

CITY OF WATFORD CITY
CITY COUNCIL MEETING
October 02, 2023

Minutes of the regular City Council meeting held on October 2, 2023 at 6:00 p.m. at City Hall. Present were Mayor Phil Riely and Council Members Lance Renville, Steve Sanford, Matt Beard, and Chelsea Bulzomi. Absent was Bethany Devlin and Kenny Liebel. 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 Renville moved to approve the October 2, 2023 meeting agenda, as presented. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Bulzomi moved to approve the minutes of the city council meeting held September 6, 2023. Motion seconded by Council Member Renville and carried unanimously.

Attorney Howard Swanson gave an update on the Hunters Run Settlement and provided a Settlement Agreement and Mutual Release between the City of Watford City, Hunters Run, LLC, and Touraj Jason Vedadi.

Council Member Renville moved to prove the terms of the Settlement Agreement and Mutal Release between the City of Watford City, Hunters Run, LLC, and Tourai Jason Vedadi and to allow city officials to sign the agreement. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Beard, Bulzomi, Renville, and Sanford; nays: none.

Moved by Council Member Bulzomi that the following resolution be adopted: Whereas, the City Council did on the 7th of August 2023 adopt a preliminary budget for January 1, 2024 through December 31, 2024, and that the budget notice of the final hearing to be held at this time and place was published; Therefore, be it resolved that the Final Budget be adopted, and the following amounts be levied: General Fund \$1,446,979; Emergency \$40,000; Cemetery \$63,000 Lease of Law Enforcement Facilities \$142,100 totaling \$1,692,079. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Beard, Sanford, Bulzomi, and Renville; nays: none.

Sara Fitzpatrick gave an update on the Roughrider Center.

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

Chief Wellen gave an update on the police department.

Council Member Beard moved to approve the Land Use Application – Zone Change submitted by Alquist Welding rezoning property located at 1420 11th Ave SE from A-2 to Industrial. Motion seconded by Council Member Renville and carried by the following roll call vote: ayes: Bulzomi, Renville, Sanford, and Beard; nays: none.

Council Member Bulzomi moved to approve the Land Use Application – Zone Change submitted by Northern States Fishing Tools rezoning property located at 1004 4th St SW from A-2 to Industrial. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Renville, Beard, and Bulzomi; nays: none.

Council Member Beard moved to deny the Land Use Application – Zone Change submitted by Jerry Foley for property located at 605 Main St S. The current zoning for the property is C-1 General Commercial and rezoning to Industrial would be difficult as mixing industrial traffic with commercial/public traffic on the shared access road is inappropriate and unsafe. The site development did not take into account heavier industrial use in terms of road design, traffic separation, or similar. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Sanford, Renville, Beard, and Bulzomi; nays: none.

Council Member Sanford moved to approve Quote NoSG230103 from CIMCO in the amount of \$8,023.58 for the installation of a DDC computer for the Rough Rider Center. Motion seconded by Council Member Renville and carried by the following roll call vote: ayes: Renville, Sanford, Beard, and Bulzomi; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #613 Amending Section 8-308 of Article 3 or Chapter 8 - Relating to Operation of Vehicles on Approach of Authorized Emergency Vehicles. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Bulzomi, Beard, Renville, and Sanford; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #614 Repealing Section 8-309 of Article 3 of Chapter 8 - Relating to Written Report of Accident. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Sanford, Renville, Beard, and Bulzomi; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #615 Adding Section 8-310 to Article 3 of Chapter 8 - Relating to Highway Construction and Maintenance. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Renville, Sanford, Bulzomi, and Beard; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #616 Amending Section 8-501 of Article 5 of Chapter 8 - Relating to Basic Rules - Careless Driving - Penalty For. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Sanford, Renville, Beard, and Bulzomi; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #617 Amending Section 8-922 of Article 9 of Chapter 8 - Relating to Following Emergency Vehicle Too Closely Prohibited. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Renville, Sanford, Bulzomi, and Beard; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #618 Amending Section 8-924 of Article 9 of Chapter 8 - Relating to Open Bottle Law – Penalty. Motion seconded by Council

Member Bulzomi and carried by the following roll call vote: ayes: Bulzomi, Beard, Renville, Sanford; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #619 Amending Section 8-1311 of Article 13 of Chapter 8 - Relating to Parking Privileges for Physically Handicapped Certificate – Revocation. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Sanford, Renville, Beard, and Bulzomi; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #620 Adding Section 8-311 to Article 17 of Chapter 8 - Relating to Permitting Use of Vehicle to Violate Section 8-308 Prohibited - Presumption of Permission - Defense - Dual Prosecution Prohibited. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Renville, Sanford, Bulzomi, and Beard; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #621 Repealing and Replacing Section 8-1705 of Article 17 of Chapter 8 - Regarding Modification of Motor Vehicle. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Bulzomi, Beard, Renville, and Sanford; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #622 Amending Section 8-1706 of Article 17 of Chapter 8 - Regarding Scope and Effect of Equipment Requirements – Penalty. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Sanford, Renville, Bulzomi, and Beard; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #623 Amending Section 9-201 of Article 2 of Chapter 9 - Relating to Simple Assault. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Renville, Sanford, Bulzomi, and Beard; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #624 Amending Section 9-202 of Article 2 of Chapter 9 - Relating to Harassment. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Sanford, Renville, Beard, and Bulzomi; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #625 Repealing and Replacing Section 9-302 of Article 3 of Chapter 9 - Regarding Tampering with or Damaging a Public Service. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Renville, Sanford, Bulzomi, and Beard; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #626 Repealing and Replacing Section 9-304 of Article 3 of Chapter 9 - Regarding Criminal Trespass. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Bulzomi, Beard, Renville, and Sanford; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance #627 Adding Section 2-228 to Article 2 of Chapter 2 - Relating to Closing Road and Sidewalk Due to Hazardous Conditions.

Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Sanford, Renville, Beard, and Bulzomi; nays: none.

Council Member Beard moved to approve the First Reading of an Ordinance Amending Section 1-704 of Article 7 of Chapter 1 Relating to Duties of Police. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Beard moved to approve the First Reading of an Ordinance Amending Section 8-923 of Article 9 of Chapter 8 - Relating to Garbage, Glass, Etc., on Highways Prohibited. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Beard moved to approve the First Reading of an Ordinance Amending Section 8-1305 of Article 13 of Chapter 8 - Relating to Additional Parking Regulations. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Beard moved to approve the First Reading of an Ordinance Amending Section 8-2004 of Article 20 of Chapter 8 - Relating to Duty Upon Striking Fixtures Upon a Highway. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Beard moved to approve the First Reading of an Ordinance Amending Section 8-2008 of Article 20 of Chapter 8 - Relating to License to be Carried and Exhibited on Demand. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Beard moved to approve the First Reading of an Ordinance Repealing Section 9-103 of Article 1 of Chapter 9 - Regarding Criminal Contempt. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Beard moved to approve the First Reading of an Ordinance Amending Section 8-905 of Article 9 of Chapter 9 - Relating to Drive on Right Side of Roadway – Exception. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Beard moved to approve closing main street from Park Ave to 4th Ave on October 24th from 3:15 pm – 7:00 pm to allow for Main Street Summit events. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Beard moved to approve the Rough Rider Build Grant for Watford City Community Benefit Association in the amount of \$150,000 to buyout the remaining 11 years of their Long X Visitor Center lease and support their goal of administering a managed trust fund to continue carrying out their mission of supporting large community improvement projects. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Beard, Bulzomi, Sanford, and Renville; nays: none.

Council Member Bulzomi moved to approve the Annual Step Increase for: Korey Lass D-2; Jesse Wellen B-9; Andrew Langowski E-8; Matt Hooper E-8. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Bulzomi moved to approve Personnel Manual amendments to the following policies: 100 Recruitment and Selection, 303 Paid Time Off, 308 Longevity Bonus, 405 Employment Termination, and 714 Drug Testing. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Bulzomi moved to increase the City contribution by an additional 1% for the employee NDPERS Retirement Plan, effective January 1, 2024, as required by NDPERS. Motion seconded by Council Member Renville and carried by the following roll call vote: ayes: Renville, Sanford, Bulzomi, and Beard; nays: none.

Council Member Bulzomi moved to approve purchasing a vehicle for the Assessor Department for an amount not to exceed \$24,980. Motion seconded Council Member Sanford and carried by the following roll call vote: ayes: Beard, Renville, Sanford, and Bulzomi; nays: none.

Council Member Bulzomi moved to approve a Rough Rider Center Naming Rights Rate Sheet. Motion seconded by Council Member Beard and carried unanimously.

Council Member Bulzomi moved to approve the City Vector apply for the America the Beautiful Project Grant and the America the Beautiful Grant. Motion seconded by Council Member Beard and carried unanimously.

Council Member Bulzomi moved to approve the September 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 Renville. Motion carried.

Council Member Bulzomi moved to approve the following reinvestments for a 6-month term: \$1,000,000 Roughrider Fund, \$2,250,000 Public Works Shop, 3rd Ave CIP \$395,000; also approved the following reinvestment for a 1-year term: GPT Budget Stabilization \$1,400,000, 2015 RRC Bond Surplus \$2,500,000, 2015 SID Bonds \$2,600,000, Fire Facility Fund \$300,000, Roughrider Fund Budget Stabilization \$2,500,000. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Beard, Sanford, Renville, and Bulzomi; nays: none.

Council Member Beard moved to approve Change Order 004 submitted by Construction Engineers, Inc. (Watford City New Public Works Facility) in the amount of \$2,060. Motion seconded by Council Member Renville and carried by the following roll call vote: ayes: Beard, Sanford, Renville, and Bulzomi; nays: none.

Council Member Sanford moved to approve Pay Application #7 submitted by Construction Engineers, Inc. (Watford City New Public Works Facility) in the amount of \$1,511,330.50. Motion

seconded by Council Member Beard and carried by the following roll call vote: ayes: Sanford, Bulzomi, Beard, and Renville; nays: none.

Council Member Sanford moved to approve the Letter of Agreement between City of Watford City and AE2S – WaterSMART Grant Application Development for an amount not to exceed \$11,900. Motion seconded by Council Member Renville, Bulzomi, Sanford, and Beard; nays: none.

Council Member Beard moved to approve the Advertisement for Bids for 3rd Ave SW Reconstruction. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Sanford moved to approve the Advertisement for Qualifications for Hunters Run Design and Construction Engineering. Motion seconded by Council Member Renville and carried unanimously.

Council Member Sanford moved to approve the bills as listed. Motion seconded by Council Member Bulzomi and carried unanimously. BCBS of ND \$91,012.40; EFTPS \$134,571.23; Nationwide Financial \$1,926.93; Nationwide Retirement Solutions \$4,796.74; ND Fraternal Order of Police \$399.04; NDPERS-Def Comp \$9,335.00; Payroll \$364,695.98; Symetra Life Insurance \$1,280.45; Wolf Run Village Inc. \$500.00; TASC \$7,277.76; Accusource \$151.40; Advanced Business Methods \$154.70; Advanced Elements \$5,813.50; Affordable Tree Service LLC. \$8,400.00; AgTerra Technologies \$35.00; Amanda Eisenschenk \$22.00; American Legion \$343.00; Andrew Eisenschenk \$112.00; Andrew Langowski \$112.00; Andrew Swanson \$83.99; Armor Interactive \$12,139.85; Badger Oilfield Construction, LLC. \$1,800.00; Badlands Hardware, Inc. \$1,469.21; Badlands Occupational Testing \$38.00; Bailey Swanson \$22.00; Balco Uniform \$320.12; BEK Consulting LLC \$31,237.54; Blue Butte Aggregates \$6,308.82; Border States Electric \$14,777.69; Brady's Towing & Recovery \$475.00; Brightly Software \$4,156.25; Brock White \$189.95; Brosz Engineering \$197.50; Buttons by Fish \$624.80; C&D Water Services \$43.75; Canad Inns Destination Center \$396.00; Carol Burroughs \$400.00; Cascade Glass & Signs \$346.50; CC Steel LLC \$1,508.75; CDW Government \$9,845.82; Ciera Ell \$22.00; CIM Sanitary Tech \$5,000.00; Cimco Refrigeration \$922.52; City of Watford City \$1,397.13; Clarion Hotel \$176.40; Cole Papers \$851.70; Construction Engineers \$1,511,330.50; Copeland Development \$1,782.43; Core & Main \$7,070.36; Craig's Small Engine Repair \$740.00; Dakota Fence \$14,953.50; DAWA Solutions Group \$30.00; Dean Anderson Inc \$170.00; Dimpled Darling Photography \$90.00; Doug Bolken \$928.73; Dylan Bostic \$108.00; Ecolab \$102.00; Fairfield by Marriott Bismarck \$98.00; Farmers Union \$21,212.52; Fastenal \$515.14; FedEx \$8.90; Flag Family Media \$1,700.00; Galls \$175.44; Gooseneck Implement \$170.84; Hansen Diesel & Automotive \$3,652.62; Heggen Equipment \$4,415.29; High RPM \$206.00; Hill Enterprises \$692.93; Holiday Inn Express - Minot \$176.40; Home of Economy \$110.15; ICON Architectural \$44,073.19; IDI \$6.25; Indian Hill Electric \$12,131.02; Information Technology Dept \$4,548.95; Jack & Jill \$22.54; James Pittsley \$177.32; Jana Ratkovich \$22.00; Jayden Uhlich \$106.50; Josh McGoven \$125.00; JP Morgan Chase Bank \$8,678.14; Key Contracting \$61,291.25; KO Safety Services \$80.00; Kotana Communications \$281.75; Language Link \$41.78; Landscape Elements \$50,430.50; Little Macs Plumbing \$800.00; Long X Art Foundation \$6,000; Lund Oil \$1,957.02; Mainstay Suites Fargo \$98.00; Marco Technologies \$2,216.04; Mark Anderson

\$45.00; McKenzie County Farmer \$1,018.63; McKenzie County Healthcare \$5,526.21; McKenzie County Hockey Club \$8,000.00; McKenzie County Landfill \$26,846.15; McKenzie County Sheriff \$458.19; McKenzie County Water Resource \$611,096.30; McKenzie Electric \$8,310.00; MDU \$19,355.66; Motorola Solutions \$27,780.00; MTI Distributing \$50.40; MVI Valley \$20,793.70; MVTL Laboratories \$2,193.40; ND Dept of Environmental Quality \$283.66; ND Office of State Tax Commissioner \$6,358.18; NSC Minerals \$7,862.02; OK Implement \$4,173.39; OK Tire Stores \$70.00; One Call Concepts \$147.65; Olympic Sales \$688.70; OTIS Elevator \$100.00; OWL Inc \$1,166.40; Pioneer Museum \$87.28; Polypro LLC \$8,480.00; Pro Auto Body \$8,535.17; Quadient Leasing \$134.22; Quality Flow Systems \$11,851.11; Quality Quick Print \$650.00; Radison Hotel – Bismarck \$167.78; Ramada Bismarck Hotel \$196.00; Reservation Telephone \$4,886.49; Rita Olson \$36.00; Rough Rider Center \$34,779.31; Safevisitor Solutions \$375.00; Sanford Health Occupational \$100.00; Schock’s Safe & Lock Service \$995.00; Six Shooters \$5,212.24; Snow-wheel System Inc. \$2,172.00; Starion Bond Service \$12,508.75; Stephanie Packer \$112.00; Steve Dube Construction \$70,000.00; Swanston Equipment \$1,255.39; TENET \$150.66; The Huntington National Bank \$10,435.00; Timeclock Plus \$6.80; Tire-Rama Glendive \$8,634.32; TK Elevator Corp \$6,567.75; Tractor Supply Credit \$54.20; Traffic Safety Services \$84,432.00; Travis Rodenhizer \$465.00; Tricorne Audio \$5,210.00; Uline \$383.86; University of ND \$260.00; Valli Information \$1,096.59; Vanguard Appraisals \$1,100.00; Vawnta Best \$426.79; Verizon Wireless \$3,388.60; Visa \$3,177.08; Watford City Airport Authority \$26,000.00; Watford City Park District \$5,209.00; Watford City Veterinary Clinic \$315.00; WDALA \$165.00; WEX Bank \$2,494.95; Williston Daily Herald \$2,284.00; Wingate by Wyndham Bismarck \$88.20; Wolf Run Village I \$33,417.04; Wolf Run Village II \$21,688.02; Wyatt Voll \$235.80.

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

There being no further business, the meeting was adjourned at 7:11 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