundry \$725.62; Watford City Lumber \$183.86; Watford City Vet Clinic \$395.00; Westlie Truck Center \$350.16; William Epley \$920.77; Williams Plumbing & Heating \$613.31; WillistonAuto.com \$80.35; Wolf Pup Daycare \$250,000.00; Wolf Run Village \$30,000.00; Zuercher Technologies \$533.79.

The next regularly scheduled City Council meeting will be on October 1, 2018 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 7:20 p.m. These minutes are published subject to the City Council's Review and Revision pursuant to NDCC 40-01-09.1.

Peni Peterson, Auditor

Philip K. Riely, Mayor