

CITY OF WATFORD CITY
CITY COUNCIL MEETING
December 15, 2020

Minutes of the special City Council meeting held on December 15, 2020 at 5:30 p.m. at City Hall. Present was Mayor Phil Riely and Council Members Steve Sanford, Kenny Liebel, Lindsay Veeder, Bethany Devlin, and Matt Beard (via Zoom). Absent was Heidi Brenna. Also present was City Planner Curt Moen, City Auditor Peni Peterson, and City Attorney Wyatt Voll (via Zoom).

Mayor Riely called the Tax Abatement Hearing to order at 5:30 to Review Tax Abatement Application #4253 submitted by Auburn Ridge Associates, LLC, Tax Abatement Applications #4254 – 4339 submitted by Bison Run Land Holdings, LLC, and Tax Abatement Application #4340 submitted by Pheasant Ridge Owners LLC. Mr. David Tibbals, Fredrikson & Byron, P.A., was present via Zoom to represent the applicants.

Council Member Beard joined the meeting at 5:47 p.m.

Council Member Devlin moved to deny Tax Abatement Application #4253 (82-4212900) submitted by Auburn Ridge Associates LLC but to amend the 2018 Total True and Full Value from \$10,740,740 to \$10,321,000, as recommended by City Assessor Rita Olson. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Beard, Liebel, Veeder, and Devlin; nays: none.

Council Member Veeder left the meeting at 6:33 p.m.

Council Member Liebel moved to deny Tax Abatement Application #4254 (82-44-00100) submitted by Bison Run Holdings LLC leaving the 2018 Total True and Full Value at \$198,000. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Sanford, Liebel, Beard, and Devlin; nays: none.

Council Member Liebel moved to deny Tax Abatement Application #4255 (82-4400200) submitted by Bison Run Holding LLC but to amend the 2018 Total True and Full Value from \$1,064,000 to \$356,000. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Devlin, Beard, Sanford, and Liebel; nays: none.

Council Member Sanford moved to approve Tax Abatement Application #4339 (83-4104300) submitted by Bison Run Holding LLC reducing the 2018 Total True and Full Value from \$7,240 to \$3,250. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Sanford, Beard, Liebel, and Devlin; nays: none.

Council Member Liebel moved to approve Tax Abatement Application #4296 (82-4004400) submitted by Bison Run Holding LLC reducing the 2018 Total True and Full Value from \$11,520 to \$5,200. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Liebel, Sanford, Devlin, and Beard; nays: none.

Council Member Liebel moved to deny Tax Abatement Application #4277 (83-4002500) submitted

by Bison Run Holding LLC but to amend the 2018 Total True and Full Value from \$1,380 to \$500. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Beard, Devlin, Sanford, and Liebel; nays: none.

Council Member Devlin moved to deny Tax Abatement Applications (4256-4276) (4278-4295) (4297-4338) submitted by Bison Run Holding LLC leaving the 2018 Total True and Full Value, as previously certified to the McKenzie County Treasurer, for each property. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Devlin, Liebel, and Beard; nays: none.

Council Member Liebel moved to deny the Tax Abatement Application submitted by Pheasant Ridge Owners LLC leaving the 2018 Total True and Full Value for parcel 82-58-01000 at \$3,160,670. This motion is made with the disclaimer that the motion does not discredit the submitted appraisal or the appraisal company that prepared the document nor does it discredit the owner of the property or their business actions. The council feels the current assessed value is appropriate and that the City Assessor provided accurate information to back this value. The sale of a similar property located in Watford City during the relevant time period was not included in the Tax Payer's submitted appraisal in determining the sales comparison value, and the lack of tenants in the apartment 25% to 30% lower-than-market occupancy rate artificially lowered the applicant's proposed income approach value method, which should not have been an issue as other apartments in the city were at 80% occupancy during that same tax year. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Sanford, Beard, Liebel, and Devlin; nays: none.

Mayor Riely closed the Tax Abatement Hearing at 7:30 p.m.

Council Member Sanford moved to approve the Final Inspection and Acceptance Letter for Northern Improvement, Co. (14th Ave SE Street Extension Project). Motion seconded by Council Member Devlin and carried unanimously.

Council Member Devlin moved to approve the 2021 Lodging Tax Budget Requests. Rough Rider Center \$45,910; McKenzie County Tourism \$75,814; McKenzie County Cowboy Association \$7,500; Watford City Chamber of Commerce \$18,500; McKenzie County Heritage Association \$2,000; Long X Visitor Center/Pioneer Museum \$5,000; Long X Arts Foundation \$19,050; Badlands \$10,000; Legendary Adventures New Discoveries (L.A.N.D.) \$15,000. Also approved transferring \$10,000 from the Tourism 2020 budget to Pioneer Museum/Long X Visitor to be used as a community match for the Main Street Expansion Grant. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Liebel, Sanford, Beard, and Devlin; nays: none.

Council Member Beard moved to approve the First Reading on an Ordinance Amending Section 4-303 of Article 3, Chapter IV - Relating to Containers. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Beard moved to approve the First Reading on an Ordinance Amending Section 3-216 of Article 2, Chapter III - Relating to Curb Cock Specifications. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Devlin moved to approve December 24th, 2020 as a paid holiday for city employees. Motion seconded by Council Member Liebel and carried unanimously.

There being no further business, the meeting was adjourned at 7:33 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