

CITY OF WATFORD CITY
CITY COUNCIL MEETING
February 1, 2021

Minutes of the regular City Council meeting held on February 1, 2021 at 6:00 p.m. at City Hall. Present were Council Members Bethany Devlin, Kenny Liebel, Heidi Brenna, Matt Beard, Lindsay Veeder, and Steve Sanford. Absent was Mayor Phil Riely. Also present was City Planner Curt Moen, City Auditor Peni Peterson, and Attorney Wyatt Voll. President Liebel called the meeting to order with the Pledge of Allegiance.

Council Member Brenna moved to approve the February 1, 2021 agenda as presented. Motion seconded by Council Member Beard and carried unanimously.

Council Member Devlin arrived at 6:03 p.m.

Council Member Brenna moved to approve the minutes of the city council meeting held January 4, 2021, as presented. Motion seconded by Council Member Devlin and carried unanimously.

Agenda item for permit request to exceed limitation of dogs and cats was moved to end of agenda.

City Assessor, Rita Olson, presented Tax Abatement Applications (4356 - 4357), (4358), and (4359 – 4360).

Council Member Sanford arrived at 6:09 p.m.

Council Member Beard moved to table Tax Abatement Applications (4356 and 4357) submitted by Craig and Julie Nelson. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve Tax Abatement Application (4358) submitted by CJJ, LLC (parcel 82-7000200). Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Beard, Brenna, Devlin, Sanford, Liebel, and Veeder; nays: none.

Council Member Devlin moved to approve Tax Abatement Applications (4359 and 4360) submitted by Wolf Run Village, Inc (parcel 82-8600200 and 82-8600100). Motion seconded by Council Member Brenna and carried by the following roll call vote: ayes: Devlin, Liebel, Brenna, Veeder, Beard, and Sanford; nays: none.

Josh Nollmeyer and Pat Bertagnolli gave an update on the Rough Rider Center.

President Liebel called the Public Hearing, as advertised, to order to consider a Retail Alcoholic Beverage License Application (Class D, Sunday Opening) submitted by Watford City Parks and Recreation Foundation. There was no public comment or written comment received from the public. The Public Hearing was closed.

Council Member Sanford moved to approve the Retail Alcoholic Beverage License Application (Class D, Sunday Opening) submitted by Watford City Parks and Recreation Foundation. Motion

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

Chief Shawn Doble gave an update on the police department.

Council Member Beard moved to approve a Pole Attachment Agreement between Montana-Dakota Utilities and City of Watford City. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Beard, Devlin, Veeder, Sanford, Liebel; nays: Brenna.

Council Member Brenna moved to approve the recommendations from the Planning Commission from their January 25, 2021 meeting. Approved the following: Land Use Application for Conditional Use Permit – Annual Review submitted by SSID, LLC (Suds Laundry); Land Use Application for Conditional Use Permit – Annual Review submitted by Cross Point Church; Division of Land – Amended Final Plat – Dry Creek Communities. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Brenna, Sanford, Beard, Devlin, Liebel, and Veeder; nays: none.

Council Member Devlin moved to approve the quote from Northern Metal, for hole signs at the golf course, in the amount not to exceed \$13,192.20. Funds will be paid out of the Golf Course Expansion Construction budget. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Beard, Devlin, Liebel, Sanford, Veeder, and Brenna; nays: none.

Council Member Devlin moved to approve the 2021 Fox Hills Golf Course Membership and Fee Rates. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Brenna, Sanford, Beard, Devlin, Liebel, and Veeder; nays: none.

Council Member Beard moved to approve the Food & Beverage Lease Agreement between Six Shooters, LLC and City of Watford City. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Sanford, Brenna, Veeder, Beard, Devlin, and Liebel; nays: none.

Council Member Devlin moved to pay the past due payables totaling \$6363.28 for building maintenance items at the golf course. The city will invoice the Golf Course Board for reimbursement. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Veeder, Sanford, Devlin, Liebel, Brenna, and Beard; nays: none.

Council Member Devlin moved to approve clubhouse quotes from 701 Clean, LLC (\$5125), Public Works demo material (\$6000), kitchen equipment (\$33,670.95). Funds will be paid out of the City Improvement Fund (2230). Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Beard, Devlin, Liebel, Sanford, Brenna, and Veeder; nays: none.

No action was taken on the Stenehjem Commons Subdivision – Subdivision Improvement, Maintenance and Warranty Agreement.

Council Member Beard moved to release \$2,234,532.44 of the Stenehjem Development, LLP (Lots 50-113 Block 3 Residential Development) performance bond and hold \$558,633.11 of the performance bond until the warranty bond in the amount of \$558,633.11 is in place. The warranty

assurance is to be held until the completion of the warranty period ending October 27, 2022. Also approved the dedicated Improvement Works per the SI&A with the understanding the Developer will close out the remaining punch list items during the 2021 construction season. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Beard, Sanford, Liebel, Brenna, Devlin, and Veeder; nays: none.

Council Member Devlin moved to require the Warranty Assurance for Shangcheng Development/Emerald Ridge Phase II LLC, 15th Street NW and Emerald Ridge Road to remain in place until the completion of the warranty period ending October 20, 2022. The City also accepts the dedicated Improvement Works, as described in Section 1.a.i through 1.a.v of the SI&A, with the understanding the Developer will close out the remaining punch list items during the 2021 construction season and the final plat and documents will be recorded the first week of February 2021. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Leibel, Brenna, Sanford, Veeder, Beard, and Devlin; nays: none.

Council Member Devlin moved to approve the 2020 Year-end Budget Amendments in the amount of \$3,834,576.15. 1002 GPT Surplus \$980,241.83; 1003 WCPD Currency Fund \$11.90; 1010 Police Unit Fees & Donations \$121.01; 2080 Cemetery \$226.37; 2100 Lease of Law Enforcement Facility \$4,043.88; 2285 Restaurant & Lodging Tax \$65,799.59; 2410 Sales Tax Revenue Bond Surplus Fund \$816,525.02; 3075 Series 2019 State Aid Refunding Bond \$360,680.84; 4021 Storm Sewer Improvement District \$472,810.70; 4037 Park & 10th 2019 Reconstruction \$793,182.50; 4039 Golf Course Expansion Project \$220,162.96; 4040 Public Works Shop Construction \$11,707.12; 4044 Hwy 23 Bypass Loop Water Main \$16,498.50; 4045 3rd Ave SW 19-W1012:02 \$212.50; 4047 10th Ave NE Reconstruction FY2021 \$6,725.00; 4049 2019 ETA Roads ROW 19-W1013 \$36,547.04; 4051 Ground Reservoirs Recoating \$42,934.39; 4056 Wolf Pup \$6,145.00. Motion seconded by Council Member Brenna and carried by the following roll call vote: ayes: Sanford, Liebel, Devlin, Beard, Veeder, and Brenna; nays: none.

Council Member Devlin moved to approve publishing the 2020 Year-end Statement of Accounts by Fund. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Veeder, Beard, Brenna, Liebel, Sanford, and Devlin; nays: none.

Council Member Devlin moved to approve the January 2021 Fund Transfers in the amount of \$11,907,740.92. 1002 GPT Surplus to 3075 RR Bond Fund \$3,500,000; 1002 GPT Surplus to 4037 Park & 10th \$580; 1002 GPT Surplus to 4051 Ground Reservoirs Recoating \$4,177.12; 4045 3rd Ave SW to 4005 Capital Improvement Projects \$249,746.84; 4049 2019 ETA to 4005 Capital Improvement Projects \$861,762.96; 4050 14th Ave SE to 4005 Capital Improvement Projects \$7,045,000; 4054 2020 ETA to 4005 Capital Improvement Projects \$246,474. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Liebel, Brenna, and Veeder; nays: none.

Council Member Devlin moved to deny a permit request to exceed limitations of dogs and cats that was submitted by Amber Higgins. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Sanford, Liebel, Devlin, Veeder, Brenna, and Beard; nays: none.

Council Member Sanford moved to approve the bills as listed. Motion seconded by Council Member Brenna and carried unanimously. Aflac \$3,987.58; Blue Cross Blue Shield \$71,633.60; EFTPS \$151,902.35; Nationwide Financial \$1,698.11; Nationwide Retirement Solutions \$5,741.92; ND Job Service \$12,904.84; NDPERS (AT&BT) \$497.93; NDPERS-Retirement \$52,970.03; NDPERS-Def Comp \$4,822.58; Office of State Tax Commissioner \$14,040.04; Payroll \$250,848.54; Symetra Life Insurance \$1,127.75; TASC \$4,735.84; Wolf Run Village Inc. \$2,600.00; 3-D Specialties, Inc. \$130.44; 11th Avenue Partners LLC \$5,254.00; 3-D Specialties \$130.44; Accusource \$62.29; Advanced Elements \$1,019.25; Amanda Eisenschenk \$58.06; Armor Interactive \$10,325.70; Asdco Construction Supply \$49.49; Associated Pool Builders \$1,291.66; Badlands Hardware \$480.63; Badlands Occupational Testing \$618.00; Baker Commodities \$315.00; Balco Uniform \$1,907.93; Barrett Pharmacy \$30.98; Bayfront Builders C/O Jeff Hausman \$6,300.00; Black Mountain Software \$20,431.00; Blackout Energy Services \$945.70; Border States Electric Supply \$2,287.10; Brady's Towing & Recovery \$125.00; Burian & Associates \$16,014.39; C&D Water Services \$68.00; Cascade Glass & Signs \$255.60; Cellebrite \$4,300.00; CIM Sanitary Tech \$5,000.00; City of Watford City \$783.75; Code 2 K-9 Services \$649.98; Code Red Towing \$125.00; Dakota Back & Neck \$120.00; Dakota Pump and Control \$1,377.13; Dean Anderson \$3,500.00; ECOLAB \$322.08; Electro Watchman \$696.10; Environmental Consulting \$1,525.00; Family Crisis Shelter \$2,089.77; Farmers Union \$5,311.95; Fastenal Company \$1,148.48; Fire Extinguishing Systems \$284.80; First International Insurance \$50.00; Garmans Flooring \$249.00; Haldeman-Homme, Inc \$4,440.00; Hansen Diesel & Automotive \$1,336.12; Heggen Equipment \$62.26; High RPM \$133.90; Hill Enterprises \$1,279.18; Holiday Stationstores \$4,100.20; Hurley Enterprises \$765.00; IACP \$570.00; Information Tech Dept \$4,624.57; Interstate All Battery Center \$116.06; Jack and Jill \$43.90; Johnson & Sundeen Law Offices \$400.00; Johnson Controls \$2,002.82; JP Cooke Company \$83.40; Kalina Turf Consulting \$384.00; Knife River – North Central Region \$5,378.26; Lund Oil Inc. \$505.62; Marco Technologies \$4,548.44; McKennett Law Firm \$14,657.65; McKenzie County Auditor \$66,235.16; McKenzie County Ambulance \$14,096.60; McKenzie County Farmer \$623.35; McKenzie County GIS \$2,655.00; McKenzie County Healthcare \$8,000.00; McKenzie County Landfill \$17,921.65; McKenzie County School \$14,096.60; McKenzie County Treasurer \$1,044,173.20; McKenzie County Water Resource \$46,298.88; McKenzie County Weed Control \$882.14; McKenzie Electric \$6,615.00; Megan Bradford \$125.00; Meuchel Enterprises \$4,395.00; Microception \$1,620.00; Mid-States Organized Crime \$150.00; Miles Partnership \$200.00; Montana Dakota Utilities \$19,447.98; MVTL Laboratories \$1,504.00; Nardini Fire Equipment \$922.50; ND Dept. of Health – Chemistry Lab \$503.16; ND Dept. of Transportation \$2.00; ND Ready Mix & Concrete Products \$25.00; ND Safety Council \$843.10; ND Secretary of State \$36.00; ND State Radio Communications \$360.00; ND Workforce Safety & Insurance \$494.98; Nelson International \$182.55; Northern Pump & Compression \$228.24; NSC Minerals \$2,961.09; Office Depot \$74.95; Office of State Auditor \$260.00; OK Implement \$1,665.22; OK Tire Stores \$1,095.19; Olympic Sales \$657.44; One Call Concepts \$45.70; Petty Cash \$277.60; Praxair Distribution \$36.81; Pro Auto Body \$1,292.09; RDO Trust \$129.30; Record Keepers \$24.50; Reservation Telephone \$2,694.18; Rick Jore \$2,785.00; Roger Hoffman \$1,000.00; Rough Rider Center \$2,688.86; Stein's \$196.50; Stephanie Packer \$125.00; Suds Laundry \$26.40; Swanston Equipment \$2,541.82; TASC \$3,572.36; Theodore Roosevelt Expressway \$7,000.00; Tractor Supply Credit Plan \$24.97; Triple AAA Safety/Training \$1,802.64; Uline \$1,021.67; United Rentals \$2,432.95; UPS \$1,584.28; Valli Information \$1,526.86;

Verizon Connect \$32.38; Verizon Wireless \$3,280.02; Versatile Vehicles \$141.27; VISA \$14,196.96; Warne Chemical & Equipment \$65.34; Warren Smith \$450.00; Watford City Golf Club \$1,000.00; Watford City Lumber \$29.20; Watford City Park District \$27,558.41; Watford City Rotary Club \$431.00; Watford City Veterinary Clinic \$395.00; Wolf Run Village I \$20,000.00; Wolf Run Village II \$34,000.00.

The next regularly scheduled City Council meeting will be on Monday, March 1, 2021 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 7:42 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