

CITY OF WATFORD CITY
CITY COUNCIL MEETING
December 04, 2023

Minutes of the regular City Council meeting held on December 4, 2023 at 6:00 p.m. at City Hall. Present were Mayor Phil Riely and Council Members Bethany Devlin, Lance Renville, Matt Beard, Steve Sanford, and Chelsea Bulzomi. Absent was 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 Devlin moved to approve the December 4, 2023 meeting agenda, as presented. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Sanford moved to approve the minutes of the city council meetings held November 6 and November 29, 2023. Motion seconded by Council Member Renville and carried unanimously.

Mayor Riely called the Public Hearing, as advertised, to order at 6:01 p.m. to consider an Annexation Application submitted by the Watford City Municipal Airport Authority (IT 3196 (Parcel 7 of Airport) NE ¼ S29, T150N, R97W – 13.27 acres). There were no written comments or comments from the public. The Public Hearing was closed at 6:02 p.m.

Council Member Beard moved to approve the First Reading on an Ordinance Annexing Property to the City of Watford City per Annexation Application submitted by the Watford City Municipal Airport Authority. Motion seconded by Council Member Devlin and carried unanimously.

Greg Richens 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. No action was taken on the JPA Between the City of Watford City and McKenzie County for Chaplains to Aid Law Enforcement.

Council Member Devlin moved to approve the recommendations from the Planning Commission meeting held November 27, 2023. Approved: Land Use Application Change of Zone submitted by Select Water Solutions - 3711 4th Ave NE (A-2 to ID); Land Use Application Change of Zone submitted by W & H Properties, LLC – 2000 2nd Ave SE (C-1 to ID). Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Renville, Sanford, Beard, Bulzomi, and Devlin; nays: none.

Council Member Renville moved to approve the Land Use Application Change of Zone submitted by Iris Development Services, PLLC/Bypass Properties, LLC – 4th St SE, Lots 1 & 2 of Block 6 of Stenhjem Commons Subdivision rezoning the property from R-4 (High Density Residential District) to R-2M (Mobile Home, Two-Family Residential District). Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Devlin, Sanford, Renville, Bulzomi; nays: Beard.

Council Member Beard moved to approve the First Reading of an Ordinance Repealing Section 8-2005 of Article 20 of Chapter 8 - Regarding Snowmobile and All Terrain Vehicles. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve the First Reading of an Ordinance Adding Article 30 of Chapter VIII - Relating to Snowmobiles. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve the First Reading of an Ordinance Adding Article 31 of Chapter VIII - Relating to Off-Highway Vehicles. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve the First Reading of an Ordinance Amending Section 6-204 of Article II of Chapter VI - Relating to Application for Transient Merchant License. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve the First Reading of an Ordinance Amending Section 6-205 of Article II of Chapter VI - Relating to Bond for Transient Merchant License. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve the First Reading of an Ordinance Repealing Section 6-206 of Article II of Chapter VI - Regarding Service of Process for Transient Merchants. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Beard moved to approve the Second Reading of Ordinance No. 635 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 Renville and carried by the following roll call vote: ayes: Devlin, Bulzomi, Renville, and Beard; nays: Sanford.

Council Member Beard moved to approve the Second Reading of Ordinance No. 636 Amending Section 8-1910 of Article 19 of Chapter 8 - Relating to Penalties. Motion seconded by Council Member Renville and carried by the following roll call vote: ayes: Bulzomi, Renville, Beard, and Devlin; nays: Sanford.

Council Member Beard moved to approve the Second Reading of Ordinance No. 637 Amending Subsection I, Section 1 of Article 20 of Chapter 15 - Relating to Parking and Loading Regulations. Motion seconded by Council Member Renville and carried by the following roll call vote: ayes: Devlin, Renville, Beard, and Bulzomi; nays: Sanford.

Council Member Beard moved to approve the Second Reading of Ordinance No. 638 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 Renville and carried by the following roll call vote: ayes: Renville, Devlin, Sanford, Bulzomi, and Beard; nays: none.

Council Member Beard moved to approve Second Reading of Ordinance No. 639 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 Renville and carried by the following roll call vote: ayes: Sanford, Devlin, Bulzomi, Renville, and Beard; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance No. 640 Amending Section 3214 of Article 2 of Chapter 3 - Relating to Regulations Governing Service. Motion seconded by Council Member Renville and carried by the following roll call vote: ayes: Bulzomi, Renville, Beard, Devlin, and Sanford; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance No. 641 Amending Section 3-215 of Article 2 of Chapter 3 - Relating to Connection to be Supervised by Municipal Employees. Motion seconded by Council Member Renville and carried by the following roll call vote: ayes: Devlin, Sanford, Renville, Beard, and Bulzomi; nays: none.

Council Member Beard moved to approve the Second Reading of Ordinance No. 642 Amending Section 3-216 of Article 2 of Chapter 3 - Relating to Curb Stop Specifications. Motion seconded by Council Member Renville and carried by the following roll call vote: ayes: Sanford, Devlin, Bulzomi, Renville, and Beard; nays: none.

A 1.46-acre parcel of land, on 3rd Ave SW, is owned by the city and the adjacent property owner is interested in purchasing the property. Council Member Sanford moved to have city staff contact the interested party and request they make an offer to purchase the property. Motion seconded by Council Member Devlin and carried unanimously.

The Veeder Estates Subdivision has been identified as an area without street lighting and the city has received requests to have lighting installed. MDU has proposed a lighting plan for that area and will pay for the installation. The city would be responsible for the maintenance and operation of the lights. Council Member Sanford moved to approve the proposed MDU lighting plan for Veeder Estates Subdivision. Motion seconded by Council Member Devlin and carried unanimously.

Council Member Renville moved to approve Resolution 2024-01 – 2024 Utility Rate Resolution. Approving a 1% increase to the water base rate and unit rate for residential and commercial customers, a 1% increase to the irrigation rate, a 2% increase to the sewer base rate and unit rate for residential and commercial customers, and no change to the garbage rates. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Devlin, Sanford, Renville, Beard, and Bulzomi; nays: none.

Council Member Renville moved to approve Resolution 2024-02 – 2024 Water Meter & Part Fee Schedule. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Bulzomi, Beard, Devlin, Renville, and Sanford; nays: none.

Council Member Renville moved to approve the Garbage Service Agreement between the City of Watford City and the City of Arnegard. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Devlin, Beard, Renville, and Bulzomi; nays: none.

Council Member Beard moved to approve the new Roughrider Fund logo. Motion seconded by Council Member Bulzomi and carried unanimously.

Council Member Beard moved to approve the Business Startup and Expansion Grant Application for Rip'n Stitches, LLC in the amount of \$20,000. The funds will be used to open a new quilting store that will offer fabric and quilting supplies along with an area for classes to be held. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Renville, Sanford, Beard, Devlin, and Bulzomi; nays: none.

Council Member Beard moved to approve the Build Grant Application submitted by Watford City EDC in the amount of \$25,000 for Local Marketing Match for third party data analyst and target ad paid placement. The grant requires a 1:1 match and a majority of the match is leveraging in-kind employer incentive. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Beard, Devlin, Sanford, Renville, and Bulzomi; nays: none.

Council Member Beard moved to approve the amended Policies and Procedures of the Roughrider Fund Committee. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Sanford, Bulzomi, Devlin, Beard, and Renville; nays: none.

Council Member Devlin moved to approve the annual step increases for: Josh Bean K-4; Tim Jones J-7; and Cameryn Brill H-2. Motion seconded by Council Member Sanford and carried unanimously.

Council Member Devlin moved to approve the Personnel Manual amendment to 303- Paid Time Off Policy. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Renville, Beard, Sanford, Devlin, and Bulzomi; nays: none.

Council Member Devlin moved to approve a 1.5% Cost of Living Adjustment for full-time employees that have been with the city 6 or more months, effective January 1, 2024. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Sanford, Beard, Devlin, Bulzomi, and Renville; nays: none.

Council Member Devlin moved to approve an amendment to the NDPERS Retirement Benefit. Effective January 1, 2024, the retirement contribution for employees that have worked continuously for 7 or more years, will be paid 100% by the city. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Devlin, Bulzomi, Renville, Beard, and Sanford; nays: none.

Council Member Devlin moved to approve the November 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: Sanford, Devlin, Bulzomi, and Renville; nays: Beard.

Council Member Devlin moved to approve the quote from Cascadia Sports Systems in the amount of \$5,803 for (7) hockey rink glass panels. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Sanford, Beard, Bulzomi, Renville, and Devlin; nays: none.

Council Member Devlin moved to approve purchasing 10 cameras for the Rough Rider Center in the amount of \$12,000. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Bulzomi, Sanford, Devlin, Beard, and Renville; nays: none.

Council Member Devlin moved to approve purchasing new volleyball equipment for the Veteran's Memorial Building in the amount of \$8,279.98 from BSN Sports. Motion seconded by Council Member Bulzomi and carried by the following roll call vote: ayes: Sanford, Beard, Renville, Bulzomi, and Devlin; nays: none.

Council Member Devlin moved to approve the 2024 Lodging Tax budget requests totaling \$170,770. Rough Rider Center - \$50,000; McKenzie County Cowboy Association - \$7,500; Watford City Chamber of Commerce - \$10,000; Fox Hills Golf Course - \$7,000; McKenzie County Heritage Assoc.- \$2,000; McKenzie County Hockey Club - \$15,000; Long X Arts Foundation - \$13,000; Badlands Gymnastics - \$10,000; L.A.N.D. \$15,000; Marketing & Communications Department \$41,270. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Bulzomi, Beard, Renville, Sanford, and Devlin; nays: none.

Council Member Sanford moved to approve Pay Application #9 submitted by Construction Engineers, Inc. (Watford City New Public Works Facility) in the amount of \$863,956.05. Motion seconded by Council Member Beard and carried by the following roll call vote: ayes: Beard, Sanford, Devlin, Bulzomi, and Renville; nays: none.

Council Member Beard moved to approve the bid received for the 2024 3rd Ave SW Reconstruction Project from Strata in the amount of \$3,270,799.50 (Base Bid - \$2,828,173.50, Alt 1 \$252,800, Alt 2 \$189,826). Approval of bid is contingent upon the City and McKenzie County finalizing the JPA for the 2024 3rd Ave SW Reconstruction Project. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Bulzomi, Sanford, Devlin, Renville, and Beard; nays: none.

Council Member Bulzomi moved to approve the Joint Powers Agreement between the City of Watford City and McKenzie County for the 2024 3rd Ave SW Reconstruction Project. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Devlin, Beard, Sanford, Renville, and Bulzomi; nays: none.

Council Member Beard moved to approve Resolution 2023-16 – Supporting Pursuit of Funding from the NDDOT 2023 Flex Fund for the Reconstruction of 3rd Ave SW. Motion seconded by Council Member Sanford and carried by the following roll call vote: ayes: Renville, Bulzomi, Sanford, Beard, and Devlin; nays: none.

Council Member Devlin moved to approve the KLJ Engineering, LLC Amendment to Owner-Engineer Agreement – Amendment No. 2. Motion seconded by Council Member Renville and

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

Council Member Beard moved to approve Task Order 1 (2023 Flex Fund Application) from Moore Engineering in the amount not to exceed \$12,000. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Renville, Bulzomi, Devlin, Beard, and Sanford; nays: none.

Council Member Bulzomi moved to approve Invoice #451 from Steve Dube Construction (Long X Visitors Center Exterior Project) in the amount of \$66,605. Motion seconded by Council Member Devlin and carried by the following roll call vote: ayes: Beard, Sanford, Devlin, Renville, and Bulzomi; nays: none.

Council Member Beard moved to approve the Western Dakota Energy Association County/City Permit Agreement. Motion seconded by Council Member Sanford and carried unanimously. Aflac \$10,718.34; BCBS of ND \$96,724.00; EFTPS \$136,714.55; Nationwide Financial \$1,960.20; Nationwide Retirement Solutions \$5,027.39; ND Fraternal Order of Police \$399.04; NDPERS - Retirement \$68,811.71; NDPERS Life \$1,246.68; NDPERS-Def Comp \$9,545.00; Office of State Tax Commissioner \$9,678.86; Payroll \$363,692.06; Symetra Life Insurance \$1,313.71; Wolf Run Village Inc. \$500.00; TASC \$7,277.76; 3-D Specialties Inc \$5,041.55; Alert-All Corporation \$2,015.00; Andrew Langowski \$30.00; Andrew Swanson \$19.46; Anthony Ell \$123.51; Armor Interactive \$12,219.85; B&H Photo-Video-Pro Audio \$339.65; Badlands Hardware, Inc. \$2,743.28; Badlands Occupational Testing \$166.00; Barrett Pharmacy Inc. \$10.99, BEK Consulting LLC \$30,333.86; Benefit Fund of McKenzie County \$20,000; Big Boys Toys \$99.99; Blue Butte Aggregates \$6,898.68; Border States Electric \$226.91; Brady's Towing & Recovery \$175.00; Brandy Davis \$72.00; Brightly Software, Inc. \$2,879.45; Brosz Engineering \$8,142.50; Brownells, Inc. \$1,339.01; Buttons By Fish, Inc. \$300.00; C&D Water Services \$52.50; Calli Thorne \$100.00; Camryn Brill \$158.00; Cascade Glass & Signs \$8,205.00; CIM Sanitary Tech \$9,000.00; CIMCO Refrigeration, Inc. \$50,308.00; City of Watford City \$1,136.06; Clarke Mosquito Control \$160.57; Cole Papers, Inc. \$776.32; Comfort Inn & Suites \$96.30; Construction Engineers \$863,956.05; Contract Hardware Co., Inc \$839.00; Creative Instinct, Inc. \$203.00; Dakota Fire Extinguishers, Inc. \$1,983.58; Dakotas Chapter ISA \$250.00; Darrington Snow Removal \$290.00; Dean Anderson, Inc. \$6,165.00; Dimpled Darling Photography \$60.00; Elite Cabinets & Building \$376.65; Extreme Sales Inc. \$13,985.00; Family Crisis Shelter \$2,705.21; Farmers Union \$25,088.16; Fastenal \$1,124.14; First International Insurance \$1,423.00; Franz Construction, Inc. \$6,465.52; Galls \$129.98; Gooseneck Implement \$401.50; Greg's Welding Inc. \$2,992.38; Guardian Fleet Safety \$9,510.82; Hansen Diesel & Automotive \$736.65; Harlow's School Bus Service \$1,500.00; Hawkeye Oil Field Supply LLC \$13.91; Hawkins Inc. \$2,073.86; Heggen Equipment \$725.35; High RPM \$3,747.00; Hill Enterprises \$1,696.54; Holiday Inn Express – Minot \$963.00; Holling-It Trucking LLC \$960.00; Home of Economy, Inc. \$499.00; Hovex \$15,790.00; Hurley Enterprises \$580.00; Icon Architectural Group \$27,219.57; IDI \$14.50; IIA Lifting Services Inc \$2,144.94; Indian Hill Electric \$20,007.53; Information Technology Dept \$4,608.60; Jeffrey Jensen \$54.30; JJ Electric \$363.25; Jonathan Davis \$72.00; JP Morgan Chase Bank \$5,399.83; KLJ Engineering \$20,111.50; KO Safety Services

\$790.58; Kotana Communications, Inc. \$326.50; Landscape Elements ND LLC \$9,570.00; Language Link \$18.07; Laquinta by Windham Bismarck \$1,071.20; Linstar \$622.40; Lund Oil \$1,814.85; Make Designs Creative Inc. \$749.00; Marco Technologies \$2,330.43; McCody Concrete Products, Inc. \$2,688.02; McKenzie County Clerk of Courts \$655.00; McKenzie County Farmer \$2,105.65; McKenzie County Healthcare \$1,505.40; McKenzie County JDA \$1,980.00; McKenzie County Landfill \$23,158.48; McKenzie County School \$3,000.00; McKenzie County Water Resource \$208,994.64; McKenzie Electric \$8,307.00; Meuchel Enterprises \$19.78; Michael Todd & Company Inc \$38,965.82; Modern Machine Works Inc. \$1,700.00; MDU \$19,611.83; MTI Distributing \$1,228.62; MVTL Laboratories \$2,857.80; National Safety Council \$549.00; ND Chiefs of Police Association \$200.00; ND Dept of transportation \$12,109.12; ND Emergency Management Association \$50.00; ND Office of State Tax Commissioner \$1,478.50; ND Public Finance Authority \$1,178,747.92; ND Water Users Association \$300.00; NDLTAP/UGPTI \$25.00; Nelson Contracting \$2,226.75; Northern Heavy Duty Truck Parts \$62.95; Northern Improvement Co. Inc. \$610.00; OK Implement \$2,346.96; OK Tire Stores \$2,550.00; Olympic Sales \$714.82; One Call Concepts \$156.75; Oscar Knudtson \$72.89; Otis Elevator Company \$712.00; Pat McCarthy Products, Inc. \$900.00; Plaisted Companies \$4,161.51; Pro Auto Body \$2,007.25; RDO Trust \$3,910.73; Reservation Telephone \$4,386.54; Ricky & Heidi Carns \$679.45; Roosevelt Inn & Suites, Inc. \$8,320.00; Rough Rider Center \$4,158.41; Sanford Health Occupational Medicine \$100.00; Schmitz-Holmstrom \$16,000; Schock's Safe & Lock Service \$70.00; Shaun Schatz \$252.00; Sign Solutions \$1,955.69; Six Shooters \$684.23; State Board of Law Examiners \$380.00; Steve Dube Construction \$66,605.00; Swanson & Warcup LTD \$36,540.25; Tahlia Norman \$158.00; TENET \$1,325.36; Terry Nate Jeffries \$125.00; The Roundup \$571.80; Titanium Plumbing \$375.00; Valli Information \$1,161.68; Vawnita Best \$300.00; Verizon Connect \$57.57; Verizon Wireless \$3,521.43; Visa \$2,747.41; Wallwork Truck Center, Inc. \$1,044.68; Warrior Concealment \$2,209.35; WCCBA \$150,000.00; WEX Bank \$2,617.72; Wild Wren Design \$350.00; Wolf Run Village I \$28,869.04; Wolf Run Village II \$16,130.96

Council Member Sanford moved to approve the bills as listed. Motion seconded by Council Member Renville and carried unanimously.

The next regularly scheduled City Council meeting will be on Tuesday, January 3, 2024 at 6:00 p.m. at City Hall.

There being no further business, the meeting was adjourned at 7:36 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