

CITY OF WATFORD CITY
CITY COUNCIL MEETING
August 2, 2021

Minutes of the regular City Council meeting held on August 2, 2021 at 6:00 p.m. at City Hall. Present were Mayor Phil Riely and Council Members Kenny Liebel, Bethany Devlin, Lindsay Veeder, and Matt Beard. Absent was Steve Sanford and Heidi Brenna. Also present was City Auditor Peni Peterson and Attorney Wyatt Voll. Mayor Riely called the meeting to order with the Pledge of Allegiance.

Council Member Beard moved to approve the August 2, 2021 agenda with an addition, regarding deer in city limits, to be placed under Ordinance Committee. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Devlin moved to approve the minutes of the city council meeting held July 6, 2021, as presented. Motion seconded by Council Member Liebel and carried unanimously.

Mayor Riely opened the Public Hearing, as advertised, at 6:01 p.m. to hear public comment on a Petition to Vacate Right-of-Way submitted by MDS Fitness, Inc. There was no public comment or written comment received from the public. The Public Hearing was closed at 6:02 p.m.

Council Member Beard moved to approve the Petition to Vacate Right-of-Way submitted by MDS Fitness, Inc. located in Block 3 and 4 of Dahl's Addition. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Beard, Liebel, Veeder, and Devlin; nays: none.

Terry Moe, Rough Rider Center, gave an update on events held at the RRC during the month of July.

Chief of Police Wellen gave an update on the police department.

Council Member Devlin moved to approve the Memorandum of Understanding between McKenzie County and the City of Watford City regarding a DUI Task Force for September 3, 2021. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Veeder, Beard, Liebel, and Devlin; nays: none.

Council Member Beard 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 (3 mobile radios). Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Devlin, Veeder, Beard, and Liebel; nays: none.

Council Member Devlin moved to approve the recommendation from the Planning Commission from their July 27, 2021 meeting. Approved the following: Land Use Application – Conditional Use Permit Annual Review – SewFine Embroidery (Kathleen Tretter). Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Beard, Veeder, Devlin, and Liebel; nays: none.

Council Member Beard requested a Public Input section to take place during the September 7th Council Meeting to hear public comment on State Law (HB 2220) allowing for Sunday opening to begin at 8:00 a.m. for liquor license holders. Current city ordinance allows for 11:00 am opening on Sundays. A notice will be published in The Farmer seeking public comment on the topic.

Council Member Beard presented a citizen's concern regarding excessive deer in the city limits. The prior investigation from the same concern was discussed. No direction was given or action taken.

Council Member Beard moved to approve Resolution 2021-04 Resolution Deferring Interest Payment on Special Assessments. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Beard, Liebel, Veeder, and Devlin; nays: none.

Council Member Devlin moved to approve the recommendations from the Watford City Visitor's Committee from their July 21, 2021 meeting. Approved the applications from McKenzie County Hockey Club (\$4,000) and from Watford City Chamber of Commerce (\$7,000). Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Veeder, Devlin, Beard, and Liebel; nays: none.

Council Member Liebel moved to approve the Citizen Participation Plan for the Community Development Block Grant Program (SFN 52662) and the Code of Conduct for Tri County Regional Development Council. The purpose of this Code of Conduct is to ensure the efficient, fair, and professional administration of Federal grant funds in compliance with the Federal OMB and other applicable Federal and State standards, regulations, and laws. Motion seconded by Council Member Veeder and carried unanimously.

Council Member Liebel moved to approve the Subdivision Improvement, Maintenance, and Warranty Agreement with Bypass Properties, LLC for the Stenehjem Commons Subdivision and recognize the public infrastructure improvements as being accepted February 22, 2020, once the final map is recorded, and the warranty period will expire February 22, 2022. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Liebel, Veeder, Beard, and Devlin; nays: none.

Council Member Liebel moved to approve a portion of the water main constructed by Shangcheng Development, LLC along CR 35 between Jade Avenue and the proposed Emerald Ridge Road as accepted and to release the warranty assurance associated with the project. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Beard, Liebel, Veeder, and Devlin; nays: none.

Council Member Beard moved to release the Performance Bond and require a Warranty Bond for Dakota Gold Properties, LLC (Lot 1-58 of Block 3 of the Stepping Stone Subdivision) in the amount of \$801,576.42 to be in place. The City shall acknowledge the improvement works as accepted and the Warranty Assurance shall be held until the completion of the warranty period on June 30, 2023. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Veeder, Devlin, Liebel, and Beard; nays: none.

Council Member Devlin moved to release the Performance Bond for Stenehjem Development LLP (Lots 114- 139 of Block 3 of the Fox Hills Village Subdivision) and acknowledge the improvement works as accepted with the Warranty Assurance to be held until the completion of the warranty period on June 30, 2023. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Liebel, Beard, Veeder, and Devlin; nays: none.

Council Member Devlin moved to approve the following July 2021 GPT Revenue Fund Transfers totaling \$1,431,354.74: 1000 General Fund \$525,000; 1002 Budget Stabilization Fund \$25,000; 2010 Road Fund \$108,333.33; 2240 RRC Operating \$24,618.33; 2240 RRC Committed \$15,000; 2290 PD Car Fund \$5,666.66; 2290 Vehicle Replacement Fund \$10,000; 2310 Vector & Weed \$5,000; 3010 G.O. Hwy Bonds \$4,497.19; 3050 Oil & Gas Bonds \$10,625.31; 3075 RRC Bond \$497,992.71; 4005 Capital Improvement \$75,000; 5020 Sewer Bonds \$124,621.21. Motion seconded by Council Member Veeder and carried by the following roll call vote: ayes: Devlin, Beard, Liebel, and Veeder; nays: none.

Council Member Devlin moved to approve the SIRN 20/20 Project – Watford City Police Department in the amount of \$194,709.90. Actual cost of the project is \$262,209.90 however, law enforcement agencies are eligible for a \$1500/radio reimbursement for the State of North Dakota for new radio purchases that are SIRN 20/20 compatible. The PD will be purchasing 45 new radios and will receive a reimbursement of \$67,500. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Liebel, Beard, Devlin, and Veeder; nays: none.

Council Member Liebel moved to release a Request for Proposals for Information Consulting Services for City Hall. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Liebel moved to approve the 2022 Preliminary Budget and to set the 2022 Final Budget Hearing date for September 7, 2021 at 6:00 P.M. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Veeder, Devlin, Beard, and Liebel; nays: none.

Council Member Liebel moved to approve the Stipulation of Interest between City of Watford City, Paul Deutsch, and Doug Nenow. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Veeder, Liebel, Devlin, and Beard; nays: none.

Council Member Beard moved to approve the bills as listed. Motion seconded by Council Member Veeder and carried unanimously. Aflac \$3,846.90; Blue Cross Blue Shield \$71,005.51; EFTPS \$107,045.96; Nationwide Financial \$1,673.76; Nationwide Retirement Solutions \$5,784.54; ND Fraternal Order of Police \$275.00; NDPERS-AT \$704.87; NDPERS-Retirement \$34,295.64; NDPERS-Def Comp \$5,535.08; Payroll \$289,207.60; Symetra Life Insurance \$1,185.93; TASC \$5,676.44; Wolf Run Village Inc. \$750.00; 3-D Specialties \$800.00; Accusource \$191.33; Advanced Elements \$966.75; Agency Mabu \$5,559.38; American Public Works \$215.00; Anthony Ell \$152.00; Armor Interactive \$6,407.47; ASDCO Construction Supply \$219.98; Badger Oilfield Construction \$27,797.50; Badlands Occupational Testing \$348.00; Balco Uniform \$109.81; BEK Consulting \$3,736.80; Border States Electric Supply \$3,527.95; Brady's Towing & Recovery \$250.00; Bridgestone Golf \$2,813.88; Brosz Engineering \$4,540.00; Burian & Associates \$23,970.13; C Emery Nelson \$192.43; C&D Water Services \$59.50; Callaway \$3,342.83; Canad Inns Destination

Center \$1,123.20; Carquest Auto Parts \$110.11; CIM Sanitary Tech \$5,000.00; Cimco Refrigeration \$16,440.00; City of Watford City \$415.91; Cole Papers \$347.82; Core & Main \$7,216.16; Craig's Small Engine \$57.79; Curtis Moen \$488.00; Dean Anderson \$5,480.00; Ecolab \$102.25; Family Crisis Shelter \$778.32; Farmers Union \$11,302.31; Fastenal Company \$2,268.41; First International Insurance \$53,870.00; Flexible Pipe Tool 664.75; FN High Quality \$392.00; Forum Communications \$428.92; Garmann Trucking \$2,156.25; Golf Max \$61.49; Gooseneck Implement \$1,137.59; Greg's Welding \$686.24; GS Systems \$7,770.00; Hansen Diesel & Automotive \$91.22; Hawkins \$551.94; Heggen Equipment \$521.58; Helena Chemical \$1,202.50; High RPM \$82.40; Hill Enterprises \$424.49; Holiday Stationstores \$5,377.65; Hovex Inc. \$2,767.00; Hurley Enterprises \$170.00; Information Tech Dept \$4,708.36; Insight Public Sector \$2,035.27; Jack and Jill \$44.66; Jones Sign Co \$11,756.00; Journal Publishing \$434.00; JP Morgan Chase Bank \$1,968.64; Laurent Family \$1,548.00; Lund Oil Inc. \$1,880.65; Marc Ceynar \$409.75; Marco Technologies \$2,599.50; McKennett Law Firm \$15,162.50; McKenzie County Auditor \$55,290.20; McKenzie County Farmer \$2,957.37; McKenzie County Landfill \$20,795.00; McKenzie County Water Resource \$175,455.80; McKenzie Electric \$7,410.00; Memorial Monuments \$1,695.00; Meuchel Enterprises \$4,603.00; Montana Dakota Utilities \$16,039.32; MTI Distributing \$354.51; MVTL Laboratories \$868.50; ND League of Cities \$4,294.00; ND State Radio Communications \$360.00; NDSWRA \$135.00; Nelson Contracting \$159.00; Nelson International \$1,179.75; Normont Equipment \$9,487.00; Northwestern Power Equipment \$9,096.00; Nova Fire Protection \$695.00; OK Implement \$1,094.99; OK Tire Stores \$15.00; Olympic Sales \$280.31; One Call Concepts \$115.40; P&W Golf Supply \$25.99; Praxair Distribution \$37.19; Premier Network Solutions \$1,200.00; Pro Auto Body \$3,550.41; Quadient Finance USA \$500.00; Quality Quick Print \$1,595.00; Radisson Hotel Bismarck \$142.00; RDO Trust \$569.13; Record Keepers \$16.00; Republic EES, LLC \$3,500.00; Reservation Telephone \$2,986.38; Rough Rider Center \$41,045.36; Sherwin-Williams \$1,464.77; Swanston Equipment \$1,756.42; Tana Hinricksen \$2,030.00; Taylor Made Golf Company \$1,859.85; The Huntington National Bank \$23,787.91; The Round-Up \$169.31; Traffic Control \$915.00; Triple AAA Safety/Training \$80.00; Valli Information \$804.97; Vazquez Contracting \$2,550.00; Verizon Connect \$16.19; Verizon Wireless \$3,328.37; Versatile Golf Cars \$4,500.00; Voss Signs \$216.00; Wallace O. Johnson Estate \$175.00; Watford City Golf Club \$1,000.00; Wolf Run Village I \$32,000.00; Wolf Run Village II \$10,000.00.

The next regularly scheduled City Council meeting will be on Tuesday, September 7, 2021 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 7:15 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