

CITY OF WATFORD CITY
CITY COUNCIL MEETING
August 7, 2023

Minutes of the regular City Council meeting held on August 7, 2023 at 6:00 p.m. at City Hall. Present were Mayor Phil Riely and Council Members Bethany Devlin, Kenny Liebel, Lance Renville, Steve Sanford, Matt Beard, and Chelsea Bulzomi. Also present was City Administrator Curt Moen, City Auditor Peni Peterson, and City Attorney Wyatt Voll. Mayor Riely called the meeting to order with the Pledge of Allegiance.

Council Member Devlin moved to approve the August 7, 2023 meeting agenda, as presented. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Sanford moved to approve the minutes of the city council meetings held July 10, 19, and July 31, 2023. Motion seconded by Council Member Renville and carried unanimously.

Council Member Devlin moved to approve Ribfest street closures beginning Thursday, August 10th at 10:00 am for stage set up and VIP tent set up. Street closure will include main street (Park Ave – 4th Ave) and will be closed Thursday 10:00 am – 6:00 am Saturday, August 12th. Alcohol sales will be allowed in designated cups on Friday from 11:00 am – 1:00 am. Motion seconded by Council Member Liebel and carried unanimously.

Sara Fitzpatrick gave an update on the Roughrider Center.

Travis Rodenhizer gave an update on the Fox Hills Golf Course.

Chief Wellen gave an update on the police department.

Council Member Liebel moved to approve the Memorandum of Understanding Between McKenzie County and City of Watford City in regard to Driving Under the Influence Task Force. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Devlin, Sanford, Beard, Bulzomi, Liebel, and Renville; nays: none.

Eric Pederson, ND Sr. IT Program Administrator, was present and gave information on the state SIRN program and that he is requesting approval of a Tower Lease and Use Agreement between the State of North Dakota and the City of Watford City to allow the installation of an antenna and equipment on the NW water tank.

Council Member Sanford moved to approve the Tower Lease and Use Agreement subject to review and approval from City Attorney Voll and Superintendent of Public Works Justin Smith. Motion seconded by Council Member Beard and carried unanimously.

At 6:21 p.m. Council Member Beard made a motion to move into executive session as allowed by NDCC 44.04-19.1 for Attorney update regarding settlement negotiations with Hunters Run, LLC. Motion seconded by Council Member Bulzomi and carried unanimously.

Whereby, the City Council met in executive session to consult with the attorney regarding settlement negotiation strategy as authorized by NDCC 44-04-19.1. Present were Mayor Riely and Council Members Devlin, Beard, Liebel, Renville, Sanford, and Bulzomi. Also present was City Administrator Moen, City Auditor Peterson, City Attorney Wyatt Voll and Attorney Howard Swanson (via zoom). Consensus of the City Council was for Attorney Swenson and Attorney Voll to move forward with settlement negotiations with Hunters Run, LLC. The executive session was adjourned at 6:44 p.m.

Council Member Sanford moved to approve the recommendations from the Planning Commission meeting held July 26, 2023. Approved: Division of Land Use Application – Simple Lot Split submitted by Marco Pelton; Conditional Use Permit – Daycare Facility submitted by Language Explorers Academy, LLC; Division of Land Application – Simple Lot Split submitted by Lee & Bobby Traub. Motion seconded by Council Member Renville and carried by the following roll call vote: ayes: Sanford, Devlin, Bulzomi, Renville, Liebel; nays: none. Abstained: Beard.

Council Member Beard moved to approve the First Reading on an Ordinance Adding Section 2-228 to Article 2 of Chapter 2 - Relating to Closing Road Due to Hazardous Conditions. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve the First Reading on an Ordinance Adding Section 8-928 to Article 9 of Chapter 8 - Relating to Permitting Use of Vehicle to Violate Section 8-916 Prohibited - Resumption of Permission - Defense- Dual Prosecution Prohibited. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve the First Reading on an Ordinance Adding Section 8-929 to Article 9 of Chapter 8- Relating to One-Way Roadways and Rotary Traffic Islands. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve the First Reading on an Ordinance Amending Article 15 of Chapter 4 - Relating to Trees. Motion seconded by Council Member Renville and carried unanimously.

Council Member Beard moved to approve the First Reading on an Ordinance Amending Section 8-604 of Article 6 of Chapter 8 - Relating to Turning Movements and Required Signals. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve the First Reading on an Ordinance Amending Section 8-701 of Article 7 of Chapter 8 - Relating to Stop Signs and Yield Signs. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Beard moved to approve the First Reading on an Ordinance Amending Section 8-915 of Article 9 of Chapter 8 - Relating to Vehicle Approaching or Entering Intersection. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve the First Reading on an Ordinance Amending Section 8-916 of Article 9 of Chapter 8 - Relating to Overtaking and Passing School Bus. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Beard moved to approve the First Reading on an Ordinance Amending Section 8-1701 of Article 17 of Chapter 8- Relating to Windshield - Must be Unobstructed and Equipped with Wipers - Tinted Windows. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve the First Reading on an Ordinance Amending Section 8-1707 of Article 17 of Chapter 8 - Relating to Use of Safety Belts Required in Certain Motor Vehicles - Enforcement – Evidence. Motion seconded by Council Member Bulzomi. Motion carried.

Council Member Beard moved to approve the First Reading on an Ordinance Amending Section 9-301 of Article 3 of Chapter 9 - Relating to Criminal Mischief. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Bulzomi moved to approve the Enhancement Grant Application submitted by Arnegard Spud Fest Harvest Festival in the amount of \$352 to be used towards their harvest event being held in September. Motion seconded by Council Member Beard and carried unanimously.

Council Member Beard moved to deny the Central Business District Façade application submitted by McKenzie Health Care Systems as they are not located in the Central Business District. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Devlin moved to approve the Annual Step Increases for: Jayden Uhlich H-2; Ty Trotter J-3; Mariah Pavek K-8. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Devlin moved to renew a 5-year irrigation agreement with The Toro Company in the amount of \$15,180. Motion seconded by Council Member Sanford and carried by the following roll call vote: Sanford, Liebel, Bulzomi, Devlin, Renville, and Beard; nays: none.

Council Member Devlin moved to approve the quote from Cordova Construction to repair holes 4 & 6 at the golf course in the amount of \$68,320. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Beard, Liebel, Bulzomi, Renville, Sanford, and Devlin; nays: none.

Council Member Devlin moved to approve the 3-month agreement with Versatile Golf Cars for an additional 20 golf carts in the amount of \$14,300. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Renville, Sanford, Beard, Devlin, Liebel, and Bulzomi; nays: none.

Council Member Devlin moved to approve hiring Jodus Talley as Greenskeeper I (Category K, Step 0) starting September 1, 2023. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Bulzomi, Beard, Devlin, Liebel, Renville, and Sanford; nays: none.

Council Member Bulzomi moved to request Attorney Voll contact Reservation Telephone Cooperative to discuss adding a Public Education Channel that the Community Development department would operate. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Devlin moved to approve the 2024 Preliminary Budget and to set the final budget hearing date for October 2, 2023 at 6:00 p.m. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Liebel, Sanford, Bulzomi, Devlin, Renville, and Beard; nays: none.

Council Member Devlin moved to approve the July GPT allocations totaling \$1,691,913.32: 1000 General Operating \$520,883.33; 1002 Budget Stabilization Fund \$0; 2010 Road Fund \$320,500; 2240 RRC Operating \$76,333.33; 2245 Fox Hills Golf Course \$41,666.67; 2290 Vehicle Replacement Fund \$12,833.32; 2310 Vector & Weed \$8,333.33; 3010 G.O. Hwy Bonds \$4,882.92; 3050 Oil & Gas Bonds \$10,647.09; 3075 RRC Bond \$600,000; 4005 Capital Improvement \$0; 4039 Golf Course Expansion \$0; 5020 Sewer Bonds \$95,833.33. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Renville, Bulzomi, Liebel, Devlin, and Sanford; nays: Beard.

Council Member Bulzomi moved to reinvest the \$1,000,000 Roughrider Fund investment that matures on 8/31/2023 for a 6-month term at the best rate available. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Liebel, Sanford, Beard, Devlin, Bulzomi, and Renville; nays: none.

Resolution No. 2023-13 – Resolution Approving Urban Area Boundary was tabled until the final Urban Area boundary map is completed.

Council Member Sanford moved to approve Pay Application #5 submitted by Construction Engineers, Inc. (Watford City New Public Works Facility) in the amount of \$2,089,481.30. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Renville, Bulzomi, Sanford, Liebel, and Devlin; nays: none.

No action was taken on the 3rd Ave Right of Way discussion.

Council Member Devlin moved to approve the Memorandum of Understanding between the City of Watford City and TrainND Northwest Foundation. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Sanford, Devlin, Renville, Bulzomi, Liebel, and Beard; nays: none.

Council Member Devlin moved to approve the Memorandum of Understanding between the City of Watford City and TrainND Northwest. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Bulzomi, Beard, Renville, Liebel, Sanford, and Devlin; nays: none.

Council Member Sanford moved to approve the bills as listed. Motion seconded by Council Member Beard and carried unanimously. Aflac \$4,931.14; EFTPS \$199,354.22; Nationwide Financial \$2,233.76; Nationwide Retirement Solutions \$5,072.50; ND Fraternal Order of Police \$423.98;

NDPERS-Def Comp \$8,937.50; Office of State Tax Commissioner \$18,612.23; Payroll \$548,877.93; Symetra Life Insurance \$1,261.66; TASC \$6,723.60; Wolf Run Village Inc. \$500.00; Acushnet Company \$2,450.33; Adglobal \$1,789.95; Advanced Elements \$3,150.00; Agri Industries \$1,146.01; AgTerra Technologies \$35.00; Ahead LLC \$1,778.33; Armor Interactive \$19,364.98; Astro Chem Service \$100.00; Badlands Hardware \$1,897.53; Badlands Occupational Testing \$203.00; Baker Energy Services \$47,215.13; Bakken Classic Junior Livestock \$3,000.00; Balco Uniform \$3,606.30; Bartlett & West \$5,920.25; BEK Consulting \$41,479.45; Bill Thinnes \$181.10; Border States Electric \$1,104.30; Brady's Towing & Recovery \$1,575.00; Brosz Engineering \$1,620.00; Brownells \$44.45; Buttons by Fish \$75.00; C&CB Aggregate Transport \$5,408.93; C&D Water Services \$156.75; Callaway \$8,128.07; Cascade Glass & Signs \$2,600.50; CIM Sanitary Tech \$6,500.00; Cimco Refrigeration \$8,220.00; City of Watford City \$417.72; Cole Papers \$3,239.55; Community Products LLC \$118,995.00; Construction Engineers \$2,970,363.40; Craig's Small Engine Repair \$1,657.06; Daniel Barry \$105.00; Dakota Back & Neck \$120.00; Darwin Krabbenhoft \$116.50; Deans Distributing \$3,552.41; Deron & Vouchly Darvial \$37.51; Dustbusters Enterprises \$17,775.40; Extreme Hobbies LLC \$10,010.74; Family Crisis Shelter \$2,158.18; Farmers Union \$19,292.50; Fastenal \$929.34; First International Insurance \$593.00; Flyte Golf Corp \$1,420.00; Forum Communications \$929.13; Galls \$64.07; Gateway Chevrolet \$110,669.00; Gooseneck Implement \$46.90; GS Systems \$10,350.00; Hansen Diesel & Automotive \$4,948.80; Harlow's School Bus Service \$5,430.00; Hawkins \$5,758.46; Heggen Equipment \$150.00; Helena Chemical \$875.00; High RPM, LLC \$9,079.09; Hill Enterprises \$786.93; Hovex Inc \$2,600.00; Hurley Enterprises \$1,005.00; ICON Architectural \$15,178.19; IDI \$51.50; Information Technology Dept \$5,269.10; International Assoc. for Property \$175.00; IXOM Watercare \$28,392.00; Jack & Jill \$452.52; Jake Walters \$28.99; JJ Electric \$996.08; Jones Contractors \$73,202.00; JP Morgan Chase Bank \$2,630.26; Kirkwood Ace Hardware \$3,049.00; KO Safety Services \$160.38; Kotana Communications \$340.00; La Quinta By Wyndham Bismarck \$561.00; Landscape Elements \$27,614.00; Language Explorers Academy \$4,661.55; Language Link \$16.70; Law Enforcement Admin. \$149.00; Long X Arts Foudnation \$5,500.00; Lund Oil \$1,793.87; Marco Technologies \$2,216.04; Mayo Construction \$1,800.00; McCody Concrete \$642.50; McKennet Forsberg & Voll \$20,620.08; McKenzie County Auditor \$49,065.47; McKenzie County Farmer \$3,390.11; McKenzie County Healthcare Systems \$319,868.29; McKenzie County JDA \$1,009.99; McKenzie County Landfill \$22,602.45; McKenzie County School \$720.00; McKenzie County Water Resource \$311.19; McKenzie Electric \$7,941.00; Mel-Ink Studio \$420.00; Meuchel Enterprises \$187.29; Minnesota Native Landscapes \$502.00; MDU \$19,170.47; Motorola Solutions \$36,100.00; Mowbray & Son Plumbing & Heating \$142,190.00; MTI Distributing \$12,519.56; MVTL Laboratories \$2,216.50; NASRO \$500.00; ND Building Official Association \$50.00; ND Dept of Environmental Quality \$503.16; ND Dept of Transportation \$3,118.43; ND Office of State Tax Commissioner \$7,599.54; ND Secretary of State \$72.00; ND State Radio Communications \$360.00; ND Workforce Safety & Insurance \$22.67; NDSWRA \$135.00; Northwester Power Equipment \$2,445.20; OK Implement \$1,854.55; OK Tire Stores \$174.66; One Call Concepts \$171.25; Otis Elevator Company \$1,812.00; Partyrite, LLC \$635.56; PING \$8,665.77; Post Board \$150.00; Pro Auto Body \$730.56; Proactive Sports \$661.65; Quadient Finance \$503.00; Quadient Leasing \$134.22; Quality Quick Print \$1,950.00; R&C Tree Service \$3,500.00; Ramkota Hotel – Bismarck \$176.40; RDO Trust \$354.01; Record Keepers LLC \$17.50; Reinders \$4,406.97; Reservation Telephone \$3,433.77; Rough Rider

Center \$49,996.64; Roughrider Industries \$1,170.25; Schaefer Plastics North America \$9,380.00; Sign Solutions \$3,258.01; Sirchie Acquisition Company \$299.91; Six Shooters \$1,372.53; SP&E \$11,250.00; Sun Mountain Sports \$1,125.00; Supreme International \$384.00; Swanson & Warcup LTD \$48,968.23; Swanston Equipment \$6,692.82; Tecta America Dakotas \$2,313.26; TENET \$205.99; The Corner Post \$134.89; The Huntington National Bank \$10,435.00; The Round-Up \$758.25; The Tessman Company \$14,263.91; Timeclock Plus \$54.40; Titanium Plumbing \$979.13; Tokyo Japanese Steakhouse \$3,424.80; Turfwerks \$298.45; Valli Information \$1,026.47; Van Diest Supply Company \$2,765.00; Verizon Connect \$19.19; Verizon Wireless \$3,478.86; Wallwork Truck Center \$1,832.00; Watford City Airport Authority \$5,200.00; Watford City Chamber of Commerce \$3,000.00; Watford City Park District \$4,513.59; Watford City Veterinary Clinic \$723.81; Western Dakota Energy \$5,250.00; WEX Bank \$1,925.86; Wild Wren Design \$400.00; Wolf Run Village I \$36,712.44; Wolf Run Village II \$1,562.69.

The next regularly scheduled City Council meeting will be on Tuesday, September 5, 2023 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 7:53 p.m. These minutes are published subject to the City Council's Review and Revision pursuant to NDCC 40-01-09.1.

Peni Peterson, City Auditor

Philip K. Riely, Mayor