

CITY OF WATFORD CITY  
CITY COUNCIL MEETING  
December 2, 2019

Minutes of the regular City Council meeting held on December 2, 2019 at 6:00 p.m. at City Hall. Present were Mayor Phil Riely and Council Members Steve Sanford, Bethany Devlin, Lindsay Veeder, Heidi Brenna, and Matt Beard. Absent: Kenny Liebel. Also present was City Auditor Peni Peterson and Attorney Wyatt Voll.

Council Member Devlin moved to approve the December 2, 2019 agenda as presented. Motion seconded by Council Member Veeder and carried unanimously.

Council Member Beard moved to approve the minutes of the city council meetings held November 4, 18 and 21, 2019. Motion seconded by Council Member Sanford and carried unanimously.

Mayor Riely called the Public Hearing, as advertised, to order for the Off-Sale Liquor License Application submitted by Red Barn Liquors, LLC. There were no written comments or comments received from the public. The Public Hearing was closed.

Council Member Sanford moved to approve the Off-Sale Liquor License Application as submitted by Red Barn Liquors, LLC with the recommendations listed in the Staff Report. Motion seconded by Council Member Brenna and carried by the following roll call vote: ayes: Beard, Sanford, Devlin, Veeder, and Brenna; nays: none.

Gayle Cox, Brosz Engineering, presented a Change Order and Pay Application from Wagner Construction

Council Member Beard moved to approve Change Order #2 from Wagner Construction (2019 Reconstruction & Utility Improvement Project) in the amount of \$8,389.22. Motion seconded by Council Member Devlin and carried with the following roll call vote: ayes: Devlin, Sanford, Beard, Brenna, and Veeder; nays: none.

Council Member Devlin moved to approve Pay Application #6 from Wagner Construction (2019 Reconstruction & Utility Improvement Project) in the amount of \$326,494.26. Motion seconded by Council Member Brenna and carried by the following roll call vote: ayes: Beard, Devlin, Brenna, Veeder, and Sanford; nays: none.

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

Council Member Beard moved to approve a 3-year agreement between the Roughrider Center and AVI Systems, Inc. in the amount of \$4,774.00 with the funds to be paid out of the Roughrider Center budget. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Sanford, Brenna, Devlin, Veeder, and Beard; nays: none.

Assistant Chief Jesse Wellen was present and gave an update on the police department.

Council Member Beard moved to approve the Law Enforcement Services Memorandum of Agreement between the City of Watford City and the City of Arnegard. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Brenna, Devlin, Veeder, Sanford, and Beard; nays: none.

Council Member Brenna moved to approve the SRO Program Memorandum of Understanding between McKenzie County School District #1 and the Watford City Police Department. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Veeder, Sanford, Devlin, Beard, and Brenna; nays: none.

Council Member Devlin moved to approve the recommendations from the Planning Commission from their November 25, 2019 meeting. Approved the following: Division of Land Application for Simple Lot Split – Red Barn Liquors, LLC and the Division of Land Application for Subdivision Final Plat – Dakota Gold Properties. Denied the Land Use Application for Conditional Use Permit Annual Review – Knife River (Asphalt Crushing Plant). Motion seconded by Council Member Veeder and carried unanimously.

Council Member Sanford moved to approve purchasing a rotary gripper Bobcat attachment in the amount of \$12,000 and funds to be paid out of the Garbage Fund. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Veeder, Sanford, Beard, Devlin, and Brenna; nays: none.

Council Member Beard moved to approve the Second Reading on Ordinance #540 Amending Chapter XV, Article X, Section 2 - Relating to Permitted Uses. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Sanford, Beard, Brenna, Devlin, and Veeder; nays: none.

Council Member Beard moved to approve the Second Reading on Ordinance #541 Amending Chapter XV, Article X, Section 3 - Relating to Conditional Uses. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Brenna, and Veeder; nays: none.

Council Member Beard moved to approve the Second Reading on Ordinance #542 Amending Chapter XV, Article X, Sections 6 - Relating to Yard Regulations. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Sanford, Beard, Brenna, Devlin, and Veeder; nays: none.

Council Member Beard moved to approve the Second Reading on Ordinance #543 Amending Chapter XV, Article XI, Section 2 - Relating to Permitted Uses. Motion seconded by Council Member Brenna and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Brenna, and Veeder; nays: none.

Council Member Beard moved to approve the Second Reading on Ordinance #544 Amending Chapter XV, Article XI, Section 6 - Relating to Yard Regulations. Motion seconded by Council

Member Veeder and carried by the following roll call vote: ayes: Brenna, Devlin, Veeder, Sanford, and Beard; nays: none.

Council Member Beard moved to approve the Second Reading on Ordinance #545 Amending Chapter XV, Article XII, Section 2 - Relating to Permitted Uses. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Sanford, Beard, Brenna, Devlin, Veeder; nays: none.

Council Member Beard moved to approve the Second Reading on Ordinance #546 Amending Chapter XV, Article XII, Section 6 - Relating to Yard Regulations. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Brenna, and Veeder; nays: none.

Council Member Beard moved to approve the Second Reading on Ordinance #547 Amending Chapter XV, Article XIII, Section 2 - Relating to Permitted Uses. Motion seconded by Council Member Brenna and carried by the following roll call vote: ayes: Brenna, Devlin, Veeder, Sanford, and Beard; nays: none.

Council Member Beard moved to approve the Second Reading on Ordinance #548 Amending Chapter XV, Article XIII, Section 6 - Relating to Yard Regulations. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Sanford, Beard, Brenna, Devlin, and Veeder; nays: none.

Council Member Beard moved to approve the Special Liquor Permits submitted by: Outsiders Bar & Grill for December 7, 2019 from 6:30 p.m. – 9:30 p.m. at the Roughrider Center; D & M's Office for December 17, 2019 from 5:00 p.m. – 10:00 p.m. at the Roughrider Center; Outsiders Bar & Grill for December 20, 2019 from 6:00 p.m. – 10:00 p.m. at the Roughrider Center. Motion seconded by Council Member Veeder and carried unanimously.

Council Member Beard moved to approve the purchase of a pole setter attachment in the amount of \$12,000 and spare light poles and luminaires in the amount of \$60,000 and the funds to be paid out of the Road Fund. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Brenna, and Veeder; nays: none.

Council Member Beard moved to approve the purchase of a 2020 Ford F550 truck with a 30 ft crane in the amount of \$145,000 and the funds to be paid out of 25% Water Fund, 25% Road Fund, and 50% Sewer Fund. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Brenna, Devlin, Veeder, Sanford, and Beard; nays: none.

Council Member Beard moved to approve the 2020 Utility Rate Resolution showing a 10% increase to the water unit charge for both residential and commercial customers, a 7% increase to the residential irrigation rate, and a 6% increase to the commercial irrigation rate. There will not be a change to sewer rates or to garbage rates. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Brenna, Devlin, Veeder, Sanford, Beard; nays: none.

Council Member Devlin moved to approve the following Annual Step Increases: Tyrel Sveet – J-1; Baily Nations – J-2; Ciera Ell – K-2; Vawrita Best – C-2. Motion seconded by Council Member Veeder and carried unanimously.

Upon the recommendation from the Lodging Tax Committee, Council Member Devlin moved to approve the following 2020 Budget Requests: Roughrider Center \$70,500; McKenzie County Heritage Association \$2,000; McKenzie County Tourism \$149,219; Long X Visitor Center/Pioneer Museum \$4,500; Long X Arts Foundation \$20,000; Legendary Adventures New Discoveries \$15,000; Watford City Chamber of Commerce \$18,500. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Sanford, Beard, Brenna, Devlin, and Veeder; nays: none.

Council Member Beard moved to award the 14<sup>th</sup> Ave S Street Extension project to Northern Improvement Co. (Contract No. 1- General Construction, Option 2 – Asphalt Pavement in the amount of \$4,776,075.75 and Alternate No. 1 Shared Use Path in the amount of \$584,597) for total award of \$5,360,672.75. Also, award Contract No. 2 - Electrical Construction to Denny’s Electric LLC in the amount of \$299,940. Motion seconded by Council Member Devlin and carried by the following roll call vote: Brenna, Devlin, Veeder, Sanford, and Beard; nays: none.

Council Member Sanford moved to approve the Proposal for Professional Services for 2019 Watford City Bridge Inspections between SRF Consulting Group, Inc and City of Watford City billed hourly not-to-exceed in the amount of \$25,289. Motion seconded by Council Member Brenna and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Brenna, and Veeder; nays: none.

Council Member Devlin moved to approve the Standard Terms and Conditions with Pro-West & Associates, Inc for GIS Requirement Gathering and Mini Needs Assessment and Infrastructure Review and Recommendations in the amount of \$9,825.20 contingent on City Attorney review and approval. Motion seconded by Council Member Brenna and carried by the following roll call vote: ayes: Sanford, Beard, Brenna, Devlin, and Veeder; nays: none.

Council Member Devlin moved to approve Mayor Riely signing two letters of support for two NDDOT – Transportation Alternatives Program (TAP) Grant Applications (2<sup>nd</sup> Ave Multi Use Path Project and Main Street S Multi Use Path Project). Motion seconded by Council Member Sanford and carried unanimously.

Council Member Devlin moved to approve Resolution 2019-11 - Resolution Authorizing the Issuance of State Aid Refunding Certificates of Indebtedness, Series 2019. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Brenna, and Veeder; nays: none.

Council Member Sanford moved to approve the bills as listed. Motion seconded by Council Member Veeder and carried unanimously. AFLAC \$5,044.52; EFTPS \$104,241.26; Nationwide Financial \$1,273.34; Nationwide Retirement Solutions \$5,388.73; NDPERS (AT&BT) \$867.30; NDPERS-Deferred Comp \$5,152.50; NDPERS – Retirement \$51,212.47; TASC \$5,677.58; Payroll \$275,921.36; Wolf Run Village \$3,050.00; 4T Construction \$2,872.21; 701 Clean, LLC \$12,075.00; Advanced Engineering \$6,594.70; Agency MABU \$1,789.00; Amadeus Hospitality Americas

\$4,505.00; Americ Inn of Valley City \$86.40; Andrew Schatz \$10.50; Anthony Ell \$171.50; Anthony Vinson \$603.00; Armor Interactive \$6,187.79; AVI Systems \$1,253.80; B Crack Sealing LLC \$6,390.00; Badger Oilfield Construction \$6,750.00; Badlands Hardware Inc. \$353.21; Badlands Power Fuels \$6,513.75; Baker Commodities \$245.00; Balco \$385.33; Bartlett & West \$29,315.83; BEK Consulting \$18,900.00; Big Boys Toys \$33.00; Border States Electric Supply \$3,309.38 Brady's Roadside Service \$450.00; Brosz Engineering \$100,979.46; C&C Plumbing & Heating \$1,615.00; C&D Water Services \$68.00; Calli Thorne -Pioneering Legacy \$4,200.00; CCR Williston III, LLC \$1,000.00; Charles M. Moran \$2,422.80; CIM Sanitary Tech \$5,000.00; CIMCO Refrigeration \$16,440.00; City of Watford City \$50.51; Clarke Mosquito Control \$57.77; Coborn's Inc. \$182.28; Cole Papers \$883.21; Core & Main LP \$3,911.46; Cornerstone Bank \$85,607.62; Country Inn & Suites \$605.58; Dakota Fence \$250.00; David Uhlich \$264.26; Dealers Electric \$21.12; Dean Anderson, Inc. \$4,160.00; Deans Distributing \$928.00; Dezurik, Inc. \$322.00; Dunn County Sheriff \$787.60; Dynamic Sawing & Coring, LLC \$4,442.50; E&M Services \$10,823.00; Eide Bailly LLP \$11,990.00; Family Crisis Shelter \$1,435.18; Farmer's Union Oil. Co \$8,883.86; Fastenal \$893.31; Fedex \$23.80; First International Insurance \$527.00; Flagshooter Inc. \$356.07; Garmans Flooring LLC \$2,202.41; Grace Demars \$211.93; Grand Hotel \$75.00; Greg's Welding \$4,325.79; Hampton Inn & Suites Downtown \$889.20; Hansen Diesel & Automotive \$342.53; Hawkeye Oil Field Supply \$66.04; Hawkins \$2,626.26; Heggen Equipment \$85.50; Herc-U-Lift \$585.22; Holiday Credit Office \$5,541.82; ICON Architects \$34,797.75; ITD \$4,503.83; Interstate Power Systems \$5,572.13; J Custom Electric \$3,542.88; Jacob S Moran \$840.00; Jack & Jill \$106.64; Jason Faller \$168.88; Johnson Controls \$359.20; Jonathan Davis \$229.00; Joshua R. Bean \$800.00; Korey Lass \$125.00; Kotana Communications \$1,898.00; Kristopher Katarzy \$2,500.00; Loffler Companies \$15.00; Lund Oil \$1,350.41; Marco Technologies \$2,025.06; McKennett Law Firm \$14,717.95; McKenzie County Farmer \$1,413.07; McKenzie County Landfill \$25,569.00; McKenzie County Water Resource \$102,102.14; McKenzie Electric \$4,175.00; Meuchel Enterprises \$2,610.20; Mike Butalon \$125.00; Mistras Group, Inc. \$975.00; MDU \$15,946.27; Motorola \$2,386.80; Mountain Plains LLC \$1,187.50; MVTL Laboratories \$1,324.00; National Tactical Officers \$586.00; NDSU Extension Service \$150.00; Nelson Contracting \$3,169.00; Nelson International \$87.51; Newfield Exploration \$41.26; Northern Heavy Duty Truck Parts \$1,117.25; OK Implement \$1,585.50; OK Tire Stores \$2,549.39; One Call Concepts \$238.35; Patricia Aipperspach \$900.00; Philip Riely \$153.18; Pioneer Museum \$2,006.36; Quality Flow Systems, Inc. \$2,774.48; Ray Allen Manufacturing \$17.98; RDO Trust \$5,183.22; Reservation Telephone \$24,381.87; Rough Rider Center \$29,105.67; Samantha Rosenau \$171.50; Sands Drywall Inc. \$1,828.00; Sandy L. Phillips \$1,120.00; Stein's Inc. \$307.78; Streicher's Inc. \$2,613.28; Swanston Equipment \$179.71; Symetra Life Insurance Company \$832.13; Tire-Rama Glendive \$9,133.44; Titanium Plumbing \$500.68; Tractor Supply Credit Plan \$25.44; Traffic Control Corp \$1,128.00; Uline \$213.83; UPS \$1,259.03; Valli Information Systems \$41.62; Verizon \$3,299.30; Visa \$3,374.17; Wagner Construction \$328,163.29; Wallwork Truck Center \$66.95; Warren Jarland \$264.26; Watford City Chamber \$20,000.00; Watford City Express Laundry \$696.86; Watford City Rotary Club \$312.00; Watford City Veterinary Clinic \$128.00; WillistonAuto.com \$1,261.19; Wingate by Wyndham Bismarck \$84.60; Wolf Run Village \$16,000.00.

The next regularly scheduled City Council meeting will be on Tuesday, January 7, 2020 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 6:54 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