

CITY OF WATFORD CITY
CITY COUNCIL MEETING
February 4, 2019

Minutes of the regular City Council meeting held on February 4, 2019 at 6:00 p.m. at City Hall. Present were Mayor Phil Riely and Council Members Aaron Gravos, Steve Sanford, Bethany Devlin, Matt Beard, Lindsay Veeder, and Kenny Liebel. Also present was City Planner Curt Moen, City Auditor Peni Peterson, and Attorney Wyatt Voll.

Council Member Sanford moved to approve the February 4, 2019 agenda as presented. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Beard moved to approve the minutes of the city council meeting held January 7, 2019. Motion seconded by Council Member Sanford and carried unanimously.

Mary Gumke, Watford City Chamber, presented special liquor requests and street closures for Homefest and Ribfest. Council tabled the street closures and requested that Mary work with the Chief of Police and the Superintendent of Public Works and represent at the next city council meeting.

Council Member Liebel moved to approve the liquor request for Homefest allowing for alcohol in designated cups on main street from 5:00 p.m. – 1:00 a.m. on July 12 & 13, 2019. Also approving the liquor request for Ribfest allowing for alcohol to be served in two VIP tents starting at 4:00 p.m. until 1:00 a.m. and to allow alcohol in designated cups on main street from 5:00 p.m. – 1:00 a.m. on August 9, 2019. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Liebel, Gravos, Veeder, Devlin, and Beard; nays: none.

Rita Olson, City Assessor, presented two Application for Abatement or Refund of Taxes (Hight and Stenehjem, SLS) and a Homestead Credit Application for Senior Citizens & Disabled Persons (Christensen).

Council Member Gravos moved to approve the Application for Abatement or Refund of Taxes #4073 submitted by Jay Hight. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Beard, Veeder, Sanford, Liebel, Devlin, and Gravos; nays: none.

Council Member Gravos moved to approve the Application for Abatement or Refund of Taxes #4075 & #4076 submitted by Judith H. Stenehjem, SLS Ltd Pt. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Liebel, Gravos, Devlin, Beard, Sanford, and Veeder; nays: none.

Council Member Beard moved to approve the Homestead Credit Application for Senior Citizens & Disabled Persons submitted by Richard Christensen. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Sanford, Liebel, Gravos, Veeder, Devlin, and Beard; nays: none.

Mayor Riely called the Public Hearing, as advertised, to order at 6:19 p.m. to consider a Retail Alcoholic Beverage License Application (Class B, Sunday Opening, and Growler) submitted by

Burrito Bros, LLC. There was no public comment or written comment received from the public. The Public Hearing was closed at 6:20 p.m.

Council Member Sanford moved to approve the Retail Alcoholic Beverage License Application submitted by Burrito Bros, LLC. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Veeder, Liebel, Devlin, Sanford, Beard, and Gravos; nays: none.

Mayor Riely called the Public Hearing, as advertised, to order at 6:21 p.m. to consider an Application for Annexation submitted by Arnett & Burgess Pipeliners, LLC & Hess Land, LLC (605 11th Ave SW). There was no public comment or written comment received from the public. The Public Hearing was closed at 6:22 p.m.

Council Member Sanford moved to approve the First Reading on an Ordinance Annexing Property to the City of Watford City per Annexation Application submitted by Arnett & Burgess Pipeliners, LLC & Hess Land, LLC. Motion seconded by Council Member Devlin and carried unanimously.

Kylee Roff, Rough Rider Center, was present and gave an update on the events that were held at the Rough Rider Center during the month of January.

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

Council Member Beard moved to approve the Amended Golf Course Maintenance and Operation Agreement between the City of Watford City and Watford City Golf Club, Inc. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Devlin, Sanford, Gravos, Beard, Liebel, and Veeder; nays: none.

Brady Bertram, Brosz Engineering, presented Task Orders and requested to advertise for two projects.

Council Member Gravos moved to approve the Task Agreement between the City of Watford City and Brosz Engineering, Inc. for a 4th Avenue NW Rehabilitation project in the amount of \$7,890. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Gravos, Liebel, Sanford, Beard, Devlin, and Veeder; nays: none.

Council Member Gravos moved to begin advertising for bids for the 4th Avenue NW Rehabilitation project. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Beard, Sanford, Gravos, Veeder, Devlin, and Liebel; nays: none.

Council Member Gravos moved to approve the Task Agreement between the City of Watford City and Brosz Engineering, Inc. for a 10th Avenue NE Reconstruction project in the amount of \$28,140. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Devlin, Sanford, Liebel, Gravos, Veeder, and Beard; nays: none.

Council Member Beard moved to begin advertising for bids for the 10th Ave NE Reconstruction project. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Gravos moved to approve the Task Agreement between the City of Watford City and Brosz Engineering, Inc for ROW Negotiations for McKenzie County 2019 ETA Roads in the amount of \$26,000. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Beard, Gravos, Sanford, Veeder, Devlin, and Liebel; nays: none.

Chief Shawn Doble was present and gave an update on the police department.

Council Member Sanford moved to approve the Asset Disposition Services Agreement between PropertyRoom.com and City of Watford City. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Gravos, Liebel, Sanford, Beard, Devlin, and Veeder; nays: none.

Council Member Gravos moved to approve the recommendations from the Planning Commission from their January 28, 2019 meeting. Approved the following: Termination of the Land Use Application – Conditional Use Permit for The Crossings at Watford City, LLC, Jarvis & Kadie Sorenson, and Arlon Franz; Termination of the Land Use Application – Conditional Use Permit for Doug Kesler; Land Use Application – Conditional Use Permit Annual Review for Suds Laundry; Land Use Application – Zone Change submitted by E & M Properties FBO Tydak Motor Sports; Land Use Application – Zone Change submitted by Emerald Ridge. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Sanford, Devlin, Beard, Veeder, Liebel, and Gravos; nays: none.

Council Member Beard moved to approve the Rough Rider Grant Application submitted by Lutheran Social Services (LSS) requesting Flex Pace matching for the Cherry Creek LSS Housing project in the amount of \$250,000 with payments paid out quarterly (\$41,667) over 18 months. Grant is contingent on the Bank of North Dakota's approval. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Devlin, Sanford, Veeder, Liebel, Gravos, and Beard; nays: none.

Council Member Devlin moved to approve the following annual step increases: Shawn Doble – B-6; Jason Faller – C-8; Nate Jefferies – E- 4. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Beard, Sanford, Gravos, Veeder, Devlin, and Liebel; nays: none.

Council Member Gravos moved to approve the First Reading on an Ordinance Amending Section 6-521, Article 5, Chapter VI - Relating to Age Identification. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Gravos moved to approve the First Reading on an Ordinance Amending Section 9-101, Article 1, Chapter IX - Relating to Criminal Attempt. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Gravos moved to approve the First Reading on an Ordinance Repealing Section 9-404, Article IV, Chapter IX - Relating to Cruelty to Animals. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Gravos moved to approve the First Reading on an Ordinance Repealing Section 9-107, Article I, Chapter IX - Relating to False Alarms or False Report. Motion seconded by Council Member Veeder and carried unanimously.

Council Member Gravos moved to approve Resolution 2019-03 – Resolution to Sell Real Property (3509 11th Ave NE). Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Gravos, Beard, Liebel, Devlin, and Veeder; nays: none.

Council Member Gravos moved to approve Resolution 2019-04 – Resolution to Purchase Vehicle (McKenzie County). Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Liebel, Sanford, Veeder, Gravos, Devlin, and Beard; nays: none.

Council Member Gravos moved to approve the Special Liquor Permits submitted by: D & M's Office – February 16, 2019 from 4:45 p.m. – 11:30 p.m. at the Rough Rider Center; Outsiders Bar & Grill – February 23, 2019 from 5:30 p.m. – 12:00 a.m. at the Rough Rider Center; D & M's Office – April 6, 2019 from 5:00 p.m. – 1:00 a.m. at the Rough Rider Center. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Gravos moved to approve the following amendments to the 2018 budget. The total amended amount is \$26,460,865.57. Motion seconded by Council Member Devlin and carried by the following roll call votes: ayes: Liebel, Devlin, Sanford, Gravos, Beard, and Veeder; nays: none.

GPT Fund 1001

Additional expenditures for GPT Fund of \$16,028,500.44
Amend budget from \$ - to \$16,028,500.44

Police Unit Fees 1010

Additional Expenditures for Police Unit Fees of \$153,969.84
Amend budget from \$ - to \$153,969.84

Fire Unit Fees 1020

Additional Expenditures for Fire Unit Fees of \$60,000
Amend budget from \$75,000.00 to \$135,000.00

Road 2010

Additional Expenditures for Road Fund of \$33,705.46
Amend budget from \$1,163,316.00 to \$1,197,021.46

City Improvements 2230

Additional Expenditures for City Improvements Fund of \$1,498,712.30
Amend budget from \$2,660,000.00 to \$4,158,712.30

Building/RR Maintenance 2240

Additional Expenditures for Building/RRC Maintenance of \$20,332
Amend budget from \$ 173,500.00 to \$193,832.00

Restaurant/Lodging 2285

Additional Expenditures for Restaurant/Lodging of \$190,071.48
Amend budget from \$210,000.00 to \$400,071.48

PD Car Replacement Fund 2290

Additional Expenditures for PD Car Replacement Fund \$39,932.32
Amend budget from \$130,000.00 to \$169,932.32

Roughrider Fund Sales Tax 2399

Additional Expenditures for Roughrider Fund Sales Tax \$3,266,536.91
Amend budget from \$2,500,000.00 to \$5,766,536.91

Sales Tax Revenue Bond Surplus 2410

Additional Expenditures for Sales Tax Revenue Bond Surplus \$3,356,187.52
Amend budget from \$2,271,600.00 to \$5,627,787.52

General Obligation Bond 3010

Additional Expenditures for General Obligation Bond \$4,595
Amend budget from \$57,090.00 to \$61,685.00

Council Member Gravos moved to approve the 2018 Statement of Accounts by Fund. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Beard, Gravos, Veeder, Liebel, Sanford, and Devlin; nays: none.

Council Member Gravos moved to approve budget transfers from the Gross Production Tax Surplus Fund in the total amount of \$2,811,829 to the following funds: \$974,350 to Road Fund; \$1,445,059 to Rough Rider Building Fund; \$52,000 to Water Fund; \$376,000 to Sewer Fund. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Beard, Gravos, Veeder, Liebel, Sanford, and Devlin

Council Member Sanford moved to allocate \$600,000 to the Watford City Park District for the Veterans Park Phase II with the funds to be paid out of the Gross Production Tax Surplus Fund. Motion seconded by Council Member Gravos and carried by the following roll call vote Liebel, Sanford, Devlin, Veeder, Beard, and Gravos; nays: none.

Curt Moen, City Administrator, requested to allow Wolf Run Village, Inc. to remodel the old post office building for a preschool that would be run by Wolf Pup Daycare Center. Curt will be getting a quote as to the cost of the reconstruction and return to council for approval but asked that the city cover the estimated demolition cost of \$10,000.

Council Member Gravos moved to approve up to \$10,000 in demolition costs at the old post office building and to proceed with getting a quote to remodel the building for a preschool. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Liebel, Veeder, Sanford, Gravos, Beard, and Devlin; nays: none.

Council Member Liebel moved to approve the Standard Form of Agreement between City of Watford City and JLG Architects for Softball Field Project. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Beard, Veeder, Devlin, Sanford, Gravos, and Liebel; nays: none.

Council Member Liebel moved to approve purchasing a 2019 Freightliner MS 106 Garbage Truck from Northland Truck Sales in the amount of \$251,900. Also approved the purchase of 427 Schafer 95-gallon residential garbage carts from Olympic Sales in the amount of \$30,812.32. Both purchases will to be paid out of the Garbage Fund. Motion seconded by Council Member Gravos and carried by the following roll call vote: Liebel, Sanford, Gravos, Veeder, Devlin, and Beard; nays: none.

Council Member Gravos moved to approve Transfer Agreement #1 between the City of Watford City and McKenzie County. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Sanford, Beard, Veeder, Gravos, Devlin, and Liebel; nays: none.

Council Member Gravos moved to approve the Joint Powers Agreement between The County of McKenzie and the City of Watford City on the Transfer of Personal Property by Donation or Purchase. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Gravos, Liebel, Sanford, Beard, Devlin, and Veeder; nays: none.

Council Member Gravos moved to request Attorney Voll assist with any agreements that may be needed for the JDA Housing Incentive Program. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Beard, Veeder, Liebel, Gravos, Sanford, and Devlin; nays: none.

Council Member Sanford moved to approve the bills as listed. Motion seconded by Council Member Gravos and carried unanimously. EFTPS \$96,047.98; Nationwide Financial \$1,006.77; Nationwide Retirement Solutions \$4,649.91; NDPERS \$663.85; NDPERS-Deferred Comp \$5,225.00; TASC \$6,822.00; Payroll \$254,153.58; Harold & Sally Fish \$750.00; Wolf Run Village \$3,350.00; 701 Clean \$600.00; Advanced Engineering \$33,673.44; Agri Industries \$122.48; Airgas On-Site \$38.00; Amanda Eisenschenk \$25.00; American Legion \$31.00; American Water Works Association \$300.00; Andrew Eisenschenk \$25.00; Armor Interactive \$14,185.11; Associated Supply Company \$863.52; Badlands Hardware Inc. \$437.83; Badlands Occupational Testing \$710.00; Badlands Power Fuels \$800.00; Blue Cross Blue Shield \$107,333.10; BALCO \$1,069.20; Black Mountain Software \$18,921.00; Blue Shield Tactical \$500.00; Border States Electric \$453.30; Brady's Roadside Service \$975.00; Brosz Engineering \$16,515.00; Buttons by Fish \$891.00; C&D Water Services \$60.00; CDW Government \$4,189.03; Chamley Pipe & Salvage \$14,675.00; CIM Sanitary Tech \$5,000.00; City of Watford City \$207.46; Code Red Towing \$500.00; Cole Bernhardt \$945.00; Cole Papers \$128.73; Construction Engineers \$3,677.98; Cornerstone Bank \$85,607.62; CTS Language Link \$26.79; Dakota Back & Neck \$120.00; Darrington Snow Removal \$125.00; DCN Creative \$11,527.98; Dean Anderson, Inc. \$2,050.00; Dougherty & Company \$600.00; Everbridge, Inc. \$3,800.00; Expressway Suites Fargo \$253.80; Family Crisis Shelter \$1,623.64; Farmer's Union Oil. Co \$9,426.05; Fastenal \$409.72; Flexible Pipe Tool \$1,892.15; Franz Construction \$3,124.00; FS Solutions \$953.92; Hansen Diesel & Automotive \$349.94; Heggen Equipment \$652.13; Herc-U-Lift \$999.60; Holiday Credit Office \$5,205.87; ITD \$4,357.20; International Association for Property

\$50.00; International Assoc. of Chiefs \$190.00; Ironhide Equipment \$4,395.00; Jack & Jill \$67.18; Jamar Company \$214.20; Jeffrey Jensen \$10.50; Jesse Wellen \$10.50; John Hutter Towing \$875.00; Kelly Inn -Bismarck \$318.60; Kotana Communications \$687.60; Kupper Chevrolet \$269.74; La Quinta Inn & Suites - Bismarck \$283.80; Locators & Supplies \$1,602.78; Lund Oil \$1,092.16; Lupine Construction \$4,640.00; Lutheran Social Services \$41,667.00; Lyle Signs \$319.34; Marco Technologies \$1,969.06; McKennett Law Firm \$12,587.50; McKenzie County Ambulance \$74,441.00; McKenzie County Fair Board \$4,500.00; McKenzie County Farmer \$3,418.56; McKenzie County Grazing Assoc. \$336.00; McKenzie County Heritage Assoc. \$25,000.00; McKenzie County School \$3,011.60; McKenzie County Tourism \$31,400.00; McKenzie County Treasurer \$764,736.51; McKenzie County Water Resource \$86,233.87; McKenzie Electric \$3,773.00; Meg Carter \$538.82; Meuchel Enterprises \$2,641.08; Microception \$1,620.00; Mid-States Organized Crime Inf. \$150.00; MDU \$21,165.37; Nardini Fire Equipment \$686.50; NAVSURFWARCENDIV Crane \$900.00; ND Chiefs of Police Assoc. \$50.00; ND Fraternal Order of Police \$1,125.00; ND Planning Assoc. \$110.00; ND Safety Council \$300.00; ND State Radio Communications \$360.00; ND Secretary of State \$36.00; ND Water & Pollution Control \$20.00; ND Workforce Safety & Insurance \$17,614.61; Newman Traffic Signs \$1,200.00; North Dakota Newspaper \$50.00; Office Depot \$77.03; OK Automotive \$74,220.00; OK Implement \$6,509.38; OK Tire Stores \$1,388.72; Owens Products \$552.00; Pioneer Museum \$26,000.00; POST Board \$45.00; Power Plan \$388.13; Pro Auto Body \$393.72; Quality Flow Systems \$4,659.86; Quality Quick Print \$116.07; RDO Trust #80-5800 \$183,700.00; Reservation Telephone \$2,512.64; RMB Environmental Labs \$1,330.00; Roosevelt Place Hotel \$213.54; Rough Rider Center \$140,372.48; Safariland \$1,790.00; Share Corporation \$6,616.22; Stein's Inc. \$132.96; Suds Laundry \$170.85; Swanston Equipment \$45,555.00; Symetra Life Ins. Co. \$777.22; Tara Block 1 Owner LLC/11th Ave Partners \$2,800.00; TASC \$3,433.60; TDS Media Direct \$1,996.00; The Printers \$850.00; Titanium Plumbing \$1,406.35; Total Control \$4,800.00; Total Funds \$500.00; Tractor Supply \$119.25; Triple AAA Safety/Training \$75.00; Uline \$179.37; UPS \$33.39; Valli Information Systems \$739.02; Vawnita Best \$1,063.64; Verizon \$3,583.40; Visa \$3,441.05; Watford City Airport Authority \$30,000.00; Watford City Chamber of Commerce \$3,500.00; Watford City Express Laundry \$514.60; Watford City Golf Club \$20,000.00; Watford City Lumber \$3,837.04; Watford City Park District \$603,011.60; Watford City Vet Clinic \$21.98; Wolf Run Village \$36,000.00; Young at Heart Club \$10,000.00.

The next regularly scheduled City Council meeting will be on March 4, 2019 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 8:53 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