

OFFICIAL PROCEEDINGS  
OF THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS HELD  
JUNE 28, 2011 AT 6:00 P.M. AT CITY HALL IN WILLISTON, NORTH DAKOTA

1. Roll Call of Commissioners

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

COMMISSIONERS ABSENT: None

OTHERS PRESENT: John Kautzman, Doug Lalim, Jim Lokken, Alan Hanson, Kent Jarcik, Monte Meiers, Shannon Innis

Kautzman announced the following post amendments to the agenda: 4A public hearing – bond issue deleted – should go under 3C as a bid opening; under new business add release of a lien for Creek side; acknowledgment when commissioners get to Lalim's issue, there is a separation where we need ordinances and resolutions.

**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 June 14, 2011

B. Auditor

1. Accounts, Claims and Bills

Combined Check Register

For Checks Between 06/14/11 - 06/27/11

Check #	Vendor/Employee/Payee Number/Name	Check Amount	Date Issued	Notes
-85675	56070 TATE A. CYMBALUK	0.00	06/17/11	
-85674	12020 RANDY M DONNELLY	1171.00	06/17/11	
-85673	12017 JOHN L. KAUTZMAN	2347.58	06/17/11	
-85672	12028 RAINNIE L. LADUE	1169.75	06/17/11	
-85671	12018 SANDRA K. SOLBERG	1411.74	06/17/11	
-85670	56119 CHEYENNE E. CHINEA	846.48	06/17/11	
-85669	13026 KEVIN W. CRAFT	944.19	06/17/11	
-85668	56118 KATALIN C. MAGYAR	1024.02	06/17/11	
-85667	13027 CRYSTAL A. SCHAUBEL	1365.45	06/17/11	
-85666	13025 JOLEEN S. TINKER	1419.65	06/17/11	
-85665	14021 BRAD D. BEKKEDAHL	292.48	06/17/11	
-85664	14024 BRENT BOGAR	356.11	06/17/11	
-85663	14025 HOWARD D. KLUG	13.33	06/17/11	
-85662	15004 JANET B. ZANDER	1321.65	06/17/11	
-85661	56087 CODY M. BAKKEN	322.49	06/17/11	

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-85660	18022 SHARYL J. BUSCH	1789.48	06/17/11
-85659	18028 DAVID C. DONNER	1752.36	06/17/11
-85658	56127 RICHARD S. FISHER	89.63	06/17/11
-85657	18026 MATTHEW L. GARDNER	1592.49	06/17/11
-85656	18001 ALAN K. HANSON	1840.27	06/17/11
-85655	18100 TANA L. HINRICKSEN	1365.56	06/17/11
-85654	56101 SUSAN G. HOLMEN	324.52	06/17/11
-85653	18027 STEVEN D. KERZMANN	1621.14	06/17/11
-85652	56107 VICTORIA L. KREGER	328.52	06/17/11
-85651	18099 ERICA J. MYERS	13.21	06/17/11
-85650	18024 JONATHON RASMUSSEN	2107.60	06/17/11
-85649	18020 RICHARD SHEARER	1842.22	06/17/11
-85648	19024 DAVID L. BELISLE	1087.99	06/17/11
-85647	19092 DUSTIN J. BERTSCH	1326.89	06/17/11
-85646	19028 MARK R. BITZ	1531.54	06/17/11
-85645	56097 ALAN C. BRATT	1531.00	06/17/11
-85644	19090 HEATHER M. CECIL	1201.87	06/17/11
-85643	19076 CORY G COLLINGS	1490.54	06/17/11
-85642	19009 LINDA R. GRANBOIS	964.04	06/17/11
-85641	19017 MARK HANSON	1421.24	06/17/11
-85640	19082 RANDY M. HAUGENOE	1308.45	06/17/11
-85639	56102 MICHAEL A. ISENHOWER JR	1515.55	06/17/11
-85638	19012 THOMAS L. LADWIG	1749.85	06/17/11
-85637	19011 JAMES L LOKKEN	2264.65	06/17/11
-85636	56082 TRAVIS J. MARTINSON	1327.14	06/17/11
-85635	56061 AMY D. NICKOLOFF	1552.70	06/17/11
-85634	56078 DAVID A. NYGAARD	1173.68	06/17/11
-85633	19014 KENNETH B. OWENS	1742.62	06/17/11
-85632	19089 JOHN L. PFAU	1462.42	06/17/11
-85631	56052 JAMESON J. O. SEIM	1199.51	06/17/11
-85630	56098 JAKE O. SNYDER	1208.22	06/17/11
-85629	19101 DARYL D. WALLIN	1042.20	06/17/11
-85628	19077 MICHAEL S. WILSON	1689.72	06/17/11
-85627	19100 RYAN C. ZIMMERMAN	1239.51	06/17/11
-85626	20047 KELLY M. ABERLE	1016.63	06/17/11
-85625	56094 AMY R. DILLY	771.30	06/17/11
-85624	20045 DOUGLAS I. LALIM	1509.64	06/17/11
-85623	56090 RONALD W. ROLLE	1269.58	06/17/11
-85622	21051 CARL S DUNN	1430.01	06/17/11
-85621	21040 MONTE C. MEIERS	1889.39	06/17/11
-85620	21054 WAYNE A WIEDRICH	1556.08	06/17/11
-85619	22020 ROBERT D. KNAPPER	1551.50	06/17/11
-85618	56100 BILLY J. BAKER	1316.02	06/17/11
-85617	23078 DON A. EIDE	1757.78	06/17/11
-85616	56064 HEATH T. GLENN	636.62	06/17/11
-85615	56128 VERNON L. HENDRICKSON	1018.95	06/17/11
-85614	24018 EFFIE J. BROWN	1262.07	06/17/11
-85613	24019 ROBERT D. COUGHLIN	825.15	06/17/11
-85612	56095 DARREL G. GROTBORG	746.67	06/17/11

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-85611	24017 STEVEN W. JENSEN	1051.04	06/17/11
-85610	24013 THOMAS C. POTTER	1321.46	06/17/11
-85609	56104 DANIEL W. TUPA	1430.32	06/17/11
-85608	25110 KENNETH W. BERGSTROM	1406.30	06/17/11
-85607	12029 LORI A. LARSEN	850.76	06/17/11
-85606	27076 DANNY R. GERGEN	1223.50	06/17/11
-85605	56091 JAMES A HAGA JR	1027.95	06/17/11
-85604	56046 CRAIG R. MAHLUM	1068.24	06/17/11
-85603	30027 JAMES E. PHILLIPS	485.62	06/17/11
-85602	56084 KENNETH R. BOYKIN	1259.44	06/17/11
-85601	56114 ANTHONY D. DUDAS	1309.02	06/17/11
-85600	56110 ADAM M. FREEMAN	1395.10	06/17/11
-85599	56086 STEVEN C. KJERGAARD	1529.46	06/17/11
-85598	56120 VICTORIA M. RUBLE	965.57	06/17/11
-85597	34017 KENT A. JARCIK	1858.23	06/17/11
-85596	34016 ELAINE B. SINNESS	680.84	06/17/11
-85595	35025 JOSILYN F BEAN	1124.21	06/17/11
-85594	56079 BRENDA SEPTKA	893.73	06/17/11
-85593	56042 LEPRIEL M. WHITE	942.08	06/17/11
-85592	56039 KERI L. BODA	655.21	06/17/11
-85591	48013 DEBORAH A. SLAIS	1031.34	06/17/11
-85590	48034 YVONNE A. TOPP	395.67	06/17/11
-85589	48089 CLARA WEGLEY	640.93	06/17/11
-85588	56069 HOLLY WEISEL	285.00	06/17/11
-85587	52013 SHANNON K. INNIS	877.43	06/17/11
-85586	52011 ANN M. KVANDE	1020.19	06/17/11
-85585	56041 BARBARA J. PETERSON	515.17	06/17/11
-85584	52003 THOMAS C. ROLFSTAD	2132.57	06/17/11
-85583	52020 SHAWN WENKO	1408.40	06/17/11
-85582	56109 PAULETTE K. BAUER	633.65	06/17/11
-85581	53006 LAURIE K. BECKER	324.80	06/17/11
-85580	53005 BOBBI JO CLARKE	905.60	06/17/11
-85579	56124 NAOMI R. GARMAN	270.35	06/17/11
-85578	53002 AMY A. KRUEGER	1319.11	06/17/11
-85577	56062 BARBARA G. MCFARLANE	96.24	06/17/11
-85576	56080 BRAD E. SEPTKA	2038.75	06/17/11
-85575	54008 TAMMY K. WRIGHT	1023.86	06/17/11
-85574	DEFERRED COMP NATIONWIDE RETIREMENT SO	14184.79	06/17/11
-85573	FIT U.S. TREASURY	59960.79	06/17/11
-85572	WEAPON CITY OF WILLISTON	99.00	06/17/11
-85571	FIT U.S. TREASURY	12.88	06/20/11
-85570	MERITAIN HEALTH MERITAIN HEALTH	522.78	06/20/11
1655	* 756 TRI-COUNTY REGIONAL DEVELOPMENT C	2000.00	06/17/11
1656	756 TRI-COUNTY REGIONAL DEVELOPMENT C	9000.00	06/17/11
1657	1033 Community Development, Inc.	66947.29	06/17/11
43470	* 601 BLACKHAWK AGENCY, LLC	2164.32	06/15/11
43471	673 CLERK OF DISTRICT COURT	1100.00	06/15/11
43472	999999 JOSHUA DAGENAIS	1340.00	06/15/11
43473	999999 NORMAN AKINS	40.00	06/15/11

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43474	339 OFFICE OF STATE AUDITOR	200.00	06/15/11
43475	999999 RICHARD SARGENT	580.00	06/15/11
43476	999999 RYAN LEE	290.00	06/15/11
43477	999999 TRACEY SORENSON	50.00	06/15/11
43478	999999 WALMART	31.50	06/15/11
43479	56108 PATRICA A. BUCK	703.73	06/17/11
43480	12026 KAREN P. LARSON	685.71	06/17/11
43481	14020 E. WARD KOESER	137.87	06/17/11
43482	17016 TOM J. GLENN	922.61	06/17/11
43483	18086 GAYLEN ANDERSON, SR.	26.89	06/17/11
43484	18019 THOMAS R. BLOCH	1520.74	06/17/11
43485	18094 MICHAEL CASLER	365.38	06/17/11
43486	18096 TRACY C. KERZMANN	9.43	06/17/11
43487	18098 EVAN M. LEISETH	98.25	06/17/11
43488	56130 ANDREW A. SAILER	794.85	06/17/11
43489	18081 JENNIFER A. SAX	133.86	06/17/11
43490	18046 GARVIN SEMENKO	6.14	06/17/11
43491	18048 DARWIN STEVENS	6.14	06/17/11
43492	56121 DUSTIN R. CELANDER	1180.34	06/17/11
43493	19095 WALTER H. HALL	1371.32	06/17/11
43494	56113 MINDY SUE MCEWEN	889.00	06/17/11
43495	19098 DAVID A. PETERSON	1325.60	06/17/11
43496	19056 CHARLES TANNER	1323.40	06/17/11
43497	21041 ROBERT E HANSON	2045.54	06/17/11
43498	56105 EDWARD A LODWIG	399.24	06/17/11
43499	21052 RAYMON J. SKOGEN	1120.91	06/17/11
43500	22021 LES CHRISTENSEN	1440.95	06/17/11
43501	22014 GARY L. GLOVATSKY	1170.39	06/17/11
43502	56125 KYLE J. BEAUFEAUX	636.39	06/17/11
43503	56123 CARRIE M. BOLSTAD	536.77	06/17/11
43504	23136 JAMES B. ENGEN	1399.25	06/17/11
43505	23126 BRENT E. HANSON	1311.32	06/17/11
43506	23039 BRUCE A. JOHNSON	1142.76	06/17/11
43507	56126 ARIC K. MELBERG	383.93	06/17/11
43508	23142 ROBIN S OLIVERIA	1947.08	06/17/11
43509	23123 GREGORY C WERKMEISTER	598.31	06/17/11
43510	25030 PEDAR A. ANDRE	1542.36	06/17/11
43511	27058 DAVID LEE BELL	2063.03	06/17/11
43512	25106 RICHARD S. ODEGARD	1167.26	06/17/11
43513	26039 DIANE K. ALBRIGHTSON	744.57	06/17/11
43514	27067 RICHARD D. BORUD	1147.37	06/17/11
43515	27066 GORDON GRIMMER	1395.61	06/17/11
43516	56047 CHASE C. LUTHER	636.11	06/17/11
43517	27096 RUSSELL E. MOMBERG	1159.18	06/17/11
43518	27091 JOSEPH G. MONSON	1119.15	06/17/11
43519	56112 GARRISON CANTER	1085.48	06/17/11
43520	56133 DILLON BODIN	470.75	06/17/11
43521	56048 CURTIS E. PAGE, JR.	565.11	06/17/11
43522	31051 GORDON L. SMESTAD	1306.48	06/17/11

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43523	56122 WESTON E. SMESTAD	564.19	06/17/11
43524	56099 MARK C. AMONDSO	1053.19	06/17/11
43525	56129 CHARLES E. OVERBY	927.07	06/17/11
43526	25112 DUANE F. OVERBY	1158.65	06/17/11
43527	32006 WILLIAM M. MCQUISTON	1396.07	06/17/11
43528	36006 NEIL W. BAKKEN	1487.73	06/17/11
43529	37008 LAVERN GOHL	1225.88	06/17/11
43530	48105 HALEY M BECKER	22.64	06/17/11
43531	48102 KAYLA J. HELL	97.30	06/17/11
43532	48103 JAMES S. HOLMAN	913.85	06/17/11
43533	56111 ANDREA L. MITCHELL	0.00	06/17/11
43534	56132 HALEY M. NELSEN	220.22	06/17/11
43535	48106 CLARA A. REINKE	26.41	06/17/11
43536	56066 ZACHARY G. CORCORAN	2034.79	06/17/11
43537	54065 PATRICIA K. FIORENZA	1108.32	06/17/11
43538	54068 LEROY M. MARQUARDT	95.40	06/17/11
43539	56131 KATIE E. SEPTKA	242.91	06/17/11
43540	19101 DARYL D. WALLIN	3044.23	06/17/11
43541	48103 JAMES S. HOLMAN	1625.34	06/17/11
43542	56114 ANTHONY D. DUDAS	79.78	06/17/11
43543	CARPENTERS FUND CARPENTERS & JOINERS WEL	2802.00	06/17/11
43544	MN CHILD SUPPOR MINNESOTA CHILD SUPPORT	294.00	06/17/11
43545	MT CSED FT MONTANA CSED	44.18	06/17/11
43546	ND CHILD SUPPOR ND CHILD SUPPORT ENFORCE	209.00	06/17/11
43547	ND HEALTH ND PUBLIC EMPLOYEES RETI	76012.26	06/17/11
43548	ND PEA NDPEA	34.00	06/17/11
43549	UNITED WAY UNITED WAY	110.00	06/17/11
43550	US TREASURY UNITED STATES TREASURY	395.17	06/17/11
43551	56126 ARIC K. MELBERG	84.01	06/17/11
43552	AFLAC AMERICAN FAMILY LIFE ASS	256.01	06/20/11
43553	AMERICAN NATION AMERICAN NATIONAL LIFE I	202.66	06/20/11
43554	FIDELITY SECURI FIDELITY SECURITY LIFE I	188.56	06/20/11
43555	PERS NORTH DAKOTA PUBLIC EMPL	37162.24	06/20/11
43556	577 EMERGENCY MEDICAL PRODUCTS	408.70	06/20/11
43557	1060 Getaway Travel	0.00	06/20/11
43558	624 HAMERS AUTOMOTIVE	6524.15	06/20/11
43559	153 HEIMAN FIRE EQUIPMENT, INC.	346.85	06/20/11
43560	247 MERCY MEDICAL CENTER	80.05	06/20/11
43561	252 MIDCONTINENT COMMUNICATIONS	50.96	06/20/11
43562	278 NAT'L FIRE PROTECTION	150.00	06/20/11
43563	320 NEMONT	157.18	06/20/11
43564	DEPENDANT CARE DISCOVERY BENEFITS	5891.12	06/20/11
43565	Vendor not on File	0.00	/ /
43566	1060 Getaway Travel	603.90	06/21/11
43567	999999 TODD CREST	500.00	06/21/11
43568	673 CLERK OF DISTRICT COURT	1000.00	06/21/11
43569	56111 ANDREA L. MITCHELL	616.23	06/21/11
43570	289 ND DEPT OF HEALTH	90.00	06/23/11
43571	488 VISA	324.64	06/23/11

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43572	470 US POSTAL SERVICE	1465.15	06/23/11
43573	999999 BROCK RICHARD	250.00	06/23/11
43574	673 CLERK OF DISTRICT COURT	600.00	06/23/11
43575	999999 JEFFREY LINGHOR	5.00	06/23/11
43576	999999 SHANE RHODES	300.00	06/23/11
43577	999999 WILLIAM BILLINGSLEY	300.00	06/23/11
43578	999999 YVONNE SAVIDGE	500.00	06/23/11
43579	999999 DUSTY SCHRIVER	250.00	06/24/11
43580	1079 ABL MOBILE LOCK & SAFE	190.00	06/27/11
43581	2 ACE SPRINKLER SYSTEMS INC	313.70	06/27/11
43582	6 AL MCFARLANE	3625.00	06/27/11
43583	610 AMERICAN HONEY COMPANY	177.02	06/27/11
43584	718 AMERIPRIDE SERVICES	25.20	06/27/11
43585	540 AQUA-PURE INCORPORATED	9520.00	06/27/11
43586	30 ASTRO-CHEM LAB, INC.	700.00	06/27/11
43587	708 AT&T	365.83	06/27/11
43588	723 BADLANDS STEEL, INC	98.25	06/27/11
43589	34 BALCO UNIFORM CO., INC.	942.00	06/27/11
43590	1181 BASIN CONCRETE	12660.00	06/27/11
43591	993 Bee Line Service	47.50	06/27/11
43592	52 BORDER STATES ELECTRIC	163.46	06/27/11
43593	59 BRODART CO.	111.01	06/27/11
43594	1054 C & D WATER SERVICES	19.50	06/27/11
43595	65 CANDLELIGHT COTTAGE	165.81	06/27/11
43596	66 CAPITOL PRESS	49.00	06/27/11
43597	1261 CHAMBER OF COMMERCE	1000.00	06/27/11
43598	79 CITY OF WILLISTON	997.75	06/27/11
43599	567 CRAIG'S SMALL ENGINE REPAIR	175.17	06/27/11
43600	825 CROWLEY FLECK PLLP	2458.00	06/27/11
43601	548 DAKOTA DIESEL	43.26	06/27/11
43602	595 DASH MEDICAL GLOVES	109.80	06/27/11
43603	671 DF LIGHTING COMPANY	1093.50	06/27/11
43604	933 EBSCO	19.23	06/27/11
43605	549 ECONOMART	51.97	06/27/11
43606	122 EL RANCHO CORP.	512.70	06/27/11
43607	126 EMRY'S LOCKSMITHING	242.15	06/27/11
43608	650 ETHANOL PRODUCTS, LLC	3151.11	06/27/11
43609	1293 EUGENE EMERY	250.00	06/27/11
43610	905 FALCON PUMP & SUPPLY	105.04	06/27/11
43611	130 FARGO WATER EQUIPMENT CO	333.38	06/27/11
43612	668 FASTENAL COMPANY	35.13	06/27/11
43613	133 FLEXIBLE PIPE TOOL CO.	48.01	06/27/11
43614	134 FORT UNION SUPPLY & TRADE	811.43	06/27/11
43615	139 GAFFANEY'S	1096.37	06/27/11
43616	922 GALLES FILTER SERVICE, INC	904.67	06/27/11
43617	1154 GOOSENECK IMPLEMENT	36.75	06/27/11
43618	1298 Great Plains Towers, Inc.	1134.00	06/27/11
43619	178 H2O INNOVATION USA INC.	6305.00	06/27/11
43620	539 HACH	1290.57	06/27/11

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43621	151 HAWKINS, INC.	9297.06	06/27/11
43622	550 HEDAHLS PARTS PLUS	58.08	06/27/11
43623	153 HEIMAN FIRE EQUIPMENT, INC.	1346.20	06/27/11
43624	157 HERMAN OIL COMPANY	721.50	06/27/11
43625	161 HOME OF ECONOMY	219.05	06/27/11
43626	162 HORIZON RESOURCES	1693.26	06/27/11
43627	163 HOSE AND RUBBER SUPPLY	207.67	06/27/11
43628	170 IBM CORPORATION	697.17	06/27/11
43629	999999 JAKE O. SNYDER	25.00	06/27/11
43630	182 JAMES MEMORIAL PRESERV SOCIETY IN	150.00	06/27/11
43631	1299 KNIFE RIVER- NORTH CENTRAL	98595.00	06/27/11
43632	245 MEDQUEST INC	78.97	06/27/11
43633	250 MICROMARKETING ASSOCIATES	493.89	06/27/11
43634	252 MIDCONTINENT COMMUNICATIONS	170.55	06/27/11
43635	991 MISS ND SCHOLARSHIP PAGEANT	60.00	06/27/11
43636	1103 MOM'S HOME MARKETING	161.95	06/27/11
43637	1193 MON-DAK ENERGY ALLIANCE	1410.00	06/27/11
43638	261 MON-DAK PLG & HTG, INC.	243.60	06/27/11
43639	243 MONTANA DAKOTA UTILITIES	27710.17	06/27/11
43640	1175 MONTANA DAKOTA UTILITIES	1300.00	06/27/11
43641	267 MOUNTRAIL-WILLIAMS REC	124.05	06/27/11
43642	270 MURPHY MOTORS, INC.	1012.28	06/27/11
43643	275 NAPA AUTO PARTS	101.64	06/27/11
43644	314 ND WORKFORCE SAFETY & INS	148.03	06/27/11
43645	1243 NEFF EIKEN & NEFF PC	500.00	06/27/11
43646	320 NEMONT	3594.27	06/27/11
43647	1002 NORTH DAKOTA HORIZONS	132.00	06/27/11
43648	332 NORTHWEST NARCOTICS	55447.00	06/27/11
43649	333 NORTHWEST SUPPLY CO.	446.55	06/27/11
43650	690 O'REILLY AUTO PARTS	42.59	06/27/11
43651	335 O.K. DISTRIBUTING, INC.	94.08	06/27/11
43652	342 OILIND SAFETY	510.68	06/27/11
43653	1250 OK TIRE STORE	305.90	06/27/11
43654	351 PENWORTHY	166.57	06/27/11
43655	356 PITNEY BOWES, INC.	540.00	06/27/11
43656	359 PRAXAIR DISTRIBUTION INC	97.76	06/27/11
43657	641 PREBLE MEDICAL SERVICES, INC	600.00	06/27/11
43658	362 PRO SAFE PEST CONTROL	182.00	06/27/11
43659	364 PURCHASE POWER	1000.01	06/27/11
43660	367 QUILL CORPORATION	145.14	06/27/11
43661	597 QWEST	974.76	06/27/11
43662	388 RESULTS UNLIMITED	2565.22	06/27/11
43663	390 RICHARD A. JOHNSON	2546.75	06/27/11
43664	406 S & W HEALTHCARE CORP	106.96	06/27/11
43665	409 SANITATION PRODUCTS	16.98	06/27/11
43666	415 SELECT FORD	128.98	06/27/11
43667	420 SHERWIN-WILLIAMS	52.14	06/27/11
43668	427 SRF CONSULTING GROUP, INC	31273.44	06/27/11
43669	923 STEVE ROCK	200.00	06/27/11

## City Commission Meeting

June 28, 2011

43670	441 SUNDBY SERVICES	896.00	06/27/11
43671	1036 SWANSON PROCESS SERVICES, CO.	474.00	06/27/11
43672	544 SWANSTON EQUIPMENT CORPORATION	56.35	06/27/11
43673	447 THE SHOPPER	679.05	06/27/11
43674	647 THUE, JANICE M	593.20	06/27/11
43675	454 THUNDERBIRD RANCH	66.60	06/27/11
43676	1142 TOTALFUNDS BY HASLER	600.00	06/27/11
43677	460 TRACTOR & EQUIPMENT CO.	177.33	06/27/11
43678	463 TRIANGLE ELECTRIC	2097.74	06/27/11
43679	1297 Triple AAA Safety/Training Inc.	850.00	06/27/11
43680	488 VISA	1958.51	06/27/11
43681	1295 VORTEX ENGINEERING & ARCHITECTURE	24464.95	06/27/11
43682	1249 WASTE NOT RECYCLING LLC	1423.50	06/27/11
43683	494 WATER ENVIRONMENT FED.	98.00	06/27/11
43684	941 WENCK ASSOCIATES, INC.	21712.28	06/27/11
43685	1037 WEST DAKOTA READY MIX, INC.	114.00	06/27/11
43686	531 WILLIAMS COUNTY AUDITOR	4573.13	06/27/11
43687	514 WILLISTON COMMUNITY LIBRARY	336.96	06/27/11
43688	516 WILLISTON CVB	200.00	06/27/11
43689	518 WILLISTON HERALD	115.34	06/27/11
43690	523 WILLISTON POLICE ASSN.	15.00	06/27/11
43691	525 WILLISTON TIRE CENTER	298.74	06/27/11
43692	526 WILLISTON TRUE VALUE	44.97	06/27/11
43693	529 WILLISTON/WILLIAMS COUNTY - DES	6442.23	06/27/11
43694	1301 Xtreme Mairine, LLC	449.37	06/27/11
43695	1300 ZIMMERMAN, RYAN	62.50	06/27/11

Total Claims	335	465,522.61
Total Payroll		<u>372,100.99</u>
Grand Total		837,623.60

2. Application for Local Site Authorization to Conduct Games of Chance
  3. Application for Special Event Permit to Sell Alcoholic Beverages
    - a. American Legion; July 1<sup>st</sup>-2<sup>nd</sup>, 2011; Class of 1971 Reunion at the Old Armory
    - b. Cattails; July 1<sup>st</sup>-2<sup>nd</sup>, 2011; Outdoor bar for Blast Night.
- C. Building Official
1. Application for Arborist License
    - a. Nick Osler - Lakewood Construction
  2. Application for Journeyman Mechanic License
    - a. Peter Chouinard Jr. – Whitetail Heating & Cooling Inc.
    - b. Scott Kundel – Whitetail Heating & Cooling Inc.
  3. Application for Master Plumber License



- a. Terry Mvonio – Pipestone Mechanical Inc
  - 4. Application for Master Mechanic License
    - a. Alan Nelson – ASP Mechanical
  - 5. Application for Fuel/Gas Piping Installer License
    - a. Peter Chouinard Jr. – Whitetail Heating & Cooling Inc.
    - b. Scott Kundel – Whitetail Heating & Cooling Inc.
    - c. Alan Nelson – ASP Mechanical
- D. City Planner
  - 1. Request to set public hearing for July 12, 2011 for proposed Zone Change from A: Agricultural to RIA: Rural Residential for Sub lot 4, SE1/4, Section 12 T154N, R101W, Williston Township-Gilbertson
  - 2. Request to set public hearing for July 12, 2011 for proposed Zone Change from A:Agricultural to M-1:Light Industrial for Lot 3R and Sub lot 4, NE1/4, Section 3, T154N, R101W, Williston Township-Ironwood Development/Owan
  - 3. Request to set public hearing for July 12, 2011 for proposed Zone Change from A: Agricultural to M-2: Heavy Industrial for unplanted parcel (2.87ac), SW1/4 Preliminary Plat for NOV Tuboscope Subdivision – National Oil well (NOV)/Sorenson
  - 4. Request to set public hearing for July 26, 2011 for a petition to vacate a right of way a portion of 66' street between Lots 1,2,3 & 4, Block 3, and Lot 5, Block 2, Williston Rail Industrial Park Subdivision.- Mac Bain/Sanjel.
- E. Assessor.
  - 1. Abatement
  - 2. Exemptions

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY BOGAR to approve the consent agenda as presented to the Commissioners.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- 3. Bid Openings
  - A. Fire Hall Roof

Kautzman announced there was only one bidder, Target Roofing, whose bid was \$140,130. There were three additional bid package add ons which there were no bids and this will have to be decided later by the commission.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to accept the bid for Fire Hall to Target Roofing.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

B. New Armory Roof

Kautzman announced there are a couple of options for this bid. The base reroof bid was \$200,700 with a recommendation Alt. #1 - \$4,500 and Alt. #2 (where the roof won't be torn off, it is built over the top) - \$49,306 be included in the bid. The final base total bid then would be \$155,894.

Bekkedahl questioned if the completion of these projects would be this season. Kautzman said he would make sure they are.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY BOGAR to accept the bid of \$155,894 from Target Roofing.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

4. Public Hearings  
A. Bond Issue

Mike Manstrom from Dougherty Company was here regarding the two resolutions presented tonight. Last week the S&P reaffirmed the A rating on the 2011 sales tax revenue bonds of 12 million dollars, which is 2 million in taxable and 10 million in tax exempt bonds. There is also a 2009/2010 sales tax revenue bond which was A rated for the 12 million also. At this point, we are in the process of selling the bonds and locking up interest rates. There are two resolutions: 1) Not to exceed Resolution is to lock up interest rates this evening without a separate City Commission Meeting. The signatures of Koeser and Kautzman along with a representative from Dougherty are needed on the purchase agreement, interest rates are locked up and money will transfer to the city on July 14<sup>th</sup>. The Not to exceed interest rate on the 2 million dollar is 2.30% or less for two years and on the 10 million dollar is 2.80% for ten years. At this point, 2/3 of the issues are sold and he is confident the rates will be under the Not to Exceed Interest Rate. Manstrom said local banks are supportive of this issue.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY BOGAR to approve Resolutions 11-41 & 11-42 granting the approval for signatures on documentation for the Bond as submitted by Daugherty and Company.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

5. Accounts, Claims and Bills Not Approved in the Consent Agenda
6. Ordinances
7. Petitions, Communications and Remonstrance's
  - A. Granting a permit to present a fireworks display at the Upper Missouri Relay For Life Event on July 29<sup>th</sup> at Cutting Field.

Koeser presented a requested from Relay for Life for an event scheduled on July 29<sup>th</sup> at Cutting Field to have TNT Fireworks present a fireworks display. The Fire Chief has already been contacted and Relay for Life is asking for permission to do this.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to approve the Upper Missouri Relay for Life Event on July 29<sup>th</sup>, 2011 with the approval of the Fire Chief.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

B. Marianita Laducer – Improvement of Project

Mariantia Laducer's Comments:

Railroad Workers

High Water

Drinking

Drugs

Parking in wrong places

Deficit of \$6 Trillion Dollars

Benefits parties – Bill Clinton/Hillary/Obama/City of Williston/her husband

Williston getting bigger

New York Marriages

Germany/Afghanistan/Israel/Vermont/Nebraska

Deficit

NWHSC gives her shots twice a month

Transitional games

Obama healthcare helps her

She is the connection in every area/she has \$500 billion

Home health (small money)

Her project is about keeping marriage

Williston Track and Field

Williston TV

People moving in here

Hotels rented before they are done

She helps the people/they help her as well

Brett from FOX News

Next amount \$3-\$4 trillion

8. Report of Commissioners

A. President of the Board

a. Contingency Plan for COE Levee Failure

Charlie Vein gave an update on the Flood Protection Plan and he presented three maps to the Commissioners. The first map shows the flood inundation area that would be infected if there was overtopping. The second map shows the contingency flood protection plan 1 which would provide the greatest amount of flood protection to the city. This levee would also protect The Waste Water Plant to the south, is about 1 ¼ miles long and would take a large volume of clay

material to be built. This would be the preferred plan to protect the city with the only problem is it would cross the railroad tracks. The levee would be two foot higher than the existing levees and would provide added protection if the levees were overtopped. The third map is independent of the railroad tracks, which will protect most of the area and circles the Waste Water Plant. There is a small area of property that would not be protected. Both of these plans have separate plans to deal with the waste water system. Additional maps and drawings are being prepared to deal with these issues.

Koeser updated the commissioners on a conference call that took place with the Corp. They continue to believe there is not going to be a problem and the peak is right where it is. They gave their reasoning that the weather service has changed the weather forecast from above normal precipitation to average precipitation and they believe only about 30% of the snowpack is left. Based on this, the daily meetings will now be reduced to Tuesday and Thursday at 9AM.

Bekkedahl questioned if there is a level the Corp should build up our levees to if there was this problem again in the future. Bekkedahl suggested a recommendation to the Corps on the existing dike and build it up on a permanent basis. Klug responded there are this and other issues that will be addressed after this crisis is over.

- 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. Update on 2<sup>nd</sup> Street Hot Water Depot - Armstrong International

Bogar informed the commissioners there was a proposal from Armstrong Service to expand the depot on 2<sup>nd</sup> Street for hot water and terms were proposed at a recent sub-committee meeting.

Dan Musson spoke to the commissioners on the overview of the project and the proposed terms. Armstrong would provide heated water for industrial customers and they propose the commission review the terms, so they can move forward for finalization.

Bogar summarize the terms of the document that came out of the sub-committee meeting. Armstrong would complete the improvements at the site, both installing the equipment and any site grading necessary for the area for the fill spots. They will also pay a surface lease amount for the property for a two year term, as well as 13% of the up charged revenue. The city would get heated water basically to cover administrative costs, because it will run through the city's water billing system, so the companies using the depot would get one bill.

Bekkedahl questioned Musson if there was the capability to dispense unheated water from their three ports or if they are heated water only and Musson responded these dispense heated water only. Bekkedahl also questioned the need for three hook ups for heated water and Musson responded the need is there.

Cymbaluk asked Furueth if he had looked at the lease and Furueth replied he had looked at the one Brent dropped off and asked if there were any changes in it since then. Bogar replied the biggest change is the percentage amount and the ground lease amount, which Furueth had reviewed.

Koeser questioned the timing of this and Musson responded it would be two to three months. This is based on the lead time that is dictated on a couple of things – gas supply being

negotiated and brought to the site and preconstruction of roadway to the site. This site is being designed to function during the winter, without adding a physical building structure.

Kautzman questioned if Musson has talk to MDU and Musson responded they had met with an engineer from Dickinson who came here. This engineer gave him information about the length of time and the fact there are two industrial gas mains less than 500 feet of that location.

Bekkedahl questioned who pays the city for the water and Bogar responded the same customers who have cards now, with an additional fee for the heating.

**MOTION BY BOGAR, 2<sup>ND</sup> BY KLUG to approve the agreement contingent on the attorney's final review and as well as City Engineer review of site plans and designs of the agreement with Armstrong.**

Cymbaluk questioned the length of the agreement and Bogar responded two years.

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

2. North Sewer Extension Agreement with Granite Peak to proposed Industrial Park.

Kautzman informed the commissioners of proposed agreement as it relates to the industrial park and the possibility for a sewer connection. This is an area where we are hoping for a significant contribution from the state, which is 4 million dollars to basically provide the connection north to the industrial park. This area is on the maps which basically show the 447 acre annexed addition and the proposed service area which the sewer line can serve approximately 2400 acres. The agreement proposes to allow Granite Peak to put this line in at their cost, but then we're reimbursing them and it becomes a municipal line. These are all under the umbrella of the City Engineer reviewing plans and these needs to meet city specs in regards to the sewer and water line. There is a dividing line which is 56<sup>th</sup> Street West where they are private parties south who would benefit along with the industrial park to the north. The agreement proposes the dividing line be split accordingly and we are not asking the investor to pay for both sides of the road. If the agreement would be considered for approval, this would allowed them to fast track getting utilities up to the industrial park and it is believed private parties have been spoken to regarding this. The annexation would be a subject too in that we would not have to pay them anything if this was not completed. The agreement proposes to give until December 20<sup>th</sup>, 2011 to accomplish the annexation, although it is hoped it will be done sooner.

Koeser questioned Metzler on having an area in this area for truck parking and Metzler responded there could be 28 acres devoted to this.

Cymbaluk questioned the number of acres involved and Metzler responded it is 447 acres. They are reserving 40 acres for man camps.

Klug questioned if this man camp would be tied into the sewer line also. Kautzman answered if would need to be negotiated with the board regarding the rate.

Cymbaluk questioned if it could be forced that the man camp would have to tie into the city sewer and Metzler said he would agree to that. Kautzman reminded the commissioners they are not going to pay us normal rates under our existing rate resolutions. We can service out of town people at 1 and ½, but this is negotiable so we may not be limited.

Kautzman reminded the commissioners man camps are zoned M2 and it all has to be for one company.

Cymbaluk questioned if this 40 acres is a man camp would we still take it in and Koeser responded at this time it would not be annexed, due to having to change the present ordinance. Furueth announced the present ordinance is being reviewed at this time. Metzler would like to bring these 40 acres into the city as soon as possible, with an ordinance change and he would be willing to pay a higher fee for water/sewer if not annexed.

Klug questioned if this goes through and we hook up this man camp, do we plan on hooking up Baker Hughes to our system also. Kautzman answered the city would attempt to do a fill in annexation for these areas, which will be decided by the Commissioners later in the year. Klug questioned why these man camps would want to be annexed, if all they want to do is tap into our water/sewer system and Kautzman answered it would be attempted to annex them in anyway. If it is protested out, they will need 25% or more and if we go in front of an administrative law judge, Kautzman thinks we will prevail due to Furueth doing a good job last time. Bekkedahl informed the commissioners they do retain the ability to decide who outside the city limits goes into the system at any rate on a case by case basis. Another option would be a waiver of non-protest that could be signed since they are outside city limits with a higher charge rate until the annexation is completed.

Meiers questioned if they annex against an ordinance, could they be grandfathered in. Metzler said this was one of the reasons they tried to get an ordinance so there would be something to confirm to and also for time regulations.

Cymbaluk informed the commissioners he attended a six hour planning and zoning meeting today and half of it was on man camps and temporary housing all over the county and he suspects in the near future there will be a hold of man camps, regardless of who they are.

Kautzman reminded the commissioners in this proposal under the 447 acres this is an industrial area with a truck stop in one part of it.

Metzler reported the estimated cost of the north sewer line is 5.6 million dollars for phase 1 and 2. Phase 1 totals 4.5 million and goes to lift station number 1 and Phase 2 to the second one.

Kautzman reminded the commissioners he asked for 4 million dollars for the Industrial Park Projects and Cymbaluk questioned if we would agree to pay up to the dollar amount of four million. Kautzman reminded him the agreement works on percentages with contracting, meeting certain specs. and then we reimburse them based on those numbers. The percentages were read by Bekkedahl that said the total cost will be reduced by one third of the percentage that would have been assessed to the property and 2/3 being paid by state grant funds. Total cost of the project is 5.6 million dollars and according to the formula, Granite Peak would pay for one third of their share meaning we would use two thirds of the grant, then Granite Peaks cost back to the city is 386 thousand dollars. The total cost to the city would be 5.2 million dollars when both phases of the project are completed. Bekkedahl questioned if there was a dollar amount assigned to the other properties as they hook into the system they

would pay a hook up fee using their portion of the 5.6 million. Mitzer responded it is then up to the city to collect those hookup fees. Bekkedahl explained this is like the delayed specials process where infrastructure is put in other areas and delay the specials cost until the areas develop, which will be carried by the city.

Koeser believes it is a plus to have the private industry do this development rather than the city, because then we would have to buy it all and hoping we could sell it. Cymbaluk commented with the risk being 1.5 million dollars to facilitate approximately 447 acres and as the trunk line being tapped into, revenue and tax base is increased. He feels looking at the future, it is the right thing to do personally.

**MOTION BY BOGAR, 2<sup>ND</sup> BY CYMBALUK to approve the development agreement with Granite Peak as presented with the correction in the agreement of 447 acres listed.**

Klug questioned if we could get more than the 4 million dollars from the state to support this project. Kautzman responded this is what we have asked for, but the state is setting the rules up as they move forward and he thinks once a grant is approved, they may be more flexible which is not guaranteed at this point. Bekkedahl feels we will get more money in the future from the state for development in this area.

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

9. Report of Department Heads

A. City Auditor

1. Request from John Liffrig to grant an extension to August 1, 2012 for developing Lots 2 and 3, Home croft Addition as light industrial.

Kautzman informed the commissioners John Liffrig has requested an extension to August 1, 2012 for property he purchased. There was a project he recently was attempting to put in there which was multi-family in nature, but this did not meet the light industrial requirements that it was sold to him to do. He was reminded of this and pulls the multi-family project off and asked for an extension of time.

Klug questioned if Liffrig would come before the city and ask this be changed to multi-family for light industrial. Kautzman responded this is not what he is asked here and he would hope not. There is a buy back provision in the agreement that we have if this doesn't take place in this period of time.

**MOTION BY KLUG, 2<sup>ND</sup> BY BOGAR to allow this as light industrial.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

2. Assignment of lease on the Crow Fly property – Rick Tofte

Kautzman informed the commissioners of a request from Rick Tofte to allow for assignment of lease he has with the City on property in the Crow Fly High area. It is under a lease arrangement and he is looking to assign this to a new person.

Bekkedahl questioned the length of the term of his assignment Furuseth responded it would be bonded by the terms of his lease and what he was entitled to under the lease.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY CYMBALUK to table this until the next meeting to review the original lease and see who the lease has been assigned to.**

**MOTION CARRIED UNANIMOUSLY**

3. Tax Incremental Finance District – City of Williston

Kautzman informed the commissioners he is trying to allow for the possibility of an incremental district, which will be presented at the July 12<sup>th</sup> meeting. This ties into with the proposed annexation concept for the retail development area. The idea of it would be to overlay it with an incremental district with some cap dollars. In order for the calendar to line up and we not delay longer into the construction season, he is asking for permission to advertise this public hearing process and notify potential competitors this public hearing will be held. The time line on this would be within a 15 day notice requirement and the incremental district concept would be July 26<sup>th</sup>.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BEKKEDAHL to advertise for the possible creation of the incremental district.**

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

**NAY: Klug**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

4. Employee Assistance Program for the City

Kautzman informed the commissioners we lost our Employee Assistance Program when the APS Employee Assistance Program closed their office. We have been contacted by Village Business Institute out of Fargo and they presented a proposal which he is asking the commissioners to approve so we can have this available to city employees that have the need for it.

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

Bekkedahl questioned how much this program is utilized. Kautzman responded this program has been used occasionally.

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

5. Water Well Proposal Request Ordinance

Kautzman informed the commissioners he had spoken with Furuseth and wanted to know if they would be comfortable in asking if he could come up with some kind of probation against people drilling water wells in town and then trying to market this water commercially out from the city. In 2010 the commissioners were asked to approve an ordinance that make it illegal to sell city water, but now someone appears to be attempting to buy city property whereby they would drill a water well and then



have a commercial water station there. Bekkedahl also suggested we draft an ordinance including not having water wells drilled in town.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY CYMBALUK that Furuseth draft an ordinance regarding not having water wells drilled in town.**

Klug questioned if we could grandfather the ones that are already here and Koeser responded that we would.

Lalim suggested on the technical side of this, geothermal needs to be check out, along with the size of the property.

Furuseth will put together a proposed ordinance that the commissioners can look at.

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

6. Resolution to Annex Erickson Mobile Home Court

Kautzman requested the ability to advertise plat and the possibility of the annexation, because there is a thirty day requirement. They are requesting the annexation with the sewer, which has been an issue for this.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BOGAR to allow Kautzman to advertise possible annexation.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

7. Consider Ordinance for Mandatory Inspection and Mandatory Fines for Sump Pumps Installation Violations

Kautzman informed the commissioners this ordinance would be for penalties and an inspection process for illegal plumbed sump pumps. Meiers has informed Kautzman of large amount of liquid that is being received in the sewer plant, due to sump pumps that are illegally plumbed.

Koeser asked if sump pumps could be pumped into the sewer system during the winter months and Meiers said the ordinance needs to be looked at for this. Kautzman informed the commissioners if they consider the first reading, this amendment could be presented at the next meeting.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BOGAR to approve the first reading of the Ordinance Number 937.**

Furuseth will work with Meiers and Lalim on this and write the revisions for the draft for the second reading.

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

**NAY: None**

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

- B. Attorney
- C. Director of Public Works/City Engineer
  - 1. Ad for WWTP Bids

Meiers presented a request for an ad to go out for bid on the waste water treatment plant expansion. They still have not received the Corp of Engineers environmental assessment approval. Proposed bid opening is August 2<sup>nd</sup> and awarding would be based on the environmental assessment.

**MOTION BY BOGAR, 2<sup>ND</sup> BY CYMBALUK for the waste water treatment plant expansion to go out for bids.**

**AYE: Bekkedahl, Klug, Cymbaluk, Bogar, Koeser**  
**NAY: None**  
**ABSENT AND NOT VOTING: None**  
**CARRIED: 5-0**

- 2. Old Williston Landfill Letter

Meiers presented a letter from the Corp of Engineers regarding a request from the EPA to do another round of testing at the Old Williston Landfill. The Corp wants the city to take the lead on this since we are the responsible party. Meiers does not think he should have to make this commitment; it needs to come from the city commissioners. The Corp wants to decommission the water wells that are out there and there needs to be more testing. Meiers recommendation is that we have some responsibility, besides just testing and the Corp claims there is no letter regarding needing a sample, which he will check on.

Bekkedahl questioned Meiers the last sample taken was in 2000 and there was several volatile organic chemicals in the groundwater and asked if there was any plume exposure from the refinery in the area. Meiers replied there were several monitoring wells that were placed along the boundary between Flying J and Little Muddy and indications were they weren't migrating that way. Bekkedahl also questioned how this can be tested since it's totally underwater and Meiers responded there will be some financial and legal obligations here which need to be addressed by the council. There is another meeting with the Corp, Game & Fish, and EPA in July to talk about this.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY KLUG to move this matter to Council.**

**AYE: Bekkedahl, Klug, Cymbaluk, Bogar, Koeser**  
**NAY: None**  
**ABSENT AND NOT VOTING: None**  
**CARRIED: 5-0**

- 3. Easements

Meiers presented these two easements to the commissioners: 1) A west water sewer project which would run water/sewer out to Schlumberger. Originally it was talked about putting the lift station on the intersection of the road built to go up to commercial retail area. It has been moved to the center which

includes a little over an acre for a lift station site and about two acres for an access road. This would be allowed to be modified when people develop the property as long as there is access to the lift station.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY BOGAR to approve.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

2) To run the water line from the reservoir site on 26<sup>th</sup> Street west up to Harvest Hills, and to the West Industrial Park. Western Area Water Supply would need to use our pump station to provide this water line. The city owns about five acres and an easement in needed to go across this water line.

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

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

#### 4. Tofte Bean Development

Meiers discussed the Tofte Bean Development which was annexed a few years ago in the East Broadway area between East Dakota and the Little Muddy. This would be to provide water/sewer into the area as well as an access road. Consultant Sanderson/Stewart has spent a lot of time of this working both with the owners and Public Works on developing concepts, with a majority of the landowners concurring on this. There are some concerns about assessing, which is always a problem with areas which are not platted. A proposal is being made to get half from Tofte and half from Bean and to have storm drainage brought in because the drainage is so flat. The estimate is from 1.3-1.5 million dollars, and if it is paved, it would be 1.6 million. Another request item is a 50% tax increment finance district for improvements done based on structures, etc. If this is approved, Meiers would have to do a plat to get the access to work and then it would have to be bid out this year.

Rick indicated a lot of time has been spent with the property owners in this area trying to come up with something that fits everyone's needs. What was found is there is interest with particular projects and the timing is now for these people with the tax increment district. He offered to summarize what he is aware of on what is going to be built in this area.

Meiers pointed out this is a dilemma that will be faced ongoing when the city goes in to annex unplatted spaces of property that don't have right-a-way.

Cymbaluk discussed he would like to see a concept before we proceed with this. He doesn't want what happened before to happen again. Koeser responded there will have to be a tax increment hearing if the commissioners decide to move forward on this and if there weren't facilities to be built, it would be turned down.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY BOGAR to move forward based on the recommendations with the ability to deny the project at the point of the Tax Increment Finance Hearing if there are any inadequate structures to comply with the necessary payments.**

**AYE: Bekkedahl, Klug, Cymbaluk, Bogar, Koeser**  
**NAY: None**  
**ABSENT AND NOT VOTING: None**  
**CARRIED: 5-0**

Koeser called for a five minute recess.

- D. Fire Chief
- E. Chief of Police
- F. Building Official
- G. City Planner
  - 1. Request to allow WRW Hook-ups (6) – Redland, LLC

Jarcik informed the commissioners Engineering is asking that we look at allowing WRW Hook-ups differently. These could possibly come off the consent agenda and come to the Commissioners for approval prior to getting a building permit.

Jarcik also submitted a request from Redland LLC for 6 hook-ups; this area is north of 9<sup>th</sup> Street, block north of 34<sup>th</sup> East and University and behind the Dapple Gray area. The concern with these hook-ups is instead of the acre size lots (which are required by the state) as in the past, they want to hook up ½ acre lots.

Ed Seminko from Redland, LLC spoke to the commissioners regarding these hook-ups. They purchased the lots, bought double-wide mobile homes, and applied for the building permit. They found out the water table is high once they started digging, so they couldn't do a drain field that was under ground. It was then decided to change it to mound system, so they purchased the tanks and stuff which was approved by the Upper Missouri District Health Unit. Cymbaluk asked if the Health Unit had signed off on it and they did for the mound system. Klug questioned if in the past, the mound system was an issue when annexing and Meiers responded there were some mounds and drainage fields in the Wegley area which didn't work this spring.

Bekkedahl questioned Furuseth if the city stands any liability for approving anything under the one acre minimum that we have now and Furuseth responded he didn't think so, due to be pre-existing.

Meiers informed the commissioners he has talked to the Health Dept. about him permitting in the jurisdiction area or else a policy needs to be set up for the one mile to have them bill through the city, because there is a provision under administrative rule the city has the ability to control this. The Health Dept. used to allow the city to sign off on these before they issue any more permits, so hopefully we can catch these now.

**MOTION BY KLUG, 2<sup>ND</sup> BY BEKKEDAHL to allow the hookups.**

**AYE: Bekkedahl, Klug, Cymbaluk, Bogar, Koeser**  
**NAY: None**  
**ABSENT AND NOT VOTING: None**  
**CARRIED: 5-0**

- 2. Purchase Request for Hewlett Packard Copier – 2<sup>nd</sup> Floor – Planning Office

Jarcik submitted a request for a Hewlett Packard Copier for the Planning Office. Jessica is moving to Elaine's position, Elaine would occupy Jeff's old office and this would be an entryway and the copier would go on the east side where the blotter is now, so this could be a work station.

3. Quote Acceptance – open doorway & ceiling tiles – 2<sup>nd</sup> Floor – Planning Office

Jarcik would like to open the doorway between offices and replace rain damaged ceiling tiles in the Planning Office. He has a quote from Steve's Handyman for \$650.

**MOTION BY KLUG, 2<sup>ND</sup> BY BOGAR to approve both of the Planner's requests.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

4. Development Agreement – Harvest Hills PUD (Granite Peak Development)

Jarcik discussed the Subdivision Improvement Agreement for the Harvest Hills Development. There was ad hoc committee that met to review the proposed development agreement and made comments. This was then returned to the applicants for review, which they went over. The subdivision agreement is attached with a memo and all the highlighted items in the memo are the corrections that were made based on the ad hoc committee recommendations. Two of which needed City Commission discussion tonight: 1) Parks and Open Space. Committee recommendation was to look at Cash in Lieu where the Park District accepts and maintains as a part of its existing program. Applicant Proposal on this is the parks and open space areas be dedicated public spaces and a Park Maintenance District be set up through the City for additional funding for the Park District to maintain the properties. 2) Sidewalks. Committee recommendation was to have the developer put in the sidewalks with the street and curb/gutter. Sidewalk thickness could be considered at 5" thick for all-to include driveways. Applicant Proposal is the sidewalks would be installed by the lot owner at the time of development along the streets in the phase.

Regarding the Parks and Open Space, Bekkedahl questioned why can't the City set up a Special Assessment District on this that is ongoing on this property. He would rather the Park District take it over and maintain it, but they have their reasons for not doing that due to resources.

Bogar thinks in a development this size it is necessary to have this type of open space in the plan.

Kautzman questioned whether city crews would maintain this or if these funds would go the Park District who now would have the funds to maintain it. Bekkedahl responded his answer is the city creates the district, collects the funds, and then upon proper maintenance of the facilities, pays the Park District. Kautzman suggested if this is considered, do it contingent based upon attorney review. The developer informed the commissioners they have purposed these properties are dedicated as public properties, so they would be city properties. Kautzman also suggested in the review process, the commissioners consider some type of administrative deduct and collection type fee. Bekkedahl informed the commissioners the people purchasing the property know of this special assessment. Long term planning for similar properties, in our discussions with the park district on the tax issue, we ask them to entertain the thought the city could support their issue if they were agreeable to taking over maintenance services of all the lawn services in the community.

The developer then discussed the sidewalk portion of this issue. They will put in sidewalks along the main route, along with pedestrian walkways. He discussed the walk ability as the project proceeds and how to get build out for these properties. The agreement has a Waiver of Right of Protest, which basically covers everything for the public's best interest. He would suggest adding another paragraph to this document regarding the sidewalks and the assessment. He would give the city commission the authority to create a special district for the side walk build out at a time that it is needed and this could be open ended. This could be done block to block or on the whole subdivision. Bekkedahl questioned if the curb cuts would come in as the properties develop and Rick replied the residential interior streets have a mountable curb. He also questioned who would be responsible for putting in the handicapped access and Rick announced this would be installed with the initial construction of the development.

**MOTION BY BEKKEDAHL, 2ND BY BOGAR that the City Commission approve the Harvest Hills Subdivision development agreement to move it forward with the parks and open space issue and the park maintenance district issue to be determined by the attorney whether it's legal and appropriate and also the attorney review the specifics of Park Maintenance District so that it encompasses the discussion of tonight's meeting relative to the assessments and a pass through city on this district to Park District for maintenance fees. Also, the discussion relative the sidewalks be put in place for the attorney's review into the document such that the point to be considered by the City Commission entertains the ability to create special assessment districts which covers either within the subdivision or the entire subdivision for the completion of sidewalks at that time.**

Klug questioned what percentage this should be when we build out and Koeser mentioned he liked the flexibility of having the ability whenever.

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

5. Final site plan review – Rosa-Johnson/Erickson mobile home court.

Jarcik has reviewed the final site plan review for Erickson mobile home court, now known as the LLC Mobile Home Court. At the last Planning and Zoning Meeting, there was a special permitted use request by the applicant looking to revise the site plan. The SPU was looking at some private storage as part of the mobile home court and they made this contingent upon the City Commission final approval of the site plan and development agreement. Presented tonight is the final site plan with modifications to accommodate some of the existing structure in the park, as well as a final development agreement with modifications. There will be a perimeter landscaping buffer as shown on the revised site plan as well as installing holding tanks for the sewer.

Scott Johnson explained he has adjusted the site plan for the previous Engineer's plan to utilize the existing infrastructure that is in the ground. He hired a company from Billings named Based Construction who looked at the sewer lines and after inspecting the lines found they were in great shape. He has been working with city officials to make sure the site plan meets the code. Koeser questioned the number of units and Johnson responded 151 units. Bekkedahl questioned if the storage structure was for private or park residents and Johnson replied these are for park residents. Johnson informed the commissioners the skid shacks are going to be removed off the front property to the back of the property, so it is not approved yet as storage property. Cymbaluk questioned when the skid shacks would be removed and Johnson said he did not change this in the development agreement, as he wants to move new manufactured homes in and phase the skid shacks out.

Klug questioned even though the storage units wouldn't be put in at this time, are the buffering with the trees, etc. at this time. Johnson responded there will be trees all around the property with larger trees in the front for curb appeal for the main entrance.

Cymbaluk questioned when they planned on tapping into the city sewer which Johnson responded as soon as they can get it. Meiers has told him it could be in October for possible water and they are prepared to haul sewer for awhile possibly until next year. Johnson has already ordered tanks to haul and sewer and he had signed closing documents two weeks ago, which turned out to be a trial close because the documents came back to him.

Koeser reminded the commissioners this has already been presented to the planning and zoning department and they have made a recommendation on it.

**MOTION BY KLUG, 2<sup>ND</sup> BY BOGAR to approve the revised site plan for the joint venture LLC Mobile Home Court and to approve the development agreement as proposed for the joint venture LLC Mobile Home Court.**

Cymbaluk questioned Meiers if he could give a ball park idea for the time frame. Meiers responded the sewer part is going out for bid, but the water part is problematic because of the pressure with the water main. There needs to some type of booster station and a one mile water line put in and the problem is how to pay for it.

Bekkedahl questioned the attorney regarding he has no interest in this issue, but his sister happened to be married to one of the Ericksons who has an interest in this project. Furuseth responded as long as Bekkedahl does not have a financial stake in this, it is no problem.

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- H. Economic Development
- I. Airport
- J. Assessor
- K. Convention and Visitor's Bureau
- 10. Appointments and Consultations with Officers
  - 1. Airport Board of Adjustments Appointments

Koeser informed the Commissioners Airport Board of Adjustment board members Brent Bogar and Glenn Boyeff's terms have expired and this is a request to have them reappointed with their new terms ending April 30<sup>th</sup>, 2014.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY CYMBALUK to approve this reappointment.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

## 11. Unfinished Business

## A. Street Repair Issue

Meiers presented a new map which shows what our city crews thought they could do regarding patching which would cost around \$300,000 which has been started. There are areas a contractor (Century) will have to do which would cost around \$700,000, with fill patching. On Program Federal Aid Projects; there is around \$381,000 for this year or next for Street Improvement Projects.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY CYMBALUK to proceed.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

## B. Building Department Resolution to raise and outline some areas of permitting fees and fines.

Lalim presented the two documents which were made into a resolution by Furuseth regarding raising and outlining some areas of permitting fees and fines. The fees would be the resolution (11-53) and the fines would be the ordinance (938).

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BOGAR to approve Resolution 11-53 as presented.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BEKKEDAHL to approve Ordinance 938 First Reading.**

Klug questioned Lalim if this was all the fines and requirements which are necessary. He questioned if there should be something about dragging dirt/stuff off lots into the streets which Lalim responded this was not covered, but could be added.

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

Lalim reminded the Commissioners to give him ideas or suggestions for the ordinance before next meeting.

## C. Release of General Performance Lien

Koeser informed the commissioners of the release of general performance lien from Creek side Ridge Subdivision and questioned if this was in order. Kautzman responded he believed they were put on the assessment program which Meiers and he felt comfortable with.



**MOTION BY BOGAR, 2ND BY CYMBULAK to approve this release.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

12. New Business
13. Executive Session
14. Adjourn

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