

OFFICIAL PROCEEDINGS  
OF THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS HELD  
MAY 24, AT 7:30 P.M. AT CITY HALL IN WILLISTON, NORTH DAKOTA

1. Roll Call of Commissioners

COMMISSIONERS PRESENT: Tate Cymbaluk, Brent Bogar, Brad Bekkedahl, Howard Klug, Ward Koeser

COMMISSIONERS ABSENT: None

OTHERS PRESENT: John Kautzman, Doug Lalim, Tom Rolfstad, Chief Lokken, Alan Hanson, Steven Kjergaard, Monte Meiers, Pete Furuseth, Kent Jarvik, Shawna Gooch-Egge

President Koeser entertained a motion to amend the agenda and add to 8E3 – Planning – Add position and Bekkedahl entertained a motion to add to 8B1 - Halesey report.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to amend the agenda.**

**MOTION CARRIED UNANIMOUSLY**

2. Consent Agenda

A. Reading and Approval of Minutes for:

1. Regular Meeting Dated May 10, 2011

B. Auditor

1. Accounts, Claims and Bills

Combined Check Register  
May 10<sup>th</sup> -24<sup>th</sup>, 2011

Check #	Vendor/Employee/Payee Number/Name	Check Amount	Date Issued
-85884	12020 RANDY M DONNELLY	1177.23	05/20/11
-85883	12017 JOHN L. KAUTZMAN	2353.31	05/20/11
-85882	12028 RAINNIE L. LADUE	1175.59	05/20/11
-85881	12018 SANDRA K. SOLBERG	1417.58	05/20/11
-85880	13026 KEVIN W. CRAFT	1164.01	05/20/11
-85879	56118 KATALIN C. MAGYAR	927.11	05/20/11
-85878	13027 CRYSTAL A. SCHAUBEL	1289.01	05/20/11
-85877	13025 JOLEEN S. TINKER	1270.97	05/20/11
-85876	14021 BRAD D. BEKKEDAHL	297.64	05/20/11
-85875	14024 BRENT BOGAR	370.35	05/20/11
-85874	14025 HOWARD D. KLUG	27.56	05/20/11
-85873	15004 JANET B. ZANDER	1334.09	05/20/11
-85872	56087 CODY M. BAKKEN	183.98	05/20/11
-85871	18022 SHARYL J. BUSCH	2184.21	05/20/11
-85870	18028 DAVID C. DONNER	1939.96	05/20/11
-85869	18026 MATTHEW L. GARDNER	1919.84	05/20/11
-85868	18001 ALAN K. HANSON	1844.75	05/20/11

-85867	18100	TANA L. HINRICKSEN	1657.55	05/20/11
-85866	56101	SUSAN G. HOLMEN	678.32	05/20/11
-85865	18027	STEVEN D. KERZMANN	2017.15	05/20/11
-85864	56107	VICTORIA L. KREGER	611.22	05/20/11
-85863	18099	ERICA J. MYERS	58.96	05/20/11
-85862	18024	JONATHON RASMUSSEN	2210.93	05/20/11
-85861	18020	RICHARD SHEARER	2382.81	05/20/11
-85860	19024	DAVID L. BELISLE	1197.17	05/20/11
-85859	19092	DUSTIN J. BERTSCH	1125.99	05/20/11
-85858	19028	MARK R. BITZ	1651.16	05/20/11
-85857	56097	ALAN C. BRATT	1302.28	05/20/11
-85856	19090	HEATHER M. CECIL	1231.12	05/20/11
-85855	19076	CORY G COLLINGS	1490.54	05/20/11
-85854	19009	LINDA R. GRANBOIS	966.46	05/20/11
-85853	19017	MARK HANSON	1332.98	05/20/11
-85852	19082	RANDY M. HAUGENOE	1267.50	05/20/11
-85851	56102	MICHAEL A. ISENHOWER JR	1333.81	05/20/11
-85850	19012	THOMAS L. LADWIG	1749.85	05/20/11
-85849	19011	JAMES L LOKKEN	2270.38	05/20/11
-85848	56082	TRAVIS J. MARTINSON	1267.74	05/20/11
-85847	56113	MINDY SUE MCEWEN	958.98	05/20/11
-85846	56061	AMY D. NICKOLOFF	1401.35	05/20/11
-85845	56078	DAVID A. NYGAARD	1254.92	05/20/11
-85844	19014	KENNETH B. OWENS	1541.08	05/20/11
-85843	19089	JOHN L. PFAU	1379.17	05/20/11
-85842	56052	JAMESON J. O. SEIM	1242.18	05/20/11
-85841	56098	JAKE O. SNYDER	1229.59	05/20/11
-85840	19101	DARYL D. WALLIN	1245.94	05/20/11
-85839	19077	MICHAEL S. WILSON	1479.54	05/20/11
-85838	19100	RYAN C. ZIMMERMAN	1200.99	05/20/11
-85837	20047	KELLY M. ABERLE	1094.97	05/20/11
-85836	56094	AMY R. DILLY	777.53	05/20/11
-85835	20045	DOUGLAS I. LALIM	1514.61	05/20/11
-85834	56090	RONALD W. ROLLE	1271.99	05/20/11
-85833	21051	CARL S DUNN	1435.86	05/20/11
-85832	21040	MONTE C. MEIERS	1894.36	05/20/11
-85831	21054	WAYNE A WIEDRICH	1609.30	05/20/11
-85830	22020	ROBERT D. KNAPPER	2155.40	05/20/11
-85829	56100	BILLY J. BAKER	1861.42	05/20/11
-85828	23078	DON A. EIDE	2706.73	05/20/11
-85827	56064	HEATH T. GLENN	643.01	05/20/11
-85826	24018	EFFIE J. BROWN	1213.41	05/20/11
-85825	24019	ROBERT D. COUGHLIN	827.58	05/20/11
-85824	56095	DARREL G. GROTBORG	822.53	05/20/11
-85823	24017	STEVEN W. JENSEN	1278.39	05/20/11
-85822	24013	THOMAS C. POTTER	1323.53	05/20/11
-85821	56104	DANIEL W. TUPA	1433.26	05/20/11
-85820	25110	KENNETH W. BERGSTROM	1663.60	05/20/11
-85819	12029	LORI A. LARSEN	850.76	05/20/11

-85818	27076	DANNY R. GERGEN	1541.26	05/20/11
-85817	56091	JAMES A HAGA JR	1170.92	05/20/11
-85816	56046	CRAIG R. MAHLUM	1244.75	05/20/11
-85815	30027	JAMES E. PHILLIPS	1142.97	05/20/11
-85814	56084	KENNETH R. BOYKIN	1344.09	05/20/11
-85813	56114	ANTHONY D. DUDAS	666.09	05/20/11
-85812	56110	ADAM M. FREEMAN	1306.76	05/20/11
-85811	56086	STEVEN C. KJERGAARD	1531.51	05/20/11
-85810	56074	KENNETH J. STENBERG	259.94	05/20/11
-85809	54005	ANTHONY W MELBERG	875.64	05/20/11
-85808	34103	CHRISTOPHER J. BROSTUEN	42.46	05/20/11
-85807	34017	KENT A. JARCIK	1864.08	05/20/11
-85806	56075	DEEANN M. LONG	42.46	05/20/11
-85805	34016	ELAINE B. SINNESS	687.06	05/20/11
-85804	35025	JOSILYN F BEAN	1179.48	05/20/11
-85803	56079	BRENDA SEPTKA	892.05	05/20/11
-85802	56042	LEPRIEL M. WHITE	944.50	05/20/11
-85801	56039	KERI L. BODA	655.21	05/20/11
-85800	48013	DEBORAH A. SLAIS	1037.19	05/20/11
-85799	48034	YVONNE A. TOPP	398.24	05/20/11
-85798	48089	CLARA WEGLEY	643.34	05/20/11
-85797	56069	HOLLY WEISEL	669.23	05/20/11
-85796	52013	SHANNON K. INNIS	897.60	05/20/11
-85795	52011	ANN M. KVANDE	985.87	05/20/11
-85794	56041	BARBARA J. PETERSON	615.20	05/20/11
-85793	52003	THOMAS C. ROLFSTAD	2138.42	05/20/11
-85792	52020	SHAWN WENKO	1408.40	05/20/11
-85791	56109	PAULETTE K. BAUER	497.67	05/20/11
-85790	53006	LAURIE K. BECKER	265.36	05/20/11
-85789	53005	BOBBI JO CLARKE	911.44	05/20/11
-85788	53002	AMY A. KRUEGER	1319.11	05/20/11
-85787	56080	BRAD E. SEPTKA	2489.15	05/20/11
-85786	54008	TAMMY K. WRIGHT	1418.14	05/20/11
-85785		DEFERRED COMP	13940.42	05/19/11
-85784		FIT U.S. TREASURY	61367.49	05/19/11
-85783		WEAPON CITY OF WILLISTON	99.00	05/19/11
42939	601	BLACKHAWK AGENCY, LLC	1671.84	05/16/11
42940	999999	AMY WHITE CRANE	60.00	05/16/11
42941	999999	EVAN ANDERSON	300.00	05/16/11
42942	999999	GENE SEATON	860.00	05/16/11
42943	999999	JOHN LA FLAMME	2.00	05/16/11
42944	999999	JOSEPH MCMINN	150.00	05/16/11
42945	999999	MARVIN WERKMERSTER	500.00	05/16/11
42946	999999	ROSCOE TUBMAN SR.	300.00	05/16/11
42947	999999	SONIA PALMER	300.00	05/16/11
42948	1264	NATIONAL ACADEMY OF AMB	2329.90	05/18/11
42949	999999	CHASE FALCON	275.00	05/18/11
42950	999999	RICK MCMURTRY JR	290.00	05/18/11
42951	999999	BRIAN FENNESSY	250.00	05/18/11

42952	PERS	36444.84	05/18/11
42953	56108 PATRICA A. BUCK	410.82	05/20/11
42954	12026 KAREN P. LARSON	437.85	05/20/11
42955	56070 TATE A. CYMBALUK	8.61	05/20/11
42956	14020 E. WARD KOESER	150.59	05/20/11
42957	17016 TOM J. GLENN	1004.93	05/20/11
42958	18019 THOMAS R. BLOCH	1667.27	05/20/11
42959	18094 MICHAEL CASLER	654.73	05/20/11
42960	18087 BROCK CLINGMAN	13.44	05/20/11
42961	18070 JEANNE M. SAGASER	5.66	05/20/11
42962	18081 JENNIFER A. SAX	212.70	05/20/11
42963	18046 GARVIN SEMENKO	66.04	05/20/11
42964	18078 MICHAEL W. WALTERS	1.89	05/20/11
42965	18097 DUANE S. WINTER	10.14	05/20/11
42966	19095 WALTER H. HALL	1322.65	05/20/11
42967	19098 DAVID A. PETERSON	1421.08	05/20/11
42968	19056 CHARLES TANNER	1144.57	05/20/11
42969	21041 ROBERT E HANSON	2047.60	05/20/11
42970	56105 EDWARD A LODWIG	146.75	05/20/11
42971	21052 RAYMON J. SKOGEN	1122.99	05/20/11
42972	22021 LES CHRISTENSEN	1658.93	05/20/11
42973	22014 GARY L. GLOVATSKY	1167.53	05/20/11
42974	23136 JAMES B. ENGEN	2363.64	05/20/11
42975	23126 BRENT E. HANSON	1904.44	05/20/11
42976	23039 BRUCE A. JOHNSON	1984.88	05/20/11
42977	23142 ROBIN S OLIVERIA	1833.31	05/20/11
42978	23123 GREGORY C WERKMEISTER	312.77	05/20/11
42979	25030 PEDAR A. ANDRE	2258.39	05/20/11
42980	25106 RICHARD S. ODEGARD	1624.54	05/20/11
42981	26039 DIANE K. ALBRIGHTSON	750.42	05/20/11
42982	27058 DAVID LEE BELL	2065.39	05/20/11
42983	27067 RICHARD D. BORUD	1309.60	05/20/11
42984	27066 GORDON GRIMMER	1400.58	05/20/11
42985	56047 CHASE C. LUTHER	673.03	05/20/11
42986	27096 RUSSELL E. MOMBERG	1091.20	05/20/11
42987	27091 JOSEPH G. MONSON	1329.69	05/20/11
42988	56112 GARRISON CANTER	1018.65	05/20/11
42989	56048 CURTIS E. PAGE, JR.	625.86	05/20/11
42990	31051 GORDON L. SMESTAD	2082.48	05/20/11
42991	56115 BRYCE A. SVINGEN	168.66	05/20/11
42992	56099 MARK C. AMONDSON	1136.34	05/20/11
42993	25112 DUANE F. OVERBY	1564.83	05/20/11
42994	32006 WILLIAM M. MCQUISTON	2689.33	05/20/11
42995	34105 GLENN A. BOYEFF	42.46	05/20/11
42996	34106 GERALD L. FLECK	42.46	05/20/11
42997	56117 NICK J. HAUGEN	42.46	05/20/11
42998	36006 NEIL W. BAKKEN	2637.23	05/20/11
42999	37008 LAVERN GOHL	1610.10	05/20/11
43000	48105 HALEY M BECKER	94.35	05/20/11

43001	48102	KAYLA J. HELL	97.30	05/20/11
43002	48103	JAMES S. HOLMAN	913.85	05/20/11
43003	56111	ANDREA L. MITCHELL	622.46	05/20/11
43004	48106	CLARA A. REINKE	45.28	05/20/11
43005	56066	ZACHARY G. CORCORAN	2009.18	05/20/11
43006	54065	PATRICIA K. FIORENZA	1031.05	05/20/11
43007	56116	Tyler D. Carlstad	18.87	05/20/11
43008		AMERICAN NATION	202.66	05/19/11
43009		DEPENDANT CARE	4029.08	05/19/11
43010		FIDELITY SECURITY	188.56	05/19/11
43011		MN CHILD SUPPORT	294.00	05/19/11
43012		MT CSED FT	44.18	05/19/11
43013		ND CHILD SUPPORT	708.00	05/19/11
43014		ND PEA	34.00	05/19/11
43015		UNITED WAY	110.00	05/19/11
43016		PERS	249.62	05/19/11
43017		AFLAC	256.01	05/20/11
43018	34	BALCO UNIFORM CO., INC.	259.00	05/20/11
43019	623	FLEET SERVICES	2027.84	05/20/11
43020	245	MEDQUEST INC	441.66	05/20/11
43021	362	PRO SAFE PEST CONTROL	92.00	05/20/11
43022	453	THRIFY WHITE PHARMACY	269.98	05/20/11
43023	517	WILLISTON FIRE & SAFETY	141.00	05/20/11
43024	518	WILLISTON HERALD	852.48	05/20/11
43025	999999	BRANDON MICKOLIO	350.00	05/20/11
43026	999999	LISA STOLL	550.00	05/20/11
43027	999999	LOGAN DORE	300.00	05/20/11
43028	999999	MARIE GUSTAFSON	300.00	05/20/11
43029	999999	MARK LONGANILLA	250.00	05/20/11
43030	999999	STEVEN MESSER	250.00	05/20/11
43031	1220	3D SPECIALTIES	3251.85	05/24/11
43032	4	AGRI INDUSTRIES, INC.	238.28	05/24/11
43033	5	AIRPORT INN ENTERPRISES	538.11	05/24/11
43034	8	ALL SEASONS SPORT ABOUT	201.00	05/24/11
43035	718	AMERIPRIDE SERVICES	205.33	05/24/11
43036	30	ASTRO-CHEM LAB, INC.	480.00	05/24/11
43037	708	AT&T	184.75	05/24/11
43038	723	BADLANDS STEEL, INC	282.42	05/24/11
43039	33	BAKER & TAYLOR CO.	485.40	05/24/11
43040	1223	BEST WESTERN PLUS/RAMKOTA HOTEL	138.00	05/24/11
43041	49	BLACK MOUNTAIN SOFTWARE	100.00	05/24/11
43042	712	BOLDT FARM SUPPLY	2.47	05/24/11
43043	52	BORDER STATES ELECTRIC	3132.44	05/24/11
43044	687	BUTTONS BY FISH, INC.	97.00	05/24/11
43045	1054	C & D WATER SERVICES	19.50	05/24/11
43046	616	CENTER POINT LARGE PRINT	160.56	05/24/11
43047	1265	CENTURY COMPANIES, INC	38684.80	05/24/11
43048	1261	CHAMBER OF COMMERCE	1000.00	05/24/11
43049	73	CHRISTOPHERSON'S TIN	2971.81	05/24/11

43050	1267 City Directories - Infogroup	313.00	05/24/11
43051	79 CITY OF WILLISTON	40830.61	05/24/11
43052	80 CITY OF WILLISTON	35.90	05/24/11
43053	86 CORY COLLINGS	80.00	05/24/11
43054	567 CRAIG'S SMALL ENGINE REPAIR	190.82	05/24/11
43055	89 CRAVEN-HAGAN CLINIC, LTD.	450.00	05/24/11
43056	825 CROWLEY FLECK PLLP	2425.00	05/24/11
43057	999999 DEPARTMENT OF AIRPORTS	1845.00	05/24/11
43058	119 EBEL INC.	488.61	05/24/11
43059	549 ECONOMART	4.68	05/24/11
43060	122 EL RANCHO CORP.	1410.57	05/24/11
43061	124 ELECTRIC & MAGNETO, INC.	282.60	05/24/11
43062	577 EMERGENCY MEDICAL PRODUCTS	604.25	05/24/11
43063	134 FORT UNION SUPPLY & TRADE	453.24	05/24/11
43064	139 GAFFANEY'S	937.93	05/24/11
43065	1271 GRABAR VOICE AND DATA INC	18479.00	05/24/11
43066	624 HAMERS AUTOMOTIVE	2600.86	05/24/11
43067	151 HAWKINS, INC.	9760.05	05/24/11
43068	622 HELENA REGIONAL AIRPORT	2000.00	05/24/11
43069	161 HOME OF ECONOMY	450.54	05/24/11
43070	162 HORIZON RESOURCES	70344.75	05/24/11
43071	163 HOSE AND RUBBER SUPPLY	2793.16	05/24/11
43072	942 Infobase Publishing	140.64	05/24/11
43073	173 INFORMATION TECHNOLOGY DEPT	275.00	05/24/11
43074	191 JOE'S DIGGING SERVICE INC	595.00	05/24/11
43075	196 KADRMAS LEE & JACKSON INC	6861.50	05/24/11
43076	197 KAREN LARSON	140.88	05/24/11
43077	198 KDSR-FM	240.00	05/24/11
43078	1266 KENWAY ENGINEERING INC	277.23	05/24/11
43079	204 KEYZ-KYYZ RADIO	80.00	05/24/11
43080	211 KOIS BROTHERS EQUIP CO	1683.97	05/24/11
43081	212 KOTANA COMMUNICATIONS	100.00	05/24/11
43082	233 LYLE SIGNS INC.	704.22	05/24/11
43083	699 MAGNETIC PERSONALITES	76.60	05/24/11
43084	1059 Marquis Plaza & Suites	237.01	05/24/11
43085	240 MATHISON COMPANY	69.23	05/24/11
43086	585 MCCODY CONCRETE PRODUCTS, INC	2172.50	05/24/11
43087	247 MERCY MEDICAL CENTER	99.00	05/24/11
43088	250 MICROMARKETING ASSOCIATES	283.85	05/24/11
43089	252 MIDCONTINENT COMMUNICATIONS	238.50	05/24/11
43090	1269 MIDWEST MEETINGS	500.00	05/24/11
43091	254 MIKE'S WINDOW CLEANING SERVICE	195.00	05/24/11
43092	1095 MIKEY'S COUNTRY CANDY	438.00	05/24/11
43093	259 MODEL DRIVE-IN CLEANERS	947.50	05/24/11
43094	261 MON-DAK PLG & HTG, INC.	158.00	05/24/11
43095	1150 MONDAK PORTABLES LLC	255.00	05/24/11
43096	243 MONTANA DAKOTA UTILITIES	21621.42	05/24/11
43097	1175 MONTANA DAKOTA UTILITIES	1300.00	05/24/11
43098	551 MORELLI'S DISTRIBUTING, INC.	31.00	05/24/11

43099	270 MURPHY MOTORS, INC.	654.89	05/24/11
43100	275 NAPA AUTO PARTS	393.31	05/24/11
43101	298 ND PEACE OFFICER'S ASSOCIATION	750.00	05/24/11
43102	320 NEMONT	3546.31	05/24/11
43103	1268 Nick's Sharpening Service	7.50	05/24/11
43104	1259 NORTH DAKOTA SURPLUS PROPERTY	618.00	05/24/11
43105	1003 NORTH PRAIRIE SIGNATURE,LLP	519.80	05/24/11
43106	333 NORTHWEST SUPPLY CO.	89.00	05/24/11
43107	343 OLYMPIC SALES, INC.	22400.00	05/24/11
43108	344 ONE FULFILLMENT	152.50	05/24/11
43109	1270 PASTIME PRINTS	392.40	05/24/11
43110	351 PENWORTHY	449.95	05/24/11
43111	359 PRAXAIR DISTRIBUTION INC	28.28	05/24/11
43112	362 PRO SAFE PEST CONTROL	295.00	05/24/11
43113	367 QUILL CORPORATION	908.26	05/24/11
43114	597 QWEST	1969.32	05/24/11
43115	382 REGION 1 SAFE COMMUNITIES	371.25	05/24/11
43116	388 RESULTS UNLIMITED	8948.01	05/24/11
43117	390 RICHARD A. JOHNSON	2546.75	05/24/11
43118	1274 Safeguard Business Systems	1689.20	05/24/11
43119	1133 SANDERSON STEWART	14961.20	05/24/11
43120	409 SANITATION PRODUCTS	1208.58	05/24/11
43121	411 SCENIC SPORTS & REC	212.99	05/24/11
43122	415 SELECT FORD	51.90	05/24/11
43123	2009 STAPLES ADVANTAGE	324.92	05/24/11
43124	1104 Tantor Audio	123.13	05/24/11
43125	999999 TARGET ROOFING	150.00	05/24/11
43126	447 THE SHOPPER	275.00	05/24/11
43127	647 THUE, JANICE M	593.20	05/24/11
43128	999 TITAN MACHINERY	517.17	05/24/11
43129	757 TODAY'S SHOE REPAIR	400.00	05/24/11
43130	814 TONY'S TRANSFER	112.00	05/24/11
43131	1142 TOTALFUNDS BY HASLER	800.00	05/24/11
43132	460 TRACTOR & EQUIPMENT CO.	429052.00	05/24/11
43133	878 TRACTOR SUPPLY COMPANY	159.88	05/24/11
43134	463 TRIANGLE ELECTRIC	3785.69	05/24/11
43135	470 US POSTAL SERVICE	190.00	05/24/11
43136	484 VERIZON WIRELESS	1175.05	05/24/11
43137	488 VISA	603.51	05/24/11
43138	508 WADF	500.00	05/24/11
43139	999999 WALMART	36.00	05/24/11
43140	1249 WASTE NOT RECYCLING LLC	562.50	05/24/11
43141	941 WENCK ASSOCIATES, INC.	5029.96	05/24/11
43142	498 WESTERN FIRE & SAFETY	1143.85	05/24/11
43143	501 WESTERN VET CLINIC	262.50	05/24/11
43144	503 WESTLIE MOTOR CO.	430.56	05/24/11
43145	531 WILLIAMS COUNTY AUDITOR	8166.34	05/24/11
43146	532 WILLIAMS COUNTY HIGHWAY DEPT.	1914.26	05/24/11
43147	648 WILLIAMS COUNTY SHERIFF'S OFFICE	5340.00	05/24/11

43148	807 WILLISTON AREA BUILDERS ASSOCIATI	355.00	05/24/11
43149	515 WILLISTON COWBOYS, INC.-WILLISTON	2000.00	05/24/11
43150	518 WILLISTON HERALD	905.85	05/24/11
43151	522 WILLISTON PD PETTY CASH	17.58	05/24/11
43152	525 WILLISTON TIRE CENTER	2483.35	05/24/11
43153	526 WILLISTON TRUE VALUE	90.40	05/24/11
43154	529 WILLISTON/WILLIAMS COUNTY - DES	392.31	05/24/11
43155	536 ZEE MEDICAL SERVICES	44.00	05/24/11

2. Application for a Local Permit or Charity Local Permit
  - a. Alzheimers Association raffle – October 01, 2011 – Williston State College.
3. Special Event Permit to Sell Alcoholic Beverages
  - a. El Rancho Corp.
    - 1) June 3<sup>rd</sup> & 4<sup>th</sup> at the API Golf Tournament
  - b. N & J Enterprisers
    - 1) July 1<sup>st</sup>, 2011 at the Blast Street Dance
4. Application for City Auctioneer's License
  - a. Haugland's Action Auction – Diane Haugland, Clerk
  - b. Gene Lindsey
5. Application for Arborist License
  - a. F & F Sprinkler Systems Inc. & Spas
6. Application for Pesticide Applicator's Permit
  - a. F & F Sprinkler Systems Inc. & Spas
- C. Building Official
  1. Application for Master Plumber License
    - a. Steve Kober – Agri-Industries
  2. Application for Fuel –Gas Piping Installer License
    - a. Dan Wells – Robert Gibb & Sons
  3. Application for Master Mechanic License
    - a. Sam Coulimore – Cool and More Heating, Inc.
- D. City Planner
  1. Request to set public hearing for June 14, 2011 for a Proposed Zone Change for RIA: Rural Residential to R-3: Lowrise, Multi-Family & Townhouse Residential to C-3: Restricted Commercial for unplatted property in unplatted portion of the SW1/4, Section 12, T154N, and R101. And preliminary plat for University Commons Subdivision – Williston Ventures/Baird.
  2. Request to approve Rural Water Hook-up for Lot(s) 11-12-13 & 14, Block 1, Williston Park Subdivision – Wall work Truck Center
  3. Request to approve Rural Water Hook-up for Lot 9, Block 2, and Williston Park Subdivision – Burk
- E. Assessor.
  1. Abatement
  2. Exemptions
    - a. Lot 3 less the N 40' and Lots 4 & 5, Block 11, Wittmeier Addition American State Bank – Contract for Deed – Remodel office

**MOTION BY BOGAR, 2<sup>ND</sup> BY BEKKEDAHN to accept the consent agenda as presented to the Commission.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

3. Bid Openings

A.

1. a. 2011 West Water/Sewer Extension

Meiers informed the commissioners this is for the Schlumberger annexation. Wagner Construction out of International Falls was the lowest bidder, but did withdraw their request today, but not want to lose their bid bond. The issues for declining the bid were family, lack of workers and weather issues. Dave Johnson continued to speak on this issue and informed the commissioners the above reasons for backing out are reasonable and real. Wagner did indicate to him that if he was forced to relinquish the bid bond, he would likely then take on the project. The commission needs to decide if they are going to force his hand and find out if in a couple weeks he will accept or decline or move on to a second bidder who will get the project done. Bekkedahl asked Johnson what his recommendation would be. Johnson responded this project was complicated with moving things and he would prefer to have someone who has a working relationship who wants to be here and get this done and he would recommend we move to the second bidder. Meiers explained the all the right of way has not been secured for the lift station, so it may have to be at a different location.

**MOTION BY BOGAR, 2<sup>ND</sup> BY BEKKEDAHL to approve the bid opening for the West Water/Sewer Extension Project to Garney Construction with the bid of \$2,607,620.00**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

**MOTION BY BOGAR, 2<sup>nd</sup> BY BEKKEDAHL to return the bid bond to all bidders other than the awarded bid, Wagner Construction.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

b. Water, Sewer, Street & Alley Improvement District 11-4

Meiers informed the commissioners there is a portion of this that has a protest hearing set up for it. As shown on the bid tab, all the bids came in under estimate for the multiple sections including amended sections 6 & 7, which is a protest hearing. Meier recommended we table this until after the protest hearing.

**MOTION BY BOGAR, 2<sup>ND</sup> BY CYMBALUK to table this until after the protest hearing.**

**MOTION CARRIED UNANIMOUSLY**

c. P178 Waterline replacement 4<sup>th</sup> Street West.

Meiers informed the commissioners there is no special assessment on this and there was only one bid for this project which came from Robert Gibbs & Sons for \$779,772.00, which is about 20% over the engineers estimate. He recommends we award this bid to proceed instead of cutting the project up or rebidding.

**MOTION BY BOGAR, 2<sup>nd</sup> BY CYMBALUK to approve the bid to Robert Gibbs & Sons for \$779,772.00****AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser****NAY: None****ABSENT & NOT VOTING: None****CARRIED: 5-0****4. Public Hearings**

Koeser reminded the audience if they want to address the public hearing, when the commissioners call for input, it will be called for three times and to do it quickly due to the large number of people. People need to state their name clearly and then state their comments.

**A. Annexations****1. Resolution No. 11-24 – Schlumberger**

President Koeser opened the hearing.

Kautzman reminded the city commissioners they had committed water/sewer to them some time ago and in light of that, this resolution was created for them. He pointed out on a map where this property is located and Hwy 2 and 85 would be your connection.

Koesler asked for any public input.

Koeser called a second time for public input.

Janelle Loomer commented she is not in opposition to this project, but is questioning if the corridor becomes city property to Schlumberger, would the city be willing to do some kind of noise abatement. She previously spoke to Walt Pederson, who told her it was a city ordinance and they can't enforce it on State Highways. Koeser responded the city would have no problem putting up signs, but the enforcement of it would be as opportunity provides. Meiers expressed he has already contacted Walt Pederson to do this, but there could be additional ones put up as the city moves west.

Koeser called a third time and final time for public input.

Jerry Miller asked about law enforcement regarding using engine brakes in the city. He requested law enforcement take note of this, that they can't be used in town.

Koeser closed the hearing.

**MOTION B Y BOGAR, 2<sup>ND</sup> BY CYMBALUK to approve Resolution No. 11-24.**

Klug questioned what the speed limit is going to be in this area. Furuseth said this would be up to the city and DOT. Meiers said a portable sign is going to be placed to measure the speed limit of passing vehicles.

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser****NAY: None****ABSENT & NOT VOTING: None****CARRIED: 5-0****2. Resolution No. 11-25 – Sande Subdivision**

Koeser opened the hearing.

Kautzman commented this annexation request comes from the area, with 86% of residents of the one block area of the Sande Subdivision in favor of this. He is requesting if this is approved, the commissioners considering it with a one week extension for protests. The statute does require us to write a letter and even though there was a letter written, after it was discussed with the attorney, it was felt the time line was not as lengthy as it could have been. This area is looking for water/sewer extension.

Koeser asked for any public input.

Koeser called a second time for input.

Koeser called a third and final time for public input.

Koeser closed the hearing.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BOGAR to approve Resolution No. 11-25 with the allowance of one week extension for any protests.**

Bogar asked if after the one week extension, if the protests exceeded 25% level, this would move forward. Kautzman responded then it would be stopped and the vote tonight would not be in effect.

Klug asked on 42<sup>nd</sup> Street where there are two lots annexed in, who is going to take care of the street in front of their houses. Kautzman responded this would be Township roadway and the turn radius could be these two lots areas. The township is requesting we come through with a fill in annexation and to try to accommodate them this summer. Fill in annexation would satisfy the townships request that we don't piece mill annex like we are representing tonight, but we fill it in with a community type atmosphere, suggest to a protest hearing. Bekkedahl questioned if the south side of 42<sup>nd</sup> Street has already been annexed, which Kautzman responded yes and explained to Klug property has been annexed for multi-families. Kautzman went on to explain with the fill in tonight, even though it may take until mid-winter, these areas will be filled in.

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

3. Resolution No. 11-26 – Baker Hughes

Koeser opened the hearing.

Kautzman explained this is at their request and this is part of a fill in annexation. When the city met with the township officials, along with Schlumberger, we would take in the entire section of Baker Hughes. This is to avoid spot annexing and not having issues where the city/township is. This is a strip annexation just for Baker Hughes and there are some company representatives here.

A Baker Hughes representative informed the public they are going to be building a very first class facility on the site. This is a high technology company, with lots of jobs. The goal is to get housing on site for employees. The facility will be totally paved, either landscaped or concrete.

As far as traffic concerns, it would be out of the site by 5AM, as to not interfere with subdivision traffic.

Koeser asked for any public input.

Janelle Loomer asked about the drainage plan after it is concrete and landscaped. Right now, they are pumping water off the site during construction. If it is going to drain to the east into the coulee, there are culverts which will not handle the runoff, so this needs to be addressed before approving building plans. Russell Kelly, Energy Architecture, informed the drainage problem started after they bought the property, when they discovered underground water seepage, which would be obtained in the storm water pump. They have been working with the county that the drainage would go into the storm water ditch and putting in underground lines and going to the south. This would redirect the drainage from the coulee and back to the ditch. Kelly questioned Loomer if the drainage ran through her property. She responded until yesterday it ran through her property and was answered at that point, Baker Hughes had their dirt contractor go there and cut a ditch line and put in a hard pipe underground and drain it to the coulee. Klug questioned if the underground pipe in front of the facility went in the restrictor. Kelly answered everything would go into the pond and out that restrictor.

Koeser called a second time for public input.

Koeser called a third and final time for public input.

Koeser closed the hearing.

Cymbaluk questioned who is going to maintain the road by the facility, is the city going to have to take in the cost of improving/maintaining in the future. Koeser responded if this is annexed into the city, we would be responsible, and obviously the road needs to be changed at some point, as it is basically destroyed. This will be an expensive project at 10 million dollars, including sewer and water and road widening, with Baker Hughes being asked to pay some of the cost. There are also others along that road who may wish to be annexed who would be assessed for this project. Bekkedahl explained this is one project area where the Oil Impact Money from the state legislature would help. The Oil Impact Money (20 million dollars) is meant to help the industry cope with the expansion and to provide work force housing along with roads, water and sewer. On the agenda later there will be a project discussion for review of up to a 30 million dollar bond issue, using the state tax anticipation bond money of 20 million dollars and assessments to private properties, as well as some of our city sales tax infrastructure money to cover this bond for these types of improvements. Cymbaluk questioned if the pros will outweigh the cons in the long term. Bekkedahl responded he has seen a lot of trucks stranded half off the road recently, with the township and county not doing anything about it. If we want this road built, it's going to be annexation with the city, with the road widened enough to get trucks on and off the road. Meiers explained this would have to be a three lane section with an urban section and will be expensive to build. Bekkedahl questioned if the retention pond capabilities were exceeded and the 12" couldn't handle the outflows and something needed to be done for emergency release, would Baker Hughes entertain being part of a upsizing project if it was feasible to upsize these culverts so that they are not stuck with retained water on their system. Kelly answered they want to be good neighbors and what needs to be done will be done. They are willing to pay, understand the issue and want to do their part. If the issue does come up, they could have it siphoned and trucked off. They want to be part of the community and have been here for 30 years. Cymbaluk questioned if the sewer cost was going to be an upfront cost or is something over a period of time. Kautzman

responded when this was discussed, it is basically a tiered scenario in which we would do the 30 million dollar bond, with the idea the grant funds would be paid off as soon as possible. We are hearing we should get near 20 million dollars, so these 20 million dollars could be paid off very short term. Cymbuluk questioned if the company would pay this upfront or over a period of time. Kautzman responded one possibility would be paid over a period of time and the second called a hook up fee would be paid upfront to hook into the sewer/water. If the decision is made to go to a hookup, he don't think you could do it one way for one company and do it another way for another company. Everyone hooking up to this needs to be approached and charged the same way. Koeser reminded the commissioners that after the last oil boom we never got into trouble with any of the millions of dollars structures, it was mainly the raw land where there were specials that came back. Kautzman informed the commissioners there were very few structures that we got back and some of those were demolished. The commissioners will decide how to approach people to pay for their share of assessments at a later meeting.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY BOGAR to approve Resolution 11-26 for the annexation as presented.**

Klug questioned Bekkedahl about his saying there was no township in the state who would take care of this road and how can the city of Williston do that. Bekkedahl responded the State Oil Impact money would be there to help with funding for the Baker Hughes and other oil buildings in this area.

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

4. Resolution No. 11-29 - Harvest Hills

Koeser opening the hearing

Kautzman informed those in attendance this is a residential type of development on 26<sup>th</sup> Street and 35<sup>th</sup> Ave West with a water/sewer extension and also a roadway point as it relates to the entry into the property. Rick informed the public the first phase of the project is a mixed use development, primarily residential development with a commercial know that would cater primarily to the residents in the location.

Koeser asked for public input.

Sue Snider residing south of 26<sup>th</sup> Street, just east of the section line at house number 3125. She is questioning if her property is in this annexation and expresses she does not wish to be if it is and Koeser explained to her it is not. She then asked about Resolution 11-27 (Menards Area) which she thought there was a public hearing for tonight. Kautzman informed her due to re-advertising problems, this hearing would be June 14<sup>th</sup>.

Koeser called a second time for public input.

Koeser called a third time for public input.

Koeser closed the hearing.

**MOTION BY KLUG, 2<sup>ND</sup> BY BOGAR to approve Resolution No. 11-29.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**  
**ABSENT & NOT VOTING: None**  
**CARRIED: 5-0**

5. Resolution No. 11-30 – Meadows (Horob) Subdivision

Koeser opened the hearing.

Kautzman asked for this area to be pointed out on the map and explained it was the area south of 42<sup>nd</sup> Street (a residential development) which would be part of a fill in. When we met with township officials, they asked if this were to move forward, we would follow through with a more comprehensive fill in process, so there are not gaps between city and township. This did come at the request of the developer thru the land owner. The land owner has spoken with him and if the commissioners were to consider moving forward with this annexation, we would need to do it subject to him selling the property to the developer. The developer does not own the property at this point, it is the land owner and this is in negotiation. If this is approved, he suggested it would be approved subject to the land owner and the buyer accomplishing this and approves a time line, maybe within the next two weeks. If it hasn't been done by then, it needs to be moved aside and on to other things. The property owner has requested the annexation, not the developer who presented paperwork that the land owner had agreed to annexation. Ron Slade, the developer informed those present there is a concern about a mix message from the City as it relates to bringing services to the site and this issue remains unresolved. There is an \$800,000.00 infrastructure added to the project, which would make it prohibitive given the low density and nature of the primarily family, single residential neighbor we would be proposing. They would be proposing some duplexes in the area as well. From a land use prospective, the logical situation is a very nice tree lined neighborhood of single family homes, which is what he is proposing. But the \$800,000.00 additional infrastructure costs would prevent them from being able to complete this project and this is the primary reason for the delay. Kautzman responded one of the points they have often made is if the city is going to annex somebody, we often say we will bring the utilities to the edge of the property. The board needs to decide if this is a generalized principle we will try to hold to and if we are having some extension type costs, do we have grant funds available that we pick up the difference to bring utilities to the edge of the property. He also believes they were listed in the recap and we did have ½ million dollars listed for possible grant allocation and this is something which will be discussed later. These numbers are not locked in and can be moved around.

Koeser asked for public input.

Koeser called for a second time for public input.

Tom Powers expressed his concerns about this area of town having substantial water problems and the infrastructure may be more costly as you go out that way. He owns the property to the east which is a little higher and has not spoken to these people, but feels the land should be studied a little more before the city starts spending money to extend the zone out there.

Kautzman reminded those present part of the fill in concept is to fill in the blanks, so 42<sup>nd</sup> Street is the connecting point. Per township request, the city would follow thru with a blanket type resolution which would make all this area part of the city, which would be subject to a protest hearing. If protested and if the City Commission decides to appeal, it will be taken before the administrative law judge.

James Horob commented he would like this sale to move forward, but if the buyers do not have the money to buy it, he did not want to be part of the annex.

Klug asked if 42<sup>nd</sup> Street was going to be in city, if this is annexed and was answered that it would be. He asked if Horob didn't want any part of this, would it still be annexed. Cymbaluk responded this issue was between Horob and Slade and if questioned Slade about bearing any of the costs of getting infrastructure there. Slade explained he was told by Kautzman the city would bring necessary services including a lift station/water/sewer to the property with no charge. Kautzman reminded the commissioners of the Marburger annexation which there is a project for trying to get sewer there, which has three different options.

Cymbaluk commented the other projects on the agenda tonight came in with a plan, but there is no plan for this one. He would like to see a plan and Slade admitted they do have a plan, which they showed planning several months ago informally. Koeser replied technically the property can be annexed without seeing a plan. Kautzman responded we would all agree we wouldn't want a feed lot annexed to the town, if there is not a development with it. Mr. Horob's concern is if we annex it and it doesn't become a development, then it doesn't materialize. Kautzman then offered a possible situation at least to handle the annexation part, you would be it on a 1 to 2 week scenario and then if they can't get together, this annexation goes away until other parties get involved.

Tom Rolfstad commented the equal purpose property needs to be subject to a zone change before the purchase is made. If they didn't get the zone change, it would not apply and he is wondering if this annexation can be suggested to the purchase by Mr. Slade. Koeser responded he believed this could be part of the motion.

Koeser call for a third time for public input.

Cymbaluk asked Meiers what is the cost of getting the infrastructure to this site. Meiers responded he doesn't recall the \$800,000 and he is not sure where this figure came from as he thought it would be around \$500,000. To get infrastructure into the Marburger area, we are proposing to put a deep sewer up 3<sup>rd</sup> Street and then back to University, along with a lift station. Koeser mentioned in planning and how they could stretch the state money received, it was listed as \$500,000. Kautzman informed those present this was the Meadows Water Sewer Extension, which was listed under the possible use of the grant funds. Klug questioned in those discussions of the \$500,000 if there was any mention of the 42<sup>nd</sup> Street since we would gain it all. Koeser answered he would say there is not at this point. Meiers responded their intent is to cross it and eventually something would need to be done. Bekkedahl informed the public the state has an interest in expanding the industry and workforce presence because it means more accessibility to state money through the oil patch. Also, their interest is in seeing the town doesn't become burdened like it did with the last oil boom. When we presented to the State Legislature the information on the growth map, it was talked about how best to annex major trunk line systems to these areas for future development.

Tom Powers expressed concerned about the traffic off 42<sup>nd</sup> and University Ave and the new subdivisions and he thinks we should study this more. Koeser responded this needs to be studied after this subdivision gets annexed.

Koeser closed the public hearing.

Cymbaluk commented there are too many unknowns at this point to dive into this when this is so much money. He believes we need to see a plan about maintenance and services.

Bekkedahl questioned Slade about the dynamics of what the commission is tasked with doing. Slade answered the \$800,000 engineering estimate was from their civil engineer and this made the project cost prohibited. They simply ask if they are eligible for this funding, for two weeks to finish the deal, their approval will be dependent upon this. Cymbaluk questioned with doing a 7 million dollar development, if there is a difference of 200/300 thousand, which might make or break the deal. Slade responded this would be a 1.5 million dollar project, and the \$800,000 infrastructure would get it up there.

**MOTION BY BEKKEDAHL, 2<sup>nd</sup> BY BOGAR, to approve 11-30 subject to the sale of the property being completed within thirty days of this resolution and also subject to the agreement of the developer to the conditions placed upon them by the city for infrastructure development over discussions made here.**

Klug asked how many residential homes were planned for that area and Slade responded initially they are planning for 100 lots. Klug said we have been told over the last three years the cost would be \$45,000 per lot and this would equal 4.5 million and he doesn't understand where the 1.7 million dollar number comes from. Slade responded they are also their own general contractor, so they can provide their own concrete and gravel and this will reduce the cost. Rolfstad questioned if this cost included curbs, gutters and sidewalks and Slade responded yes they are. Koeser reminded the public the city is trying to get the infrastructure to the property and the developer will take care of the area inside the property.

**AYE: Bogar, Bekkedahl, Koeser**

**NAY: Cymbaluk, Klug**

**ABSENT & NOT VOTING: None**

**CARRIED: 3-2**

Koeser called for a five minute break until 8:50PM.

6. Proposed Preliminary Plat for Harvest Hills Subdivision and review application for a P.U.D. (Planned Unit Development Overlay District) to include residential and commercial uses, Williston Township – Granite Peak

Jarcik discussed Public Hearing held on May 16<sup>th</sup>, 2011 to consider the application. The request includes variances to the development standards and street parking with larger than standard right of ways in the C-3: Restricted commercial area. Right of ways and parking spaces built to engineering approved specifications. At the meeting, parking allowances and requests the applicants can make also, along with discussion on the park open spaces. Planning and Zoning Recommendations were to recommend approval of the PUD overlay district, recommend approval of the base underlying zoning districts, and recommend approval of the preliminary plat as proposed by the Planning and Zoning Commission.

Rick Luthel with Sanderson Stewart representing Granite Peak Development presented information regarding the Harvest Hills Development, which is located at the corner of 26<sup>th</sup> Street West and 35<sup>th</sup> Ave. Rick discussed the three packets he had passed out to those in attendance. These included: Master Land Use Plan, Development Master Plan and

Preliminary Plat and a document with break downs regarding the density and unit counts. There intent is to provide a very residential and pedestrian friendly mixed used development on these 289 acres. Existing zoning is agricultural and would be changed to school/public park use, pocket parks, R3 zoning, 4 zoning, C3 restricted – Town Center where is it anticipated this will be 3 to 4 story type buildings with offices on the first two levels and residential on the upper floors. There will also be an area zoned C2 which would a area for a gas station, fast food restaurant and a retail strip mall. Harvest Hills Transportation System will involve 26<sup>th</sup> and 35<sup>th</sup>. Thirty Fifth will extend through and tie into the portion that is along the east side of Harvest Hills and eventually will go north to the proposed 50<sup>th</sup> Street West north of the airport. The proposed infrastructure will be built out in three phases. The first phase will be the lower third is what the plat is intended to be going through on. The second phase will be either side of the 40 acre park, includes a residential area and the park/school property. The third phase would be the north end, which is all residential. The area would be serviced with city water/sewer/garbage and all streets would be full width with curb and gutter. After speaking with Meiers, they plan on building out 26<sup>th</sup> and 35<sup>th</sup> full width also. The lots will be in the 7500 square foot range, so individuals may be building two level houses, and the structure can only cover 40% of the lot. Total build out units will be 2,295 in the end. There will be wording in the development agreement for boulevard trees. In the Town Center, they are proposing angled parking, with side walk right up to building, with boulevard and planting areas. Some of the single family locations have set garages separated from the location of the principal residence. One of the things added into the language of this planned development agreement is auxiliary dwelling units. This is for families who want to get into a little bigger house who are low on cash, who would like to have the income of renting out an upstairs over the garage apartment. These are stipulated with conditions, this is a single bedroom facility less 800 square feet which still needs to meet the off street parking requirement of one parking stall for that particular location. There is a variance about parking ratio requirements in the Town Center area, which is one stall for 250 feet. Regarding the second office space level, there will one parking space for 400 square feet. Regarding the parks, they feel it is very important these be dedicated to the public and feels the park district should take care of them. Other options to pay for the upkeep of parks in this area would be a homeowners association or a parks maintenance district so an assessment could be put on this area. Koeser asked for public input.

Brian Moe would like to see the building department look at the codes for the mother-in-law suites.

Koeser called a second time for public input.

Koeser called a third time for public input.

Koeser closed the hearing.

Bekkedahl questioned having the park district take over maintenance on the open spaces as an option and if these would already be improved spaces with grass/trees/irrigation systems in place. Luthel said the parcel to the north will remain a natural parcel with an open area. All the other parcels will be improved by the developer as they are included in the phase with landscaping, irrigation, benches, dog stations, etc. Bekkedahl also questioned the lack of alleys in the development. Luthel responded in the Town Center area, there will be access for off street parking and solid waste pickup in the rear for portions of these lots, so there will be some limited alleys in this development.

Klug questioned where the fire station/police hub is proposed. Luthel responded this is not finalized as of yet, but is purposed to be on the back of one of the blocks with an entrance from the west and exit on 35<sup>th</sup> Street. Klug also questioned if there would be street lights to which Luthel responded these would be at all the intersections, on some blocks there would one or two. It is set up to be a comfortable, natural type of lighting. Klug commented this is proposed to be a walking area and he has had concerns expressed to him about adequate lighting to do this and Luthel anticipates there will be enough lighting to do this safely.

Cymbaluk questioned Luthel if it doesn't work for the park district to take over the care of the parks, how does it work regarding assessing the property. Luthel answered the subdivision would have its input on how much level of maintenance they want to have and they assess themselves for this. This is set up very similar to a special assessment district, it is set up with some of the same structures for ongoing maintenance. The developer would calculate what this would be in the first year, which in this case could be \$25-\$30 annually per lot.

Bekkedahl questioned an earlier comment by Luthel about one parking space for 400 square feet and wanted to know where this was. Luthel responded this is in the Town Center area for the office space area and this is a shared ratio parking area. The residential will still have to have one per unit parking space. There will be designated parking areas for the shared units, with an overlap of these parking spaces. One area they will be paying close attention to as the Town Center area is developed, is the parking ratio requirement particularly the apartment areas.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to approve the recommendation of the PUD overlay district as a Final Plan to establish a mixed use residential and commercial development.**

Cymbaluk asked if this was with the contingencies already in place that were presented and Koeser answered yes he believed it is.

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

**MOTION BY KLUG, 2<sup>ND</sup> BY BOGAR to approve the recommendation of the base underlying zoning districts as shown in attached exhibit "C".**

Cymbaluk asked if the development decides to change a lot to a different zone, do they have to come back to the commissioners? Luthel replied the PUD allows them to make a certain amount of changes.

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY BOGAR to approve the recommendation of the preliminary plat for Phase 1 with contingencies as listed.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**  
**CARRIED: 5-0**

- B. Application for City Alcoholic Beverage License  
1. Bristro Bravo – Cherie L. Booher

Koeser opened the public hearing.

Cherie L. Booher and Andy Shelheim are opening Bristro Bravo in the former Gingers Resturant on Main and are requesting an alcohol beverage license for beer. This will be an upscale restaurant where people can order alcohol to accompany their meal. Kautzman informed the commissioners the recommendation is to approve subject to a building/fire inspection.

Koeser opened the public hearing.

Koeser called a second time for public input.

Koeser called a third time for public input.

Koeser closed the public hearing.

Cymbaluk questioned Lalim if this was the same building that was out of compliance with their zoning. Lalim responded there were some basement issues that are currently being dealt with. Booher and Shelheim explained they are currently getting their plan for fire/building inspections. They are planning a 16' wall for the fire suppression system. Cymbaluk questioned Booher if she was using the front portion of the building as rentals and she responded it has always been a restaurant upstairs and that is what it is being used for. Klug commented asked if there were people living in the basement or in the front of the building right now and Booher responded not in front of the building, but there are in the basement. Booher is leasing the upstairs and is in compliance. Klug also commented about Booher applying for a wine license later and told her this would take a different type of licensing from this board. Booher commented they would have liked to have a specialty supper club on sale liquor license, but due to the fee started with an on sale beer license.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY KLUG to approve the request subject to the building owner/leasee being in zoning compliance with the downtown commercial district and being in code compliance.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

2. R. Rooster BBQ Company, LLC – Maeve MacSteves

Kautzman informed the commissioners there needs to be a public hearing set for June 14<sup>th</sup> to discuss this.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY KLUG to schedule the Public Hearing for this at the June 14<sup>th</sup> Meeting.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

3. Wildcat Pizzeria - Sperrywo Enterprises LLC

Koeser opened the public hearing for Wildcat Pizzeria.

Russell Means, manager of Wildcat Pizzeria informed the commissioners he is applying for a beer license to be served with the pizza, etc. Kautzman informed those present the recommendation from the building committee is the fire/building inspection needs to be done. Lalim responded the Building Dept. has already taken care of this.

**MOTION BY BEKKEDAHN , 2<sup>ND</sup> BY CYMBALUK to approve the request.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

C. Protest Hearing 11-4

Koeser opened the hearing.

Meiers explained this protest hearing is for Section 3 (Highland Heights) of District 11-4. The improvements in this area will be widening the street to 2<sup>nd</sup> Avenue to 4<sup>th</sup>, then from 4<sup>th</sup> to 6<sup>th</sup> there would be milling, replacement of curb, gutter, sidewalk as well as overlay.

Dennis Gendreau addressed the issue of speed on this street, saying the bottle neck is a gift of safety and feels widening the street is a potential hazard. He was questioning if there was any real reason for the project because if we chose to do this, there will still be a jog at the end of the grade in front of the high school and it being tiered will not have total resolution.

The owner of the Sherwin Williams building expressed concern this is a lot of money (\$35,000 assessment) even after the city pays 2/3 of the costs. He doesn't know what the benefit is to his building, since they do have off street parking.

Mike Sullivan expressed concern about the discrepancy of the special assessment, which are now higher. He is not in protest, but would like a meeting with Kautzman to discuss this.

Bruce Stockman, Trinity Christian School is not in favor of putting in 24<sup>th</sup> Street along the school, which would be about 10-15 feet from the exit door. He understands this street is suppose to solve our traffic problem to the west, but it only runs two blocks and it is more for the benefit of the developer. This is not a reason to sacrifice the safety of the children, but also to pay a huge sum of money that would dangerous and unnecessary for the school. Kautzman reminded those present Trinity Christian was asked to sign a non protest wavier as it relates to the assessments when they purchased their property from the city.

Koeser informed the commissioners he is speaking for Erik Borne, Owner of the Sears Store from Devils Lake, who spoke with him today. He is not protesting, but he is hopeful the sales tax would provide more of the funding.

Vincent Kirkegaard, 503 West Highland Drive asked what streets were involved right now by the High School. He was informed the streets were 2<sup>nd</sup> to 6<sup>th</sup> and it was all in one deal. Kirkegaard questioned why two years ago a seal coat was put on which special assessments were charged for and now if the city is going to mill/overlay this the seal coat will be ground up and hauled away. Also, he received a letter Saturday about this hearing and was not consulted before this. He is also fighting the High School students for the four parking places by his house and is wondering if he is accessed \$5,700 over the next twenty years, will he get a designated parking spot. If it is a public street, he is questioning why all of it couldn't be put on the 1 cent sales tax and he doesn't need curb, gutter and sidewalks. He agreed with Dennis Gendreau about the traffic concerns around the high school.

Dennis Gendreau informed the commissioners he had talked to a school board representative about the safety issue and the bottle neck area slowing down the traffic. They were more concerned about a water issue problem they have in the pool area and allowing the city at 2/3 cost to take that over. The school had the biggest part of this vote with 46% of it and then passing the rest of the obligation unto the rest of the neighbors without any consideration.

Bekkedahl informed the public most North Dakota cities special assess all of the costs for street reconstruction and do not allow any sales tax to go into projects. In Williston, we elected to participate at the 2/3 level if the majority wants the street improvement. Kirkegaard questioned the special assessment on the seal coat put on previously, if this would need to still be paid to which Bekkedahl answered it would be charged, since it has already been paid for by the city. Kirkegaard questioned why they are continuing to pay for something that is being ground up and hauled away and he is paying for it twice.

Koeser called a second time for public input.

Koeser called a third and final time for public input.

Bekkedahl questioned if there was anyone from the school district at the meeting and there was not. He then asked if they had reconsidered their participation and was told by Gendreau he had asked them if it was too late to bring a point of view about this project and school district party thought it wouldn't be too late. He brought up the issue of mailing and notices about projects and Kautzman informed him the city is not required to mail out notices, only to put the notice in the newspaper. Meiers informed the public we have been trying to do something with this street for years and this is a showcase for our city. Granted, they did do a seal coat, but we are now covering 2/3 of the costs of this current project, where normally we only cover half. The school and city believe this project is needed and there is not enough funding to cover all the improvements in the city, so the public needs to be assessed.

Koeser closed the hearing.

Meiers informed the commissioners there are three resolutions to deal with. His recommendation was he doesn't believe we want to try to force acquisition of property due to the protest of a property owner, so he feels we should drop the widening of the block Fulkerson's is on. Koeser asked if that is the case, could we not have parking on that street and widen it that way. Gendreau responded this is not an option, he needs the parking for his business since he has no off street parking. Bekkedahl questioned is it only the School District/City supporting this, but no one else along these streets wants this. Kautzman reminded Bekkedahl we would need protesters to stop this. Meiers informed the commissioners Tom Carns is in support of this due to the fact that when the trucks came in, they back over his

sidewalk, so a driveway was going to be put in to access this building. Tom Carns has spoken to his neighbors in opposition to the widening of the street. Koeser reminded those present there is a process to go through if you want to protest, either in writing or appearance at a protest hearing and if people do not do this, it is not an official protest. Meiers informed the commissioners if they want to proceed, they have to do resolutions that protests not sufficient and a resolution amending the District 11-4 and you have significant petitions. Klug questioned how to go about dropping out 2<sup>nd</sup> to 3<sup>rd</sup> Street from this and Meiers recommended that it just be dropped, but would recommend award of these contracts based on the satisfaction change order for that. Meiers will have to go back, cut out 2<sup>nd</sup> to 4<sup>th</sup> and give this back to the contractor, who didn't think it would damage us to do a change order to reduce it. But, if the contractor does not do this, we would not award them this section. Bekkedahl questioned what this would do to the overall assessments for the whole district and how much they would be decreased. Meiers responded they would be eliminated or reduced on the one block where the widening won't take place. Koeser commented he is concerned that we do this project right and we need to consider what is best for the city and not for individuals. Bekkedahl reminded the public how these street issues are handled. The chip seal projects are done 50% city, 50% assessed basis. The mill/overlay projects with the infrastructure city tax, the city picks up 2/3 and we assess 1/3 to the property owner. Meiers responded instead of splitting 2 blocks off which would be 50/50, and one which would be 2/3 and 1/3, it was decided to make the whole project. Originally it was discussed, not to do all the sidewalks, but decided if the streets were going to be done, everything should look new. Bekkedahl mentioned in the future when the streets blow up like this year, it will have to be decided if they will be repaired or they can be scheduled for this type of rebuild (2/3 – 1/3). But if the public in the area doesn't want the rebuild alternative, then we just continue to repair. Meiers replied people have been really supportive of the sales tax and if we didn't have it the cost would be 100%.

Kirkegaard commented his issue was there was no time to get people organized to come to this protest hearing. Rolfstad commented when there is a school event, there is people parked all over on the south side of the swimming pool off street. He feels they are the ones not providing parking, and they do it all over town and the school needs to provide off street parking.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to approve the Improvement District 11-4 with the change of taking out section from 2<sup>ND</sup> Ave West to 3<sup>RD</sup> Ave West and Highland Drive.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

Meiers recommended the contract be awarded to Northern Improvement for the amount of \$265,920.80

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BEKKEDAHN to approve the bid as presented.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

Meiers recommended approval of Section I; Section III Part A & B; Section IV, Part A& B, Section V, in the amount of \$967,716.55 to Knife River, based on the satisfactory change order for eliminating 2<sup>nd</sup> & 3<sup>rd</sup> Ave. West from that amount.

**MOTION BY BOGAR, 2<sup>ND</sup> BY KLUG to approve the bid as presented.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**  
**ABSENT & NOT VOTING: None**  
**CARRIED: 5-0**

- D. Create tax increment Number 7 to pay for part of special assessments for District 11-4.

Koeser opened the hearing.

Kautzman explained this is for roads around the Trinity Christian School and Kensington area. There is an L shaped roadway along with a water/sewer extension north and south which is included. But there is a \$275,000 cap and the proposal is to create an increment district in this area. Basically there have been improvements discussed by two developers, Sullivan's and Gary Wendel . With these improvements, we expect this \$275,000 of tax increment will be paid off shorter term. Koeser explained these roads would be collector streets from the west and we could justify using the tax increment financing for this.

Koeser called a second time for public input.

Koeser called a third time for public input.

Koeser closed the hearing.

Kautzman explained we would be approving Resolution acknowledging the development plan and then approving the District payoff, which has a \$275,000 cap. Both developers have signed the agreement at this time.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to approve creating tax increment Number 7 to pay for part of special assessments for District 11-4.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

Koeser called for a five minute recess.

Koeser called the meeting back to order.

5. Accounts, Claims and Bills Not Approved in the Consent Agenda
6. Ordinances
7. Petitions, Communications and Remonstrance's
  - A. Reminder of Meeting Time change starting June 14<sup>th</sup> to 6PM.
  - B. Brian Moe – University Parking Issues

Moe informed the commissions regarding the truck parking problem on University Ave off of 26<sup>th</sup> Street adjacent to Wall works Truck Center. Trucks are lined up on both sides of the street right off the shoulder, changing oil, tires, welding, etc. and this is becoming a safety issue. Moe suggested some limited parking there, possibly two hour parking. Wall works does not have access to allow trucks to turn back and get on the bypass, so they are heading down 34<sup>th</sup> Street and going to highway or down 42<sup>nd</sup>. Right now, trucks are using this area for overnight parking and it is a safety issue and the streets from 34<sup>th</sup> to 42<sup>nd</sup> are not designed to have all the truck traffic on them. Furuseth informed him trucks have been ticketed in this area, because of not

being able to park in a residential area. Meiers has the authority to designate this area a hazard/congested area which is going to happen, but at this point he is out of signs. As soon as more signs are received, this will be done along with the other end of University Ave next to the truck route.

C. Basin Cab Letter

Abraham J. Mock explained to the commissioners they have been given nonrenewal of their insurance for Basin Cab, because they are too high of risk with this type of organization. What they are looking at is to combine the taxi service with NW Dakota Public Transit, which would run from 6AM-2AM, seven days a week. The same service would exist to where a person could call and get a ride the same day where this would be by meter, or if the person calls 24 hours in advance, they would be charged a \$2 fare. If they can find insurance by June 10<sup>th</sup>, they would operate as they do now and if they can't find insurance the taxi company would be dissolved. The taxi service would then be combining with the Public Transit Service. Kautzman informed commissioners no documents would have to be changed. Mock explained he would be purchasing his partner's share of the taxi company.

**MOTION BY CYMBULAK, 2<sup>ND</sup> BY KLUG to approve Basin Cab's proposal.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

D. Request for Temporary Street Closing

1. Memorial Day Services – 9<sup>th</sup> Ave West between 9<sup>th</sup> St. and 8<sup>th</sup> St. West

Koeser informed the commissioner there is a request from the American Legion to close 9<sup>th</sup> Ave West between 9<sup>th</sup> St. and 8<sup>th</sup> Street West for a Memorial Day Service on Monday, May 30<sup>th</sup> from 10:30 to 11:45AM. They are asking Public Works to provide and remove barricades for this.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to approve this request.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

2. James Memorial Art Center – 1<sup>st</sup> Ave West and 7<sup>th</sup> Street

Koeser informed the commissioners there is a request from the James Memorial Art Center to close the street in front their building on June 11<sup>th</sup> for the North Dakota Centennial and the Miss North Dakota Pageant. They are asking Public Works to provide and remove barriers for this.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BOGAR to approve this request.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

E. Old Armory Governing Board change

Koeser informed the commissioners of a request coming from the Old Armory Governing Board. They have accepted the resignation of Liz Seven and are recommending the appointment of J C Labar to complete the term, which ends July 2012.

**MOTION BY BOGAR, 2<sup>ND</sup> BY KLUG to approve this change.****AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser****NAY: None****ABSENT & NOT VOTING: None****CARRIED: 5-0****F. Letter from Wright Enterprises, LLC regarding housing solution.**

Jared Wright for Wright Enterprises, LLC would like to purchase the Lake Park Drive In, which is in the industrial area. He would like to put on this some temporary apartment style living for oil workers. If the oil worker wants to have family here, they would have their own bathroom, etc. These will be movable units, so if the boom ever goes bust, these could be moved and donated. Koeser asked Jarcik if this needed to go through Planning and Zoning. Jarcik responded since this in an industrial area now, it would have to be rezoned to residential. Jarcik has visited with Wright in the past about this and Wright didn't like what was said. Wright responded when he talked to Jarcik, his comment basically was the town is growing so fast, big oil has come in, we don't like big oil and to go out of town. Wright responded he is just trying to provide some temporary housing and these people will spend a lot of money in your city. The drive in is not being used now and was grandfathered in and this would take some of the burden off the motels and a worker could have their families here with them. He doesn't need water/sewer as he would work with Double Tree Waste Management out of Montana to have a self contained system. Jarcik explained the corridor from 42<sup>nd</sup> – 58<sup>th</sup> street was considered a light industrial area and a future commercial area. There is no residential component which the city is looking at for future growth, this area is for commercial growth. Jarvik based on the future planning for this area, the recommendation would be commercial for this area. Koeser told Wright he appreciates what Wright is trying to do for families, but does not think the future growth plan to change this to residential will happen. Klug suggested since this will be self contained, why not move it farther out into the county, not surrounded by oil companies and Wright responded this is a possibility.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY KLUG to deny this request as the City is trying to stay in line with the future development growth plan that has been approved.****AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser****NAY: None****ABSENT & NOT VOTING: None****CARRIED: 5-0****G. Mike Hallesy - Disaster Emergency Services Coordinator Report**

Bekkedahl introduced Hallesy, the Disaster Emergency Services Coordinator. Bekkedahl asked him to the May 24<sup>th</sup> City Commissioners Meeting, but he was called away to flooding west of town. Hallesy is here tonight to submit a verbal report on some of the events after the blizzard/power outage. Hallesy reported there was a department head meeting/county roll up and are still working on getting that report, but he would give a condensed version to the commissioners. There have been a lot of events going on in the county with excessive snow, spring flooding, and the ice storm/blizzard which caused the power outage. The biggest thing discussed after all this has been coordination/communication within department heads/working groups/community and the ability to get information out. Also, there is a lack of generators for key items in the community outside the law enforcement center, along with Nemont and 660 having problems with their backup systems. He feels the departments functioned pretty well, doing all the tasks they needed to even with the challenges. Items brought up after the storm included the lack of generators on our infrastructure system and the need for disaster training

for city officials. Immediately following the storm, the county/city was put into a disaster declaration which put the disaster FEMA plan in process. The following week, the governor and PDA people were here looking at the REC, damage to our cemetery districts, streets and land fill. The declaration for northwest North Dakota was completed and presented to President Obama, which he did sign. Now we will teams come back and do project worksheets to qualify the things we have done to be able to be reimbursed.

Hallesy also informed the commissioners as the city annexes, we will need to budget a siren system for these areas and also to replace the outdated current siren network.

Klug questioned Hallesy with the high water of the Missouri River, is there anything the city should worry about. Hallesy responded the city side of the levy has no risk of flooding.

Bekkedahl acknowledged Hallesy's efforts during the recent power outage.

8. Report of Commissioners
  - A. President of the Board
  - B. Vice-President; Finance Commissioner
  - C. Street and Improvement, Sanitation, Cemetery and Public Works Commissioner
  - D. Fire, Police, and Ambulance Commissioner
  - E. Water Works, Sewer, Airport, Building and Planning Commissioner
    1. Appointment of WAWSA board members

Bogar informed the commissioners Koeser and himself would be on the WAWSA Board for one year.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY KLUG to approve appointing Koeser and Bogar to the WAWSA Board.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

2. Approval of WAWSA bylaws

Bogar informed the commissioners the bylaws need to be approved contingent on the Attorney General's final approval.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to approve the bylaws**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

3. Water Plan

Kautzman questioned at what point the commissioners will discuss who owns the water plant, after the water board has their input, and then it will be the commissioners decision how to move forward. Koeser said this will need to be put on the agenda for another meeting.

4. Planning Position

Bogar informed the commissioners Jarcik has been working on filling a second assistant planner position, doing interviews over the last two weeks. He has hired someone at this time and is looking for approval on this position.

**MOTION BY BOGAR, 2<sup>ND</sup> BY BEKKEDAHL to approve the Assistant Planner position that has been filled.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

9. Report of Department Heads
  - A. City Auditor
    1. Computer Restriction Recap – Trend Micro

Kautzman informed the commissioners this is basically a computer recap that Brent Bogar has been involved with. One of the suggestions is since we are intertwined with the County so much, we basically would continue under the County umbrella for computer service. But in light of this, Bogar has also agreed to serve for one year and possibly have the commissioners consider a portfolio assignment of IT Commissioner. The other part of this is the software – Trend Micro, which we are looking for permission to implement this and restrict the sites which shouldn't be on in a governmental function.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY CYMBALUK to approve the request of the Auditor on both issues, as well as the assigning of additional portfolio duty to Commissioner Bogar of IT for the City of Williston.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

2. Acknowledgment of Williams Co. and City Meeting on May 24<sup>th</sup> at 7IS at EOC.
3. Acknowledgment of National Guard Armory and Fire Hall Roof to go out for bids due by June 14<sup>th</sup>, 2011.

Kautzman acknowledged the National Guard and Fire Hall Roof bids are going out and by the next meeting we will have numbers to consider.

4. Resolution No. 28 – Erickson Annexation

Kautzman informed the commissioners this is the trailer court development north of 42<sup>nd</sup> Street. They have indicated their desire to annex, but they haven't produced a plat drawing that would get them to town with a connection point. Kautzman questioned if we are looking at a broader annexation at this point where we take the roadway.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY CYMBULAK to table pending formal recommendation from the City Engineer.**

The buyers of the trailer park, who haven't purchased it yet, due to title issues spoke to the commissioners. He understands the commissioners want the lagoons out of there, but they are not in position to make this change, however they have contacted the company who will make this happen immediately. Bekkedahl responded the reason for his motion, was to see a document where the

Engineer wants the integration of the utilities for servicing the facility. Cymbaluk questioned if the buyer is picking up garbage, is this trailer court still operating, to which the buyer responded they are.

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

5. 30 Million Tax Anticipation Bond Concept

Kautzman informed the commissioners he has been talking to our bond company about a 30 Million Dollar Tax Anticipation Bond Issue. The major chunk of that would be paid for by the 20 Million Dollar State grants we are expecting from the last Legislative session. To do the 30 million dollars, sales tax money will have to be pledged to make up the difference, with a cutoff date of sales tax authority until June 30, 2020. If this is approved at the next meeting, it would take care of the top nine identified areas of improvements, including the Schmburger, Marburger, West Williston Vizina, Baker Hughes, Sand Creek, North Industrial Park, Treatment Plant, Meadows Water and Sewer System. Kautzman would like the commissioners to think about the concept, before the resolutions are presented at the next meeting. The bond consultant is projecting the 2.6% interest rate, which is a very reasonable rate due to this being short term. Bekkedahl informed the commissioners we will not see 20 million dollars this year from the state, so in order to do these infrastructure improvements this year/next year we have to finance this with the 30 Million Tax Anticipation Bond. When the 20 million dollars receipts comes to us from the State, it will go to pay the short term obligation and the other 10 million dollars will be guaranteed with city sales tax, developers fees, assessments, etc. This is a protective measure for the city and puts us in a position if we do the infrastructure right, where we build the industry as well as our work force right, we can go to the State Legislature next session and ask for help again. The governor will be here tomorrow and we will let him know how much we appreciate giving us the majority of this money and we hope to get his continued support.

B. Attorney

C. Director of Public Works/City Engineer

1. 4<sup>th</sup> Ave West improvement district request

Meiers announced there is a developer who wants to develop a Best Western north of Wal-Mart who wants to use 4<sup>th</sup> Avenue West, a gravel road, as his access. He would like to create a special assessment district to pave this road, as other people would benefit. Meiers suggested designing it so it drains all the way to the north.

**MOTION BY BOGAR, 2<sup>ND</sup> BY CYMBALUK for permission to create a special assessment district.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

2. Engineering agreements

Meiers informed the commissioners regarding engineering agreements. Wenck Associates who has been working on the expanding our inert landfill cell, as well as getting permanent modification to the health department for \$18,572. Meiers would recommend we accept this proposal.

**MOTION BY BOGAR, 2<sup>ND</sup> BY KLUG to go with the Engineering Recommendation**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

Meiers informed the commissioners since the Baker Hughes annexation was approved, to get there he asked AE2S to approve a design for this. To do this \$395,250 was needed and depending upon the preliminary design information, this fee could be reduced by \$81,750.

Meiers would recommend we accept this proposal.

**MOTION BY BOGAR, 2<sup>ND</sup> BY KLUG to accept this proposal**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

3. City Street Repair

Meiers informed the commissioners he has asked local engineering firms to go out and get an estimate/measuring/mapping of the street/alley damage in the city, so they could get a report to give to the city. There is so much out there, Meiers has no idea on what the cost will be. There were three proposals with Barlette & West being the low bidder. Meiers recommended using Bartlett and West.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY CYMBULAK to accept this bid to Bartlett and West.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

4. Right of Way Acquisition Personnel

Meiers informed the commissioners there are a lot of projects going outside the city that we don't have right of way for. To get these projects done, we have got consultants working on these to get the right of ways, and we need someone representing the city to get involved and this takes a lot of time. Craig Iclvor and Meiers have discussed this preliminary, tried to outline some scope of work for a couple of these projects and are trying to negotiate this out. Meiers explained to the commissioners he did not want the authority to hire someone and he only wants to be involved, he feels it should be done by the Auditor.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY BOGAR to authorize the Auditor to consult with the Engineer and enable them to hire a right of way acquisition person to work in Meier's departments.**

Klug questioned the salary of this hired person and Kautzman responded this would be rolled and added into the project costs. He continued hopefully Mclvor would be open to having time for the important issues so these projects can be started. Bekkedahl expressed the need to bring information about this back to the next meeting.

**MOTION BY BOGAR, 2<sup>ND</sup> BY KLUG to accept this proposal**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

4. NDDOT Bid Concurrence

Meiers informed the commissioners bids were opened last week on the NDOT for 13<sup>th</sup> and 18<sup>th</sup> Federal Aid Street as well as the 26<sup>th</sup> St. traffic signal updates. Knife River was the low bidder of \$1,098,851.75

and we have received a letter of concurrence from NDDOT. Our estimate was \$1,280,400.00, so Knife River came in lower.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to concur with that.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

D. Fire Chief

1. Request for new employee

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY KLUG to refer this to the Salary Committee.**

**MOTION CARRIED UNANIMOUSLY.**

E. Chief of Police

F. Building Official

1. Building Department Restructuring

Lalim explained to date they have permitted 99 single family homes totaling 60 million dollars with 332 multi-family units in the process at the Engineering Dept. He referred to commissioners to the memo he wrote up. Kautzman suggested this issue be referred to the Budget Committee/Salary Committee, with information being brought back to the June 14, 2011 City Commission Meeting.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BOGAR to approve Lalim' request and send this to the Budget Committee/Salary Committee**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

2. Resolution providing fees on permits and fines

Lalim wants to propose a resolution to raise and outline some area of permitting fees and fines. There are so many problems, he is turning into a police officer. He is finding things people are not suppose to be doing and shutting them down. He presented a list of fines for the commissioners to look over for the next meeting.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BOGAR to table this resolution until the City Commission Meeting on June 14<sup>th</sup>.**

**MOTION CARRIED UNANIMOUSLY.**

3. Office Manager/Plans Examiner Job Description

Lalim presented the job description of the office manager/plans examiner.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to assign this to the personnel and budget committees.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

G. City Planner

1. Final plat for Brigham Subdivision – Brigham Investments

Planning and Zoning is recommending the final plat for the Brigham Subdivision be approved. An ad hoc committee that met on this and corrections were made.

**MOTION BY BOGAR, 2<sup>ND</sup> BY BEKKEDAHL to approve the final plat for the Brigham Subdivision subject to the development agreement and payment of the park dedication.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

2. Final Plat Dakota Supply Subdivision – Dakota Supply Group

Planning and Zoning is recommending the final plat for the Dakota Supply Group be approved.

**MOTION BY BOGAR, 2<sup>ND</sup> BY CYMBALUK to approve the final plat for Dakota Supply Subdivision.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

H. Economic Development

1. STAR Fund

- a) Change to STAR Fund Application – Replacement of Tailor Made with name change.

Rolfstad explained the two brochures he had handled out. One will focus on the Small Businesses-Mini Match with a Flex PACE and the other covers all the different programs they have. There have been name changes which involves the term Tailor Made. This is for when people couldn't find a program, they went to the Tailor Made and applied there. In the bookkeeping part of it, it has been broken out into three categories – Community Build (programs where we help for ex. the college where there is a fund drive and they contributed to it); Community Growth (the money that is given to the Small Business Assoc., Teddy Roosevelt Expressway, etc.) Target Industries (incentive money to get a business here).

Klug questioned the brochure content and wanted the word “will” changed to “may” under certain areas the city will do.

**MOTION BY BOGAR, 2<sup>ND</sup> BY CYMBALUK to make the name change from Tailor Made to Community Build, Community Growth and Target Industries to better reflect the focus of the program.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

- b) Williston State College – Community Build Grant

Rolfstad mentioned funds had been given to them earlier for the master plan for the campus and also other building projects have been or will be completed. The college would like to request money (\$178,000) to do some landscaping/walkways between the Career and Technical Education Building to connect this to the rest of the campus. Dr. Nadoney from Williston State College informed those present they went to the governor and requested the residence hall not be on a parking lot and to have

the college look like a college, not a high school. The governor thought this was a good vision and the legislatures passed it, so now the college is able to redo the entire front area. They are taking out the drive and landscaping it, they have a couple bronze monuments and university quads. The back area which is now heavy industry and he wants it to look more like a area to do business, looks professional and a place you want to live and this would tie everything together and this came because of the master plan. Nadoney explained in Phase 1 they put in a circular drive, Phase 2 they redo all the parking, Phase 3 they landscape the circular drive, Phase 4 they are skipping because the dollars aren't there and this is for money to do the parking in front of Training ND and Phase 5 is a walkway connecting the college with Western Star/Train ND. They have talked to the city about putting a road behind the Western Star Career and Technical Center, so there are better access points due to the heavy traffic on University Ave. Klug questioned Nadoney how the Williston State College Foundation is involved in this and he responded they are doing a \$500,000 match to the legislative money. Rolfstad commented this would also be a place for public meetings and also more events for the students.

**MOTION BY BEKKEDAH, 2<sup>ND</sup> BY BOGAR the city accepts the recommendation from the Star Fund to grant \$178,000 to Williston State College for a pedestrian corridor.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

Cymbaluk thanked Nadoney for what he had done for the college.

c) Williston Community Library

Rolfstad discussed the application from Debbie Slais who is looking to update the meeting room and also media equipment. She is in the process of getting bids for this and with this grant and money in reserves should be able to cover this.

Klug commented we need quality meeting space rooms and he suggested a fee schedule to rent these rooms. Slais responded they already have a fee schedule for half and full days and Klug replied these fees should be raised. Bekkedahl requested Slais to talk to her board regarding a public and private fee schedule. Rolfstad expressed a need for modern media for meetings held at the library.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BOGAR the City Commission approve the grant of 2/3 of the media equipment request up to \$50,000 to the Williston Community Library for media equipment in the meeting room.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

d) Hill Enterprises – Flex PACE - \$24,999

Rolfstad informed those present Hill Enterprises owns the Village Laundry and The Wash House in Williston. With the City Laundry closing and this laundry being taken to Bismarck, Hills are interested in putting in industrial laundry. It would be located where the current Dakota Electrical Supply is which is in a new subdivision that was approved tonight. David and Kristen Hill are requesting the amount of \$24,999 for their project totaling \$1,800,000.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to approve the Star Fund Flex Pace in the amount of \$24,999 to Hill Enterprises.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**  
**ABSENT & NOT VOTING: None**  
**CARRIED: 5-0**

e) Coates RV – Flex PACE - \$24,999

Rolfstad informed those present Mark Petterson is looking to build a RV dealership on the hill by Chaney's Auto. Petterson is requesting \$24,999 as a buy down on this project.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BEKKEDAHL to approve a flex pace up to \$24,999 for Coates RV to build a new RV Dealership.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

f) Wild Cat Pizza – Flex PACE - \$10,000

Rolfstad informed those present this is to provide a Flex PACE buy down of up to \$10,000 for Wild Cat Pizza to remodel the former Burns Rod Welding building into a pizzeria serving New York Style pizza.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to approve a Flex Pace up to \$10,000 to remodel the former Burns Rod Welding Building into a Pizzeria.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

g) Shirtworz – Flex PACE - \$10,000

Rolfstad informed Brad Knutson from Shirt Workz is requesting a Flex PACE in the amount of \$10,000 to build a new building by Industrial Equipment, which is a \$200,000 project.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BOGAR to approve a Flex PACE in the amount of \$10,000 for the Shirt Workz for their building expansion.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

- I. Airport
- J. Assessor
- K. Convention and Visitor's Bureau
- 10. Appointments and Consultations with Officers
- 11. Unfinished Business
  - A. Chamber Request – Plans for the Street Dance (from 2/22/11 minutes)

Kautzman informed the Commissioners the Chamber had presented plans and this can be Approved as presented. The beer gardens will be separated during the day, until all the kids events are done.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BEKKEDAHL to approve the Chamber request.**

**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**

**NAY: None**

**ABSENT & NOT VOTING: None**

**CARRIED: 5-0**

- B. Status of the Erickson Mobile Home Court sewer lagoon: R-5: Mobile Home Court for an unplatted parcel (43.40ac) in S1/2NW1/4, Section 2, T145,R101, Williston Township – Erickson Family Trust

This item will be left on the agenda.

- 12. New Business
- 13. Executive Session
- 14. Adjourn

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY BOGAR TO ADJORN.**