

CITY OF WATFORD CITY  
CITY COUNCIL MEETING  
March 4, 2019

Minutes of the regular City Council meeting held on March 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 Liebel moved to approve the March 4, 2019 agenda as presented. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Gravos moved to approve the minutes of the city council meeting held February 4, 2019. Motion seconded by Council Member Liebel and carried unanimously.

Mary Gumke, Watford City Chamber, presented updated street closures for Homefest and Ribfest. Council Member Beard moved to approve the updated street closures as presented. Motion seconded by Council Member Devlin and carried unanimously.

A request for fireworks from the McKenzie County Fairboard was reviewed. A fireworks display was requested for June 22<sup>nd</sup> at 10:30 p.m. Council Member Liebel moved to approve the fireworks request contingent on Fire Chief approval, that there is not a burn ban in place, and the fireworks display is not in line with the airport runway. Motion seconded by Council Member Gravos and carried unanimously.

Rita Olson, City Assessor, presented Applications for Abatement or Refund of Taxes (Lund Oil, Inc, LSSH Watford City, LLC, and Sorenson Properties, LLLP).

Council Member Gravos moved to approve the Application for Abatement or Refund of Taxes #4084 submitted by Lund Oil, Inc. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Beard, Sanford, Gravos, Veeder, Liebel, and Devlin; nays: none.

Council Member Gravos moved to approve the Application for Abatement or Refund of Taxes #4085 submitted by LSS Housing Watford City, LLC. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Gravos, Sanford, Liebel, Veeder, Beard, and Devlin; nays: none.

Council Member Gravos moved to approve the Application for Abatement or Refund of Taxes #4086 submitted by LSS Housing Watford City, LLC. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Liebel, Sanford, Gravos, Devlin, Veeder, and Beard; nays: none.

Council Member Gravos moved to approve the Application for Abatement or Refund of Taxes #4087 submitted by LSS Housing Watford City, LLC. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Liebel, Devlin, Beard, Gravos, Veeder, and Sanford; nays: none.

Council Member Beard moved to approve the Application for Abatement or Refund of Taxes #4089 submitted by Sorenson Properties, LLLP. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Veeder, Liebel, Devlin, Gravos, and Beard; nays: none.

Terry Moe, Rough Rider Center, was present and gave an update on the events that were held at the Rough Rider Center during the month of February.

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

Todd Norton, AE2S, presented Task Order #50.

Council Member Gravos moved to approve Task Order #50 between the City of Watford City and AE2S for 11<sup>th</sup> Ave SE Street Extension Improvements – Final Design and Bidding. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Liebel, Devlin, Beard, Gravos, Veeder, and Sanford; nays: none.

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

Council Member Gravos moved to approve the Land Use Application – Zone Change submitted by Fox Hills Golf Course rezoning property located at 3104 4<sup>th</sup> Ave NE from AG, CF, RR, R1 to CF - Community Facility. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Sanford, Liebel, Gravos, Veeder, Devlin, and Beard; nays: none.

Council Member Gravos moved to table the Division of Land Application – Map of Reversion submitted by Eugene Turnquist. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Sanford moved to allocate \$1,000,000 from excess GPT funds to the Watford City Park District for a new softball complex. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Liebel, Devlin, Beard, Gravos, Veeder, and Sanford; nays: none.

Council Member Beard moved to allocate \$1,000,000 from excess GPT funds to the Fox Hills Golf Course to assist with Phase 2 of the golf course expansion project. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Veeder, Sanford, Liebel, Devlin, and Beard; nays: Gravos.

Council Member Beard moved to allocate \$1,000,000 from excess GPT funds, \$3,100,000 from Surge funds, and the remainder needed for the project from current GPT funds for the 11<sup>th</sup> Ave SE Street Project. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Sanford, Liebel, Gravos, Veeder, Devlin, and Beard; nays: none.

Council Member Liebel moved to approve \$2000/acre for the purchase of deeded right of way for the county road project or allow the landowner to waive the right of way payment and the city would agree not to access the property for the roadway right of way at the time of future development. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Devlin, Sanford, Gravos, Liebel, Veeder, and Beard; nays: none.

Council Member Beard moved to approve the following 2019 Community Enhancement Grants: Legendary Adventures New Discoveries \$3000; McKenzie County JDA \$2500; Long X Arts Foundation \$1500; Watford City Chamber – Homefest \$2000; Watford City Chamber – Ribfest \$10,000; Watford City Chamber – Light Up Watford City \$1000; Carson Arenas, Inc. \$500; Feed My Starving Children \$1600; Alexander After Prom Party Committee \$500. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Liebel, Gravos, Veeder, Devlin, and Beard; nays: none.

Council Member Devlin moved to approve the following annual step increases: Dylan Bostic – G-4; Andrew Eisenschenk – F- 3; Amanda Eisenschenk – J-2; Steve Williams – E-8. Motion seconded by Council Member Gravos and carried by the following roll call vote: ayes: Sanford, Liebel, Gravos, Veeder, Devlin, and Beard; nays: none.

Council Member Devlin moved to approve the Lodging Tax Request submitted by McKenzie County Tourism in the amount of \$5,933.75 for November and December 2018 marketing support. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Liebel, Devlin, Beard, Gravos, Veeder, and Sanford; nays: none.

Council Member Gravos moved to approve the Second Reading on Ordinance #525 Amending Section 6-521, Article 5, Chapter VI - Relating to Age Identification. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Sanford, Liebel, Gravos, Veeder, Devlin, and Beard; nays: none.

Council Member Gravos moved to approve the Second Reading on Ordinance #526 Amending Section 9-101, Article 1, Chapter IX - Relating to Criminal Attempt. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Devlin, Sanford, Gravos, Beard, Liebel, and Veeder; nays: none.

Council Member Gravos moved to approve the Second Reading on Ordinance #527 Repealing Section 9-107, Article I, Chapter IX - Relating to False Alarms or False Report. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Liebel, Devlin, Beard, Gravos, Veeder, and Sanford; nays: none.

Council Member Gravos moved to approve the Second Reading on Ordinance #528 Repealing Section 9-404, Article IV, Chapter IX - Relating to Cruelty to Animals. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Sanford, Liebel, Gravos, Veeder, Devlin, and Beard; nays: none.

Council Member Gravos moved to approve the Second Reading on Ordinance #529 Annexing Property to the City of Watford City per Annexation Application submitted by Arnett & Burgess

Pipeline (Rockies) LLC & Hess Land, LLC (605 11<sup>th</sup> Ave SW) – (16.61 acres). Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Liebel, Devlin, Beard, Gravos, Veeder, and Sanford; nays: none.

Council Member Gravos moved to approve Resolution 2019-05 – City Government Week. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Devlin, Sanford, Gravos, Beard, Liebel, and Veeder; nays: none.

Council Member Gravos moved to approve the Special Liquor Permits submitted by: D & M's Office for March 16<sup>th</sup> from 5:00 p.m. – 9:00 p.m. at the Rough Rider Center; Six Shooters (Outlaws) for March 21<sup>st</sup> from 6:00 p.m. – 8:00 p.m. at the Rough Rider Center; Watford City Eagles Aerie 3543 for March 23<sup>rd</sup> from 6:00 p.m. – 1:00 a.m. at the McKenzie County Multi-Purpose Building. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Gravos moved to allocate \$405,000 from excess GPT funds for additional 2019 Public Works budget requests. Motion seconded by Council Member Devlin and carried by the following roll call votes: ayes: Sanford, Devlin, Gravos, Liebel, and Veeder; nays: Beard.

Council Member Beard moved to approve the Proposal for Professional Consultant Services from Hyalite (10<sup>th</sup> St SW & 3<sup>rd</sup> Ave SW) in the amount of \$4500. Motion seconded by Council Member Gravos and carried by the following roll call vote: Liebel, Devlin, Beard, Gravos, Veeder, and Sanford; nays: none.

Council Member Gravos moved to approve the Release of Bond Request from Stenehjem Developments (3<sup>rd</sup> Ave SE Roadway Project) in the amount of \$595,509. This approval will leave \$148,877.25 (25% of the engineers estimate) retainer for maintenance and warranty bond for a period of 2 years expiring October 5, 2020. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Devlin, Sanford, Gravos, Beard, Liebel, and Veeder; nays: none.

Council Member Gravos moved to approve the Release of Bond Request from Mammoth Properties, LLC (Mammoth Properties / Mammoth Subdivision) in the amount of \$325,980.72. This approval will leave \$109,000 (25% of the engineers estimate) retainer for maintenance and warranty bond for a period of 2 years expiring November 20, 2020. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Liebel, Sanford, Gravos, Veeder, Devlin; nays: none. Abstained: Beard.

Council Member Liebel moved to approve the NDDOT Agreement for Long-Term Temporary Highway Closure. Motion seconded by Council member Sanford and carried unanimously.

Council Member Sanford moved to approve purchasing a Garbage Truck RFID System in the amount of \$24,289. Motion seconded by Council Member Gravos and carried by the following roll call vote: Beard, Devlin, Veeder, Sanford, Gravos, and Liebel; nays: none.

Council Member Gravos moved to approve the Aero Spraying Service – Authorization Application. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Gravos moved to approve Resolution 2019-06 – Resolution Authorizing Participation in McKenzie County Complete Count Committee for 2020 Census. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Devlin, Sanford, Gravos, Beard, Liebel, and Veeder; nays: none.

Council Member Gravos moved to assign Chas Neff as Special Assistant City Attorney to assist the City Building Inspector, regarding a building permit issue, due to a conflict of interest for City Attorney Voll. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Sanford moved to approve the bills as listed. Motion seconded by Council Member Gravos and carried unanimously. AFLAC \$5,551.74; EFTPS \$103,618.68; Nationwide Financial \$920.22; Nationwide Retirement Solutions \$4,904.20; NDPERS \$691.32; NDPERS-Deferred Comp \$5,100.00; NDPERS-Retirement \$47,781.69; TASC \$6,703.63; Payroll \$270,834.14; Harold & Sally Fish \$750.00; Wolf Run Village \$3,350.00; Accusource \$417.54; Advanced Engineering \$6,597.77; Agency MABU \$12,458.35; Agri Industries \$6,325.00; Alexander After Prom Committee \$500.00; Andrew Devin \$2,809.56; Andrew Swanson \$115.00; Armor Interactive \$5,433.85; Badlands Hardware \$80.63; Badlands Hardware Inc. \$122.73; Badlands Occupational Testing \$400.00; Badlands Power Fuels \$540.00; Bailey Nations \$115.00; Balco \$1,047.77; Blue Cross Blue Shield \$54,066.97; Border States Electric \$6,905.86; Borsheim Crane Service \$1,232.00; Brady's Roadside Service \$250.00; Brosz Engineering \$48,282.50; C&D Water Services \$82.50; Can-Am Merchandising \$1,449.00; Carson Arenas \$500.00; CDW Government \$124.49; Cellebrite \$3,700.00; Chamley Pipe & Salvage \$1,350.00; CIM Sanitary Tech \$5,000.00; CIMCO Refrigeration \$8,220.00; City of Watford City \$82.16; Code Red Towing \$250.00; Cole Papers \$156.74; Construction Engineers \$1,748.39; Core & Main \$1,786.96; Cornerstone Bank \$85,607.62; Dakota Back & Neck \$240.00; Darrington Snow Removal \$375.00; David Uhlich \$198.68; Dean Anderson, Inc. \$340.00; Direct Electric \$192.00; Economic Development Association \$150.00; Family Crisis Shelter \$1,636.70; Fargo Glass & Paint \$300.00; Farmer's Union Oil. Co \$6,121.65; Fastenal \$543.01; Feed My Starving Children \$1,600.00; Feininger Electric Works \$100.00; Fire & Ice Refrigeration \$19,487.63; Flag Family Media \$20,000.00; Franz Construction \$65,802.06; Frontier Precision \$5,700.00; Greg's Welding \$945.85; Hansen Diesel & Automotive \$1,014.52; Heggen Equipment \$480.17; Herc-U-Lift \$999.60; Holiday Credit Office \$5,321.13; Huber Technology \$1,460.00; ITD \$4,414.17; Interstate All Battery Center \$95.76; Intoximeters \$24.85; J Custom Electric \$6,125.00; J&C Construction \$4,723.14; Jack & Jill \$87.55; John Hutter Towing \$200.00; John M. Olson, P.C. \$35,015.00; Johnson Controls \$607.16; Jonathon Zeh \$2,809.56; Justin Soleim \$226.68; Kotana Communications \$261.00; Kully Supply \$1,649.98; L-Tron Corporation \$1,464.34; Legendary Adventures New Discoveries \$3,000.00; Locators & Supplies \$6,693.53; Long X Arts Foundation \$1,500.00; Lund Oil \$939.45; Lupine Construction \$9,420.00; Lyle Signs \$1,193.06; Magnum Electric \$7,051.38; Marco Technologies \$1,808.40; Matt Schultz \$84.00; McCody Concrete Products \$1,590.76; McKennett Law Firm \$26,640.35; McKenzie County Ambulance \$22,888.70; McKenzie County Auditor \$53,885.67; McKenzie County Farmer \$1,080.00; McKenzie County JDA \$2,500.00; McKenzie County Landfill \$39,059.25; McKenzie County Treasurer \$4,592.55; McKenzie County Water Resource \$99,234.86; McKenzie Electric \$3,689.00; Meuchel Enterprises \$4,466.08; MFOA \$60.00; MDU \$18,184.93; Municipal Government Academy

\$30.00; ND Building Official Association \$245.00; ND Dept. of Health \$10.00; ND League of Cities \$380.00; NDASRO Treasurer \$50.00; Nelson Contracting \$3,898.75; Nelson International \$858.30; North Dakota Highway Patrol \$506.89; North Dakota Living \$11,970.00; Northwest Pipe Fittings \$504.75; NSC Minerals \$3,018.49; OK Implement \$1,830.14; OK Tire Stores \$344.13; Olympic Sales \$30,988.10; One Call Concepts \$57.70; Pipe Detectives \$572.08; Power Plan \$2,860.06; Praetorian Digital \$2,304.00; Pro Auto Body \$342.74; Ramkota Hotel – Bismarck \$282.00; Reservation Telephone \$2,527.61; RHI Supply Fargo \$1,486.27; RMB Environmental Labs \$1,551.50; Roosevelt Place Hotel \$76.65; Root Construction \$2,026.12; Rough Rider Center \$2,562.00; Stein’s Inc. \$61.63; Steve Sanford \$265.68; Suds Laundry \$45.00; Swanston Equipment \$6,139.12; S.W. Williams and Son \$10,250.00; Symetra Life Ins. Co. \$783.49; Theodore Roosevelt Expressway \$7,000.00; Tim Jones \$33.52; Titanium Plumbing \$320.00; Tractor Supply \$219.96; Traffic Control \$1,150.00; Trane U.S. Inc. \$1,701.90; Triple AAA Safety/Training \$42.00; Uline \$87.79; UPS \$790.55; Valli Information Systems \$743.31; Vawnta Best \$226.30; Verizon \$3,087.85; Visa \$3,835.92; Wade Robinson \$56.00; Watford City Chamber of Commerce \$13,000.00; Watford City Express Laundry \$812.33; Watford City Lumber \$318.30; Watford City Vet Clinic \$1,338.92; WillistonAuto.com \$964.41; Zuercher Technologies \$24,914.46.

The next regularly scheduled City Council meeting will be on April 1, 2019 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 7:52 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

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Philip K. Riely, Mayor