

CITY OF WATFORD CITY
CITY COUNCIL MEETING
November 06, 2023

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

Council Member Bulzomi moved to approve the minutes of the city council meeting held October 2, 2023. Motion seconded by Council Member Renville and carried unanimously.

Sara Fitzpatrick gave an update on the Roughrider Center.

Council Member Beard arrived at 6:04 pm.

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

Council Member Liebel moved to approve the Vista Outdoor- Buschnel Credit App Agreement and the Cleveland Golf Credit Application. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Liebel, Bulzomi, Devlin, Beard, and Renville; nays: none.

Chief Wellen gave an update on the police department.

Council Member Devlin moved to approve the Mutual Aid Agreement between Williams County and the Watford City Police Department. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Bulzomi, Beard, Renville, Devlin, and Liebel; nays: none.

Council Member Beard moved to approve the recommendation from the Planning Commission meeting held October 30, 2023. Approved: Land Use Application Change of Zone submitted by Select Water Solutions; Land Use Application Change of Zone submitted by Wolf Run Village; Division of Land Application Minor Plat Reversionary Parcel Map submitted by City of Watford City; Division of Land Preliminary Subdivision Map submitted by Bypass Properties, LLC; Division of Land Minor Plat Reversionary Parcel Map submitted by LT Development Group, LLC. Motion seconded by Council Member Renville and carried by the following roll call vote: ayes: Beard, Renville, Devlin, Liebel, and Bulzomi; nays: none.

Council Member Beard moved to approve a First Reading of an Ordinance Amending Section 8-1908 of Article 19 of Chapter 8 - Relating to Parking of Trucks, Trailers, Semitrailers, Delivery Cars and Other Commercial Vehicles. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve a First Reading of an Ordinance Amending Section 8-1910 of Article 19 of Chapter 8- Relating to Penalties. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve a First Reading of an Ordinance Amending Subsection I, Section 1 of Article 20 of Chapter 15 - Relating to Parking and Loading Regulations. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve a First Reading of an Ordinance Amending Section 3-210 of Article 2 of Chapter 3 - Relating to Water Service - Construction of - Maintenance of by Owner. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Beard moved to approve a First Reading of an Ordinance Amending Section 3-212 of Article 2 of Chapter 3 - Relating to Unlawful to Use Water Not Metered - Unlawful to Tamper with Curb Stop. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve a First Reading of an Ordinance Amending Section 3214 of Article 2 of Chapter 3 - Relating to Regulations Governing Service. Motion seconded by Council Member Renville and carried unanimously.

Council Member Beard moved to approve a First Reading of an Ordinance Amending Section 3-215 of Article 2 of Chapter 3 - Relating to Connection to be Supervised by Municipal Employees. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Beard moved to approve a First Reading of an Ordinance Amending Section 3-216 of Article 2 of Chapter 3 - Relating to Curb Stop Specifications. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Beard moved to approve the Second Reading of Ordinance No. 628 Amending Section 1-704 of Article 7 of Chapter 1 - Relating to Duties of Police. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Liebel, Devlin, Renville, Bulzomi, and Beard; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance No. 629 Amending Section 8-923 of Article 9 of Chapter 8 - Relating to Garbage, Glass, Etc., on Highways Prohibited. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Renville, Devlin, Beard, Bulzomi, and Liebel; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance No. 630 Amending Section 8-1305 of Article 13 of Chapter 8 - Relating to Additional Parking Regulations. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Bulzomi, Beard, Liebel, Devlin, and Renville; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance No. 631 Amending Section 8-2004 of Article 20 of Chapter 8 - Relating to Duty Upon Striking Fixtures Upon a Highway.

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

Council Member Beard moved to approve the Second Reading of Ordinance No. 632 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 by the following roll call vote: ayes: Renville, Beard, Devlin, Bulzomi, and Liebel; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance No. 633 Repealing Section 9-103 of Article 1 of Chapter 9 - Regarding Criminal Contempt. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Liebel, Bulzomi, Devlin, Beard, and Renville; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance No. 634 Amending Section 8-905 of Article 9 of Chapter 8 - Relating to Drive on Right Side of Roadway – Exceptions. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Devlin, Renville, Bulzomi, Liebel, and Beard; nays: none.

Council Member Beard moved to approve the \$20,000 Business Startup & Expansion grant request for HM's Steakhouse utilizing the \$11,133.07 of equipment receipts and \$50,000 receipt for the contract for deed down payment (totaling \$61,133.07) for the 1:1 required match. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Liebel, Devlin, Bulzomi, Renville, and Beard; nays: none.

Council Member Beard moved to approve the Mini Match Grant for Amber Kelly DBA Ambers's Esthetics for a new spa/salon to provide skincare and hair services located in the Great Plains Professional Building. The applicant is eligible for a 2:1 match in the amount of \$4,051.24. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Renville, Bulzomi, Beard, Liebel, and Devlin; nays: none.

Council Member Beard moved to approve the Licensed Childcare Renewals for Wolf Pup Daycare (\$9,075) and Wolf Pup Learning Center (\$3,450). Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Devlin, Beard, Renville, Liebel, and Bulzomi; nays: none.

Council Member Devlin moved to approve a salary increase for Angel Rodriguez (Rough Rider Employee) from \$23.00/hour to \$28.00/hour. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Liebel, Beard, Renville, Devlin, and Bulzomi; nays: none.

Council Member Devlin moved to approve Personnel Manual amendments to the following policies: 203 Remote Employees, 310 Unscheduled Closures, 316 Health Insurance, and 406 Do Not Rehire. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Renville, Beard, Devlin, Liebel, and Bulzomi; nays: none.

Council Member Devlin moved to approve the Annual Step Increase for: Rita Olson F-6; Josh McGoven H-8; Beni Green J-2; Peni Peterson C-10; Shaun Schatz G-6; Kayla Grace K-1. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Devlin moved to approve the October 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. Motion carried by the following roll call vote: ayes: Liebel, Devlin, Bulzomi, and Renville; nays: Beard.

Council Member Devlin moved to approve opening an Insured Cash Sweep (ICS) account at First International Bank & Trust with signers of Mayor Riely, Council President Liebel, and Auditor Peterson. Initial deposit will include \$5,000,000 from the investment for the public works shop along with \$919,000+/- from earned interest. Also approved reinvesting the \$2,000,0000 general fund CD for 1 year and depositing the interest earned of \$92,000+/- into the ICS account. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Bulzomi, Beard, Renville, Liebel, and Devlin; nays: none.

Council Member Devlin moved to approve the 2024 Fox Hills Usage Agreements between Fox Hills Golf Course and Alexander Public School and McKenzie County Public School District #1. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Beard, Liebel, Devlin, Renville, and Bulzomi; nays: none.

Council Member Devlin moved to approve the 2024 Fox Hills Golf Course Membership Rates. Motion seconded by Council Member Renville and carried with the following roll call vote: ayes: Bulzomi, Beard, Renville, Devlin, and Liebel; nays: none.

No action was taken on the 2024 Golf Course Food & Beverage Agreement.

Council Member Devlin moved to approve the 2024 Golf Course Fund-Raising and Marketing Agreement between the City of Watford City and Watford City Golf Club, Inc. Motion seconded by Council Member Renville and carried by the following roll call vote: ayes: Renville, Liebel, Beard, Bulzomi, and Devlin; nays: none.

Council Member Devlin moved to approve the WCCBA Buyout and Lease Termination Agreement between the City of Watford City and Watford City Community Benefit Association (WCCBA). Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Liebel, Beard, Bulzomi, Devlin, and Renville; nays: none.

Council Member Beard moved to approve Change Order 005 submitted by Construction Engineers, Inc. (Watford City New Public Works Facility) in the amount of \$66,765. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Devlin, Beard, Liebel, Renville, Bulzomi; nays: none.

Council Member Beard moved to approve Change Order 006 submitted by Construction Engineers, Inc. (Watford City New Public Works Facility) in the amount of \$11,334. Motion seconded by Council Member Renville and carried by the following roll call vote: ayes: Bulzomi, Beard, Liebel, Devlin, and Renville; nays: none.

Council Member Devlin moved to approve Pay Application #8 submitted by Construction Engineers, Inc. (Watford City New Public Works Facility) in the amount of \$1,395,168.05. Motion seconded by Council Member Liebel and carried by the following roll call vote: ayes: Liebel, Beard, Bulzomi, Renville, and Devlin; nays: none.

Council Member Bulzomi moved to approve the NDDOT Amendment to Cost Participation and Maintenance Agreement (Project NH7-023(064)003). Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Renville, Beard, Devlin, Liebel, and Bulzomi; nays: none.

Council Member Renville moved to approve the NDDOT Maintenance Agreement (Project RBD-SS-7-806(014)306 - ND 1806 from 31st St NW to ND-23B). Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Devlin, Liebel, Beard, Bulzomi, and Renville; nays: none.

Council Member Bulzomi move to approve the Public Infrastructure Acceptance and Partial Bond Release for Colby 2022, LLC (Dollar General 406 Hunters Run Street) releasing 75% of the security and the remaining 25% of the security, in the amount of \$35,869, will be retained for a two-year warranty period as the warranty bond. The warranty period started on November 7, 2023, and is expected to end November 7, 2025. Motion seconded by Council Member Liebel and carried unanimously.

Council Member Bulzomi moved to approve Resolution 2023-15 Resolution Approving Final Urban Area Boundary. Motion seconded by Council Member Beard and carried by the following roll call vote: Bulzomi, Devlin, Liebel, Beard, and Renville; nays: none.

Council Member Beard moved to approve the McKenzie County Emergency Management – Multi Hazard Mitigation Plan. Motion seconded by Council Member Renville and carried unanimously.

Council Member Bulzomi moved to approve the bills as listed. Motion seconded by Council Member Beard and carried unanimously. BCBS of ND \$92,209.60; EFTPS \$128,169.97; Nationwide Financial \$2,037.91; Nationwide Retirement Solutions \$4,901.34; ND Fraternal Order of Police

\$399.04; NDPERS -Retirement \$66,707.10; NDPERS-Def Comp \$9,447.50; Payroll \$348,038.20; Souris Valley Lodge #7 \$225.00; Symetra Life Insurance \$1,292.38; Wolf Run Village Inc. \$500.00; TASC \$7,277.76; 3-D Specialties Inc \$1,013.50; Acushnet Company \$263.71; Advanced Business Methods \$202.62; Advanced Elements \$1,326.00; AgTerra Technologies \$35.00; Armor Interactive \$13,132.37; B&H Photo-Video-Pro Audio \$590.94; Bailey Swanson \$81.00; Balco Uniform \$3,857.95; Bank of ND \$6,150,892.58; Barrett Pharmacy Inc. \$4.78, BEK Consulting LLC \$5,764.00; Bismarck Hotel & Conference \$176.40; Blue Butte Aggregates \$6022.64; Border States Electric \$2,927.03; Brady's Towing & Recovery \$700.00; Brock White \$146.72; Brosz Engineering \$7,400.00; Buttons by Fish \$910.97; C&D Water Services \$157.25; Callaway \$421.20; Canad Inns Destination Center \$441.00; Cascade Glass & Signs \$2030.00; CDW Government \$1,785.79; Charlie's Service \$108.00; Ciera Ell \$81.00; CIM Sanitary Tech \$8,000.00; CivicPlus LLC \$585.00; City of Watford City \$1,283.52; City of Williston \$75.00; Code Red Towing \$1,425.00; Cole Papers \$565.56; Construction Engineers \$1,395,168.05; Copro Garage Doors \$565.00; Core & Main \$8,547.81; Craig's Small Engine Repair \$990.56; Dacotah Paper Co \$783.97; Dakota Fence \$14,953.50; Doug Bolken \$223.94; Dustbusters Enterprises Inc \$3008.52; Ecolab \$113.88; Elite Cabinets \$20,000.00; Environmental Consulting \$2,700; Extreme Hobbies LLC \$9,989.26; Eyes by Design \$225.00; Farmers Union \$19,180.86; Fastenal \$1,983.29; Galls \$175.98; Garmann Trucking Inc. \$5,115.00; Gem City Motors \$264.85; Granite Peak Pump Service \$978.95; Guardian Fleet Safety \$44,296.50; H2I Group \$620.00; Hansen Diesel & Automotive \$457.93; Hawkins Inc. \$3,715.94; Heggen Equipment \$9,304.27; Helena Chemical \$3,302.00; High RPM \$10,381.72; Hill Enterprises \$678.45; HMs Steakhouse \$20,000.00; Hose & Rubber Supply \$1,408.32; Hovex \$5,560.00; Hurley Enterprises \$1,559.84; Iheart Radio \$4,000.00; Ian Eisenschenk \$96.28; Icon Architectural Group \$9,073.19; IDI \$16.50; Indian Hill Electric \$902.95; Information Technology Dept \$4,550.90; Interstate All Batter Center \$454.68; J&DG Concrete \$20,300.00; Jack & Jill \$27.56; Jana Ratkovich \$81.00; Jeffrey Jensen \$202.00; JJ Electric \$4,689.35; Jonathan Davis \$225.00; JP Morgan Chase Bank \$3,152.56; JP Nixon Consulting \$135.00; KLJ Engineering \$50,013.50; KO Safety Services \$752.21; Landscape Elements \$101,555.00; Lexipol LLC \$5,484.20; Locators & Supplies \$829.00; Long X Art Foundation \$2,000.00; Lund Oil \$1,916.62; Lyre Jones \$290.21; McKenzie County Ambulance \$50,000.00; McKenzie County Farmer \$4,361.22; McKenzie County Healthcare \$3,914.04; McKenzie County Landfill \$23,810.25; McKenzie County Sportsman Club \$285.60; McKenzie County Tourism Bureau \$2,665.00; McKenzie County Water Resource \$169,892.23; McKenzie County Weed Control \$1,263.74; McKenzie Electric \$8,131.00; Meuchel Enterprises \$90.00; MDU \$21,548.95; Motorola Solutions \$20,107.32; MTI Distributing \$2,370.83; MVTL Laboratories \$2,797.30; NALA The Paralegal Association \$154.00; ND Office of State Tax Commissioner \$3,943.54; ND State Radio Communications \$360.00; Nelson Contracting \$1,843.80; Nelson International \$301.81; North Dakota Golf Association \$150.00; NSC Minerals \$4,086.79; OK Implement \$2,992.67; OK Tire Stores \$4,219.40; One Call Concepts \$156.20; Olympic Sales \$714.82; Petty Cash \$184.42; Philip Riely \$230.96; Ping \$1,524.51; Plaisted Companies \$11,766.59; Post Board \$70.00; Pro Auto Body \$7,627.66; Pro IT, LLC \$250.00; Quadient Finance USA \$500.00; Quality Quick Print \$909.00; R&R Specialties \$23,889.37; Ramada Bismarck Hotel \$196.00; RDO Trust \$2,073.89; Record Keepers \$17.50; Red Rock Auto – WC \$25,333.04; Reinders \$834.32; Reservation Telephone \$7,946.74; Rick Lawlar \$750.00; Roosevelt Grand Dakota Hotel \$352.80; Rough Rider Center \$40,195.08; Sanford Health Occupational Medicine \$15.00; Shaun Schatz

\$94.00; Six Shooters \$733.57; Superior Tech Products \$279.00; Steve Dube Construction \$2,755.00; Swanson & Warcup LTD \$5,740; Swanston Equipment \$1,743.66; TENET \$1,300.11; The Huntington National Bank \$10,435.00; The Roundup \$571.80; The Tessman Company \$645.82; Tire-Rama Glendive \$1,120.00; Titanium Plumbing \$1,673.86; TO Golf \$1,562.00; Tony Carmichael \$2,003.47; Toro Company NSN \$15,180.00; Towmaster \$6,660.00; Traffic Safety Services, Inc \$1,796.00; Tricorne Audio \$9,751.25; UPS \$2,539.93; Van Diest Supply Company \$5,076.50; Vawnita Best \$236.20; Valli Information \$1,093.48; Verizon Wireless \$3,614.52; Versatile Vehicles \$15,334.26; Visa \$2,641.74; Watford City Chamber \$23,500.00; Watford City Fire Department \$75,000.00; Watford City Golf Club \$80,000.00; Watford City Park District \$4,965.92; Watford City Veterinary Clinic \$555.00; Westlie Truck Center \$150.46; WEX Bank \$2,344.02; Wild Wren Design \$50.00; Wolf Run Village I \$20,320.68; Wolf Run Village II \$24,679.31

The next regularly scheduled City Council meeting will be on Monday, December 4, 2023 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 6:55 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