

**OFFICIAL PROCEEDINGS  
BOARD OF CITY COMMISSIONERS  
FEBRUARY 26, 2013 6:00 P.M.  
CITY HALL WILLISTON, NORTH DAKOTA**

1. Roll Call of Commissioners

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

COMMISSIONERS ABSENT: None

OTHERS PRESENT: John Kautzman, Donald Kress, James Lokken, Pete Furuseth, Steven Kjergaard, Alan Hanson, Monte Meiers, Rachel Ressler, Bill Tracy, Shawn Wenko, Kent Jarcik,

**ADD:           9. A. (4.)       Airport International Inn - Transfer of Liquor License  
              9. A. (5.)       Missouri Basin Bowman - Raffle**

**MOTION BY CYMBALUK, SECONDED BY KLUG, to amend the Agenda as presented.  
MOTION CARRIED UNANIMOUSLY BY VOICE VOTE.**

2. Consent Agenda

- A. Reading and Approval of Minutes for:
  - (1.) Regular Meeting Dated February 12, 2013
- B. Auditor
  - (1.) Accounts, Claims and Bills

Check #	Vendor/Employee/Payee Number/Name	Check Amount	Issued
-79721	56169 KATHERINE E. BERWICK	1119.96	02/22/13
-79720	12020 RANDY M DONNELLY	1565.30	02/22/13
-79719	56249 GWENDOLYN GUERRETTAZ	403.72	02/22/13
-79718	12017 JOHN L. KAUTZMAN	2708.77	02/22/13
-79717	56240 KAREN D. KUEHL	866.57	02/22/13
-79716	56198 LORI LOOSE	729.54	02/22/13
-79715	56168 AARON G. MITCHELL	867.44	02/22/13
-79714	56255 CHELSEA CAVANAUGH	659.83	02/22/13
-79713	13026 KEVIN W. CRAFT	1077.12	02/22/13
-79712	56195 JACKIE L. HATCH	718.74	02/22/13
-79711	56206 DANIELLE HENDRICKS	1036.66	02/22/13
-79710	56118 KATALIN C. MAGYAR	635.08	02/22/13
-79709	56261 KARLEEN MONTANEZ	1064.64	02/22/13
-79708	56274 MEGAN NYGARD	1061.22	02/22/13
-79707	56225 SUSAN E. SCHNEIDER	1085.80	02/22/13
-79706	13025 JOLEEN S. TINKER	1299.53	02/22/13
-79705	56245 AMY WAGGONER	1061.22	02/22/13
-79704	14024 BRENT BOGAR	524.23	02/22/13
-79703	14025 HOWARD D. KLUG	176.93	02/22/13
-79702	15004 JANET B. ZANDER	1965.84	02/22/13
-79701	18022 SHARYL J. BUSCH	2378.24	02/22/13

-79700	56162	JOSHUA A. BUTLER	1452.77	02/22/13
-79699	18028	DAVID C. DONNER	1747.64	02/22/13
-79698	56259	ANDREW FOURNELL	1784.13	02/22/13
-79697	18001	ALAN K. HANSON	2206.19	02/22/13
-79696	18100	TANA L. HINRICKSEN	181.40	02/22/13
-79695	56101	SUSAN G. HOLMEN	1121.48	02/22/13
-79694	56201	JENNA JONES	294.37	02/22/13
-79693	18027	STEVEN D. KERZMANN	2050.90	02/22/13
-79692	18096	TRACY C. KERZMANN	1251.85	02/22/13
-79691	56107	VICTORIA L. KREGER	275.61	02/22/13
-79690	18099	ERICA J. MYERS	686.05	02/22/13
-79689	18024	JONATHON RASMUSSEN	2585.83	02/22/13
-79688	18070	JEANNE M. SAGASER RASSIER	1550.90	02/22/13
-79687	56130	ANDREW A. SAILER	1322.96	02/22/13
-79686	18097	DUANE S. WINTER	41.33	02/22/13
-79685	56174	SAM M. AIDE	1410.06	02/22/13
-79684	56166	RYAN J. ALLEN	1113.49	02/22/13
-79683	56273	JASON BARTEN	1600.27	02/22/13
-79682	19024	DAVID L. BELISLE	1351.26	02/22/13
-79681	56246	HUGH BENZEN	970.18	02/22/13
-79680	19092	DUSTIN J. BERTSCH	1500.76	02/22/13
-79679	19028	MARK R. BITZ	1752.37	02/22/13
-79678	56097	ALAN C. BRATT	1539.75	02/22/13
-79677	56121	DUSTIN R. CELANDER	1126.11	02/22/13
-79676	19076	CORY G COLLINGS	1962.71	02/22/13
-79675	56278	DANIEL DERY	1367.75	02/22/13
-79674	56173	RODNEY H. DICKERSON	1167.98	02/22/13
-79673	56183	AMBER M. GILMORE	1199.49	02/22/13
-79672	19009	LINDA R. GRANBOIS	1142.43	02/22/13
-79671	56147	JACOB J. GREGORY	1388.19	02/22/13
-79670	19082	RANDY M. HAUGENOE	1497.52	02/22/13
-79669	56210	WILLIAM E. HOLLER	1382.08	02/22/13
-79668	56102	MICHAEL A. ISENHOWER JR	1520.43	02/22/13
-79667	56182	AARON R. KAMPA	971.11	02/22/13
-79666	19012	THOMAS L. LADWIG	1877.63	02/22/13
-79665	19011	JAMES L LOKKEN	2629.52	02/22/13
-79664	56082	TRAVIS J. MARTINSON	928.80	02/22/13
-79663	56061	AMY D. NICKOLOFF	1490.53	02/22/13
-79662	19014	KENNETH B. OWENS	1842.32	02/22/13
-79661	19098	DAVID A. PETERSON	1153.59	02/22/13
-79660	56181	TREVOR J. ROBERTS	953.19	02/22/13
-79659	56148	JONATHAN D. ROGGENKAMP	1081.78	02/22/13
-79658	13027	CRYSTAL A. SCHAUBEL	1582.68	02/22/13
-79657	56052	JAMESON J. O. SEIM	1569.76	02/22/13
-79656	19077	MICHAEL S. WILSON	1580.09	02/22/13
-79655	19100	RYAN C. ZIMMERMAN	1479.32	02/22/13
-79654	56157	BENJAMIN W. ABBEY	1045.15	02/22/13
-79653	20047	KELLY M. ABERLE	1356.99	02/22/13
-79652	26039	DIANE K. ALBRIGHTSON	953.68	02/22/13

-79651	56268	MELISSA BUNESS	805.22	02/22/13
-79650	56209	MARTIN L. COLGAN	1303.14	02/22/13
-79649	56270	WILLIAM TRACY III	1198.11	02/22/13
-79648	56257	JOAN CAMERON	659.03	02/22/13
-79647	56220	TRUNG THANH LE	1212.68	02/22/13
-79646	21040	MONTE C. MEIERS	2000.52	02/22/13
-79645	21054	WAYNE A WIEDRICH	1753.00	02/22/13
-79644	22020	ROBERT D. KNAPPER	1908.27	02/22/13
-79643	56214	MICHAEL J. BEARCE	1112.14	02/22/13
-79642	56282	CHASE FORD	831.62	02/22/13
-79641	56128	VERNON L. HENDRICKSON	1306.60	02/22/13
-79640	56244	ROY LONG	953.68	02/22/13
-79639	56167	MATTHEW TUTAS	1396.83	02/22/13
-79638	24018	EFFIE J. BROWN	1224.26	02/22/13
-79637	56275	JOSEPH CLARYS	1236.50	02/22/13
-79636	24019	ROBERT D. COUGHLIN	530.64	02/22/13
-79635	24017	STEVEN W. JENSEN	1316.91	02/22/13
-79634	24013	THOMAS C. POTTER	1286.39	02/22/13
-79633	56104	DANIEL W. TUPA	1213.61	02/22/13
-79632	25110	KENNETH W. BERGSTROM	2396.05	02/22/13
-79631	12029	LORI A. LARSEN	951.07	02/22/13
-79630	56252	DIANE THOMPSON	922.04	02/22/13
-79629	56164	JACOB T BLOODGOOD	563.18	02/22/13
-79628	56232	ELVIS DINZON	1081.20	02/22/13
-79627	27076	DANNY R. GERGEN	1496.88	02/22/13
-79626	56091	JAMES A HAGA JR	1198.57	02/22/13
-79625	56241	DINA KINDELSPIRE	794.87	02/22/13
-79624	56175	ERIC C. OLSON	1162.05	02/22/13
-79623	56265	HUGH LORENZO OTTLEY	1091.70	02/22/13
-79622	56234	JOSEPH REIFENSTAHL	1205.72	02/22/13
-79621	56266	MARK RIDDLE	512.96	02/22/13
-79620	56258	BRYAN THOMPSON	750.10	02/22/13
-79619	56084	KENNETH R. BOYKIN	1416.72	02/22/13
-79618	56112	GARRISON CANTER	767.45	02/22/13
-79617	56114	ANTHONY D. DUDAS	1441.83	02/22/13
-79616	56110	ADAM M. FREEMAN	1061.02	02/22/13
-79615	56086	STEVEN C. KJERGAARD	1848.00	02/22/13
-79614	56120	VICTORIA M. RUBLE	1224.62	02/22/13
-79613	56100	BILLY J. BAKER	809.51	02/22/13
-79612	56200	GINA MOTTL	616.10	02/22/13
-79611	34017	KENT A. JARCIK	2161.11	02/22/13
-79610	56223	DONALD KRESS	1405.24	02/22/13
-79609	56277	CHEYENNE POTTRIDGE	985.10	02/22/13
-79608	56239	RACHEL K. RESSLER	1083.90	02/22/13
-79607	34016	ELAINE B. SINNESS	777.27	02/22/13
-79606	35025	JOSILYN F BEAN	916.52	02/22/13
-79605	56267	SUZANNE GAUT	840.10	02/22/13
-79604	56155	SCOTT R. MOLSTAD	1979.59	02/22/13
-79603	56079	BRENDA SEPTKA	1169.28	02/22/13

-79602	36006 NEIL W. BAKKEN	1732.47	02/22/13
-79601	56176 CHAUNCEY CARR, JR.	923.50	02/22/13
-79600	56211 WAYNE E. BEARD	468.78	02/22/13
-79599	56263 CHRISTINA BECK	865.85	02/22/13
-79598	56212 AMELIA A. BICKLER	166.23	02/22/13
-79597	56039 KERI L. BODA	826.02	02/22/13
-79596	56144 CRYSTAL M. BONNER	560.36	02/22/13
-79595	56251 JAMIE ELLINGSON	572.27	02/22/13
-79594	48102 KAYLA J. HELL	151.13	02/22/13
-79593	56188 REBECCA R. MILLER	588.25	02/22/13
-79592	56111 ANDREA L. MITCHELL	787.34	02/22/13
-79591	48013 DEBORAH A. SLAIS	1252.60	02/22/13
-79590	48034 YVONNE A. TOPP	534.37	02/22/13
-79589	52011 ANN M. KVANDE	1220.34	02/22/13
-79588	56165 CODI A. MOBERG	992.46	02/22/13
-79587	56041 BARBARA J. PETERSON	1193.75	02/22/13
-79586	52003 THOMAS C. ROLFSTAD	1509.14	02/22/13
-79585	52020 SHAWN WENKO	1708.66	02/22/13
-79584	56109 PAULETTE K. BAUER	850.05	02/22/13
-79583	53005 BOBBI JO CLARKE	1158.93	02/22/13
-79582	56222 VIVIAN KALMIK	284.58	02/22/13
-79581	53002 AMY A. KRUEGER	1621.92	02/22/13
-79580	56271 SABRINA RAMEY	1123.08	02/22/13
-79579	56213 ROBERT JASON HILLARD	1067.73	02/22/13
-79578	56080 BRAD E. SEPTKA	2335.32	02/22/13
-79577	56150 SAMANTHA R. YODER	854.31	02/22/13
-79576	DEFERRED COMP NATIONWIDE RETIREMENT SO	19255.25	02/21/13
-79575	ND CHILD SUPPOR ND CHILD SUPPORT ENFORCE	780.50	02/21/13
-79574	WEAPON CITY OF WILLISTON	91.49	02/21/13
-79573	FIT U.S. TREASURY	99620.57	02/22/13
54742	ND HEALTH ND PUBLIC EMPLOYEES RETI	108670.98	02/12/13
54743	PERS NORTH DAKOTA PUBLIC EMPL	83134.17	02/12/13
54744	999999 TAMMY SLATER	500.00	02/12/13
54745	999999 LEE BOERSCHIG	300.00	02/12/13
54746	999999 JOSE CASTILLO-LUGO	150.00	02/12/13
54747	999999 DUSTIN ERICKSON	150.00	02/12/13
54748	999999 TERRI SWANSON	1.00	02/12/13
54749	521 WILLISTON PARK DISTRICT	1288919.60	02/14/13
54750	483 VECTOR CONTROL DIST #1	36837.49	02/14/13
54751	74 CITY AUDITOR'S FUND	458.66	02/14/13
54752	611 MABLE'S TASTE OF HOME	676.75	02/14/13
54753	673 CLERK OF DISTRICT COURT	500.00	02/15/13
54754	673 CLERK OF DISTRICT COURT	500.00	02/15/13
54755	999999 MATTHEW BYERLY	300.00	02/15/13
54756	19 AMERICAN STATE BANK	2000000.00	02/19/13
54757	388 RESULTS UNLIMITED	2989.50	02/19/13
54758	12026 KAREN P. LARSON	1050.54	02/22/13
54759	56280 KELSEY KARVONEN	1155.16	02/22/13
54760	14021 BRAD D. BEKKEDAHL	111.76	02/22/13

54761	56070 TATE A. CYMBALUK	121.29	02/22/13
54762	14020 E. WARD KOESER	310.23	02/22/13
54763	17016 THOMAS J. GLENN	1048.71	02/22/13
54764	56237 ADEN A CLARK	886.49	02/22/13
54765	56269 CLAY KAUTZER	1048.37	02/22/13
54766	56250 JUSTIN LOGAN MAYNARD	113.49	02/22/13
54767	18046 GARVIN SEMENKO	12.46	02/22/13
54768	18048 DARWIN STEVENS	304.24	02/22/13
54769	18078 MICHAEL W. WALTERS	625.76	02/22/13
54770	56113 MINDY SUE DEGENSTEIN	1034.35	02/22/13
54771	19095 WALTER H. HALL	1836.61	02/22/13
54772	56243 JACOB R. HENDRICKS	882.36	02/22/13
54773	56285 TYLER HOFF	518.33	02/22/13
54774	56279 ALEC RAISBECK	812.33	02/22/13
54775	21041 ROBERT E HANSON	2357.96	02/22/13
54776	22021 LES CHRISTENSEN	1721.50	02/22/13
54777	22014 GARY L. GLOVATSKY	1320.90	02/22/13
54778	23126 BRENT E. HANSON	1862.01	02/22/13
54779	23039 BRUCE A. JOHNSON	1208.88	02/22/13
54780	27096 RUSSELL E. MOMBERG	1435.49	02/22/13
54781	56189 AMANDA M. KAISER	683.59	02/22/13
54782	56284 SABRINA PHILLIPS	604.94	02/22/13
54783	25030 PEDAR A. ANDRE	1066.30	02/22/13
54784	27058 DAVID LEE BELL	2238.06	02/22/13
54785	56187 STEPHEN R. KOHLER	810.15	02/22/13
54786	25106 RICHARD S. ODEGARD	1527.49	02/22/13
54787	27067 RICHARD D. BORUD	1400.98	02/22/13
54788	23136 JAMES B. ENGEN	2259.22	02/22/13
54789	27091 JOSEPH G. MONSON	1243.35	02/22/13
54790	56253 STEPHEN OLEGARIO	1075.26	02/22/13
54791	31051 GORDON L. SMESTAD	1545.61	02/22/13
54792	56099 MARK C. AMONDSO	995.42	02/22/13
54793	56264 COREY HEIKKINEN	437.69	02/22/13
54794	32006 WILLIAM M. MCQUISTON	1066.89	02/22/13
54795	37008 LAVERN GOHL	1461.91	02/22/13
54796	56180 DIANE C. HAGEN	432.44	02/22/13
54797	56276 ELTON LARSON	339.39	02/22/13
54798	56283 RACHEL SAWICKI	152.95	02/22/13
54799	56066 ZACHARY G. CORCORAN	1348.10	02/22/13
54800	54065 PATRICIA K. FIORENZA	1867.97	02/22/13
54801	DEPENDANT CARE DISCOVERY BENEFITS	3351.72	02/21/13
54802	MN CHILD SUPPOR MINNESOTA CHILD SUPPORT	153.00	02/21/13
54803	MT CSED FT MONTANA CSED	21.62	02/21/13
54804	NC CHILD SUPPOR NC CHILD SUPPORT	205.00	02/21/13
54805	ND PEA NDPEA	54.00	02/21/13
54806	UNITED WAY UNITED WAY	116.00	02/21/13
54807	56171 MICHAEL G. MARDON (ESTATE)	0.00	02/22/13
54808	56171 MICHAEL G. MARDON (ESTATE)	0.00	02/22/13
54809	56171 MICHAEL G. MARDON (ESTATE)	0.00	02/22/13

54810	56171 MICHAEL G. MARDON (ESTATE)	969.67	02/22/13
54811	56171 MICHAEL G. MARDON (ESTATE)	1793.04	02/22/13
54812	56171 MICHAEL G. MARDON (ESTATE)	1188.31	02/22/13
54813	56171 MICHAEL G. MARDON (ESTATE)	903.94	02/22/13
54814	999999 DENNIS HILL	230.00	02/22/13
54815	649 WAL-MART SUPERCENTER	36.00	02/22/13
54816	999999 BYRON FRETHEIM	150.00	02/22/13
54817	999999 DANNY NEHRING	150.00	02/22/13
54818	999999 FRANKLIN UTHE	500.00	02/22/13
54819	999999 JOEL VANZEE	400.00	02/22/13
54820	999999 CHAD SWENSON	150.00	02/22/13
54821	999999 KATHERINE GREENWELL	900.00	02/22/13
54822	673 CLERK OF DISTRICT COURT	500.00	02/22/13
54823	673 CLERK OF DISTRICT COURT	500.00	02/22/13
54824	673 CLERK OF DISTRICT COURT	500.00	02/22/13
54825	673 CLERK OF DISTRICT COURT	500.00	02/22/13
54826	632 ACKERMAN-ESTVOLD	3155.00	02/25/13
54827	1783 AIRGAS ON-SITE SAFETY SERVICES	133.70	02/25/13
54828	6 AL MCFARLANE	2025.00	02/25/13
54829	999998 AMBER M. GILMORE	25.00	02/25/13
54830	15 AMERICAN LIBRARY ASSOC.	190.00	02/25/13
54831	718 AMERIPRIDE SERVICES	437.90	02/25/13
54832	1730 Andrew Fournell	85.80	02/25/13
54833	540 AQUA-PURE INCORPORATED	3836.25	02/25/13
54834	708 AT&T	377.25	02/25/13
54835	1587 B2 PLUMBING	700.00	02/25/13
54836	33 BAKER & TAYLOR CO.	592.40	02/25/13
54837	34 BALCO UNIFORM CO., INC.	127.48	02/25/13
54838	1785 BALCO UNIFORM COMPANY, INC.	1004.96	02/25/13
54839	742 BASIN E T PROPERTIES, INC.	561.27	02/25/13
54840	38 BASIN PRINTERS, INC.	134.00	02/25/13
54841	1074 BATTERYZONE	275.00	02/25/13
54842	52 BORDER STATES ELECTRIC	314.07	02/25/13
54843	1054 C & D WATER SERVICES	7.50	02/25/13
54844	69 CARQUEST AUTO PARTS STORES	35.10	02/25/13
54845	1755 CDW Government	5121.30	02/25/13
54846	616 CENTER POINT LARGE PRINT	77.88	02/25/13
54847	1349 CENTURYLINK	986.52	02/25/13
54848	80 CITY OF WILLISTON	8.85	02/25/13
54849	567 CRAIG'S SMALL ENGINE REPAIR	61.08	02/25/13
54850	825 CROWLEY FLECK PLLP	441.00	02/25/13
54851	92 DACOTAH PAPER CO.	224.35	02/25/13
54852	999998 DAVID A. PETERSON	300.00	02/25/13
54853	100 DAWA SOLUTIONS GROUP	540.00	02/25/13
54854	671 DF LIGHTING COMPANY	345.00	02/25/13
54855	999998 DUSTIN R. CELANDER	25.00	02/25/13
54856	1008 EARL WESTERENG	46.00	02/25/13
54857	119 EBEL INC.	800.00	02/25/13
54858	549 ECONOMART	36.10	02/25/13

54859	124 ELECTRIC & MAGNETO, INC.	471.62	02/25/13
54860	1030 EMERGENCY APPARATUS MAINTENANCE,	127.98	02/25/13
54861	577 EMERGENCY MEDICAL PRODUCTS	1082.89	02/25/13
54862	668 FASTENAL COMPANY	106.73	02/25/13
54863	131 FIRST INTERNATIONAL BANK	548.63	02/25/13
54864	132 FIRST NATIONAL BANK	1632.29	02/25/13
54865	134 FORT UNION SUPPLY & TRADE	406.00	02/25/13
54866	354 FURUSETH LAW FIRM, PC	76.50	02/25/13
54867	137 G.A.S.B.	225.00	02/25/13
54868	139 GAFFANEY'S	3040.45	02/25/13
54869	785 GALE	462.36	02/25/13
54870	1019 Gardner Publishing	215.86	02/25/13
54871	1758 Garrison Max Ambulance	100.00	02/25/13
54872	1748 Gateway ED	39.00	02/25/13
54873	1670 Gem Builders	2200.00	02/25/13
54874	144 GRAYMONT WESTERN CANADA	5944.48	02/25/13
54875	550 HEDAHL'S PARTS PLUS	187.80	02/25/13
54876	153 HEIMAN FIRE EQUIPMENT, INC.	975.23	02/25/13
54877	161 HOME OF ECONOMY	194.49	02/25/13
54878	162 HORIZON RESOURCES	814.40	02/25/13
54879	163 HOSE AND RUBBER SUPPLY	2.91	02/25/13
54880	4561 International Code Council, Inc.	85.00	02/25/13
54881	999998 JACOB J. GREGORY	25.00	02/25/13
54882	1782 JASON MITCHELL OUTDOORS TV	1000.00	02/25/13
54883	1786 JLG Architects	12500.00	02/25/13
54884	190 JOB SERVICE NORTH DAKOTA	36.68	02/25/13
54885	1784 Jobtarget, LLC	200.00	02/25/13
54886	999999 JOSH BUTLER	25.00	02/25/13
54887	1781 KARI & BILLY	1202.60	02/25/13
54888	198 KDSR-FM	950.00	02/25/13
54889	210 KOHLER COMMUNICATIONS	299.70	02/25/13
54890	1761 Lands' End Business Outfitters	94.79	02/25/13
54891	1343 LARGE PRINT OVERSTOCKS	37.85	02/25/13
54892	591 LEXIS NEXIS	19.84	02/25/13
54893	999999 MARQUETTE HAYNES	25.00	02/25/13
54894	585 MCCODY CONCRETE PRODUCTS, INC	1305.64	02/25/13
54895	999999 MEDICARE PART B	427.85	02/25/13
54896	245 MEDQUEST INC	885.10	02/25/13
54897	1787 MEDTEC Ambulance Co.	168201.00	02/25/13
54898	247 MERCY MEDICAL CENTER	2218.96	02/25/13
54899	250 MICROMARKETING ASSOCIATES	172.38	02/25/13
54900	252 MIDCONTINENT COMMUNICATIONS	305.64	02/25/13
54901	823 MINUTE LUBE	117.90	02/25/13
54902	260 MODERN MACHINE WORKS	3.34	02/25/13
54903	261 MON-DAK HTG & PLG, INC.	611.85	02/25/13
54904	1150 MONDAK PORTABLES LLC	425.25	02/25/13
54905	243 MONTANA DAKOTA UTILITIES	73165.46	02/25/13
54906	1175 MONTANA DAKOTA UTILITIES	1300.00	02/25/13
54907	270 MURPHY MOTORS, INC.	309.89	02/25/13

54908	275 NAPA AUTO PARTS	1359.08	02/25/13
54909	1108 NATIONAL ASSN OF CHIEFS OF POLICE	60.00	02/25/13
54910	1385 NATIONAL FIRE PREVENTION ASSOCIAT	188.95	02/25/13
54911	276 NATIONAL-OILWELL	13.77	02/25/13
54912	286 ND CHIEF'S OF POLICE ASSN	50.00	02/25/13
54913	303 ND POST BOARD	110.00	02/25/13
54914	1243 NEFF EIKEN & NEFF PC	2752.09	02/25/13
54915	999998 NEIL W. BAKKEN	87.50	02/25/13
54916	320 NEMONT	5430.64	02/25/13
54917	333 NORTHWEST SUPPLY CO.	179.70	02/25/13
54918	1250 OK TIRE STORE	29.50	02/25/13
54919	343 OLYMPIC SALES, INC.	33400.00	02/25/13
54920	347 OTIS ELEVATOR CO.	2657.30	02/25/13
54921	1055 PARTS CENTRAL - HEIL ENVIRONMENTA	56.07	02/25/13
54922	813 PONTEM SOFTWARE BY RIA	593.00	02/25/13
54923	641 PREBLE MEDICAL SERVICES, INC	526.00	02/25/13
54924	362 PRO SAFE PEST CONTROL	163.80	02/25/13
54925	819 PUBLIC SAFETY EQUIPMENT CO., LLC	7078.00	02/25/13
54926	365 QUALITY BOOKS, INC.	121.02	02/25/13
54927	367 QUILL CORPORATION	63.80	02/25/13
54928	376 RDJ SPECIALTIES	627.66	02/25/13
54929	1650 ROTATIONAL MOLDING INC	12157.50	02/25/13
54930	1274 Safeguard Business Systems	1086.81	02/25/13
54931	1504 SAFRAN MORPHOTRAK	4101.00	02/25/13
54932	415 SELECT FORD	482.97	02/25/13
54933	872 SHARYL BUSCH	28.49	02/25/13
54934	1132 STEVEN KJERGAARD	1507.16	02/25/13
54935	1514 TEI LANDMARK AUDIO	1614.50	02/25/13
54936	447 THE SHOPPER	578.00	02/25/13
54937	999998 THOMAS J. GLENN	25.00	02/25/13
54938	1673 TIMBERSTEEL CUSTOM BUILDINGS	2800.00	02/25/13
54939	999 TITAN MACHINERY	83.54	02/25/13
54940	1436 TOTAL SAFETY U.S., INC	365.94	02/25/13
54941	460 TRACTOR & EQUIPMENT CO.	6574.03	02/25/13
54942	464 TRI-COUNTY GLASS	2077.00	02/25/13
54943	1610 ULTEIG	37259.81	02/25/13
54944	1780 UNITED AGRONOMY LLC	221.40	02/25/13
54945	750 UPS	327.59	02/25/13
54946	1374 Valley Rental c/o Sherry Gooch	1050.00	02/25/13
54947	1194 VIDACARE	745.62	02/25/13
54948	488 VISA	1300.09	02/25/13
54949	489 VISA	284.56	02/25/13
54950	1284 Vogel Law Firm	4000.00	02/25/13
54951	649 WAL-MART SUPERCENTER	18.00	02/25/13
54952	1249 WASTE NOT RECYCLING LLC	10328.40	02/25/13
54953	496 WCS TELECOM	973.45	02/25/13
54954	1741 Western Edge Aviation	3714.82	02/25/13
54955	623 Wex Bank	2891.90	02/25/13
54956	1512 WILLIAMS COUNTY DES	100.00	02/25/13



54957	517 WILLISTON FIRE & SAFETY	251.40	02/25/13
54958	518 WILLISTON HERALD	1781.08	02/25/13
54959	519 WILLISTON HOME & LUMBER	2153.34	02/25/13
54960	525 WILLISTON TIRE CENTER	337.21	02/25/13
54961	526 WILLISTON TRUE VALUE	402.79	02/25/13
54962	1 Woodworks, Inc	4770.00	02/25/13
54963	999998 YVONNE A. TOPP	892.18	02/25/13
54964	1261 CHAMBER OF COMMERCE	1000.00	02/25/13
54965	79 CITY OF WILLISTON	1961.08	02/25/13
54966	390 RICHARD A. JOHNSON	2941.50	02/25/13
54967	531 WILLIAMS COUNTY AUDITOR	4573.13	02/25/13

**Grand Total**

375

4354868.56

- (2.) Application for a Local Permit or Charity Local Permit
  - a.) Upper Missouri United Sportsmen - April 6, 2013 - Raffle
- (3.) Special Permit to Sell Alcoholic Beverages
  - a.) Edgar M. Boyd Post #37 - Relay for Life Fundraiser - 03/02/13
  - b.) Edgar M. Boyd Post #37 - Wedding Reception - 03/09/13
  - c.) The Williston Building, LLC: The Williston - "Taste of the Chamber" - 03/13/13
- (4.) Application for Arborist License
- (5.) Application for Pesticide Applicator's Permit
- C. Building Official
- D. City Planner
- E. Assessor
  - (1.) Exemptions
    - a.) Great Northern Railway, St. Paul MN - Property Exempt from taxation.

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve the Consent Agenda as presented.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- 3. Bid Openings
  - A. High Compaction Rear Loading Refuse Body/Cab Chassis

Monte Meiers presented the following information:

Currently, the City Sanitation Department operates three Leach Rear Load Packer Systems. The Annual cost to maintain these are \$1.80 per hour.

The rear-load garbage truck had 3 bids with the operations people recommending we purchase the Leach garbage truck at \$147,400, which is \$3,600 more than the low bid.

**MOTION BY BOGAR, SECONDED BY CYMBALUK, to approve the recommendations of purchasing the Leach garbage truck from Sanitation Products.**

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

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

B. Truck Type Tractor/966 Loader

Monte Meiers presented the following information:

One bid from T & E for a 966 Landfill Loader for \$362,770; and one for the Landfill Scrapper from T & E with a trade-in price of \$596,570.

**MOTION BY BOGAR, SECONDED BY BEKKEDAHL, to approve the recommended bid awards as presented by Mr. Meiers.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

C. Hagan/Slingsby Storm Drainage Improvements

Mr. Meiers presented the following information:

There were 10 bidders. The low bidder, by about \$450,000, was Veit & Company, Inc at \$1,796,463, which did have an irregularity in their bid. They did not acknowledge Addendum #6, which was sent out by the consultant the same day as the bid.

However, the attached email from the consultant engineer indicates that Veit responded that Addendum #6 would not have changed their bid price. Veit is a good contractor with a very good bid and after I talked with attorney Furueth, I would ask that the City waive the bid irregularity and award the contract to Veit if we can resolve the issues with the property owners that have recently arisen. We have 45 days to hold these bids and if we can't get it resolved, then we either don't do the project and leave it in the channelization that exists today or utilize the existing easement that we have.

Mr. Meiers would like the Board to consider whether to award this bid if it can be resolved with the landowners.

The landowner's issues are on the Agenda for this evening.

**MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to approve the Veit & Company bid award and waiving the bid irregularity, contingent upon reaching an agreement with the landowner.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

D. 8<sup>th</sup> Ave. West Water, Sewer and Street Improvements District 13-3

Mr. Meiers presented the following information:

The Water, Sewer and Street Improvement District 13-3 had 7 bidders with two parts to the bid. The low bidder was Century Companies at \$290,951, with \$201,095 being the street improvements and \$89,856 being the water and sewer improvements.

There is a protest hearing scheduled for this district and at this time, we have not received any formal protests.

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve the bid award to Century Companies as presented.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

E. 8<sup>th</sup> Ave. West Storm Sewer Improvements District 13-2

Mr. Meiers presented the following information:

There were 9 bidders on the Storm Sewer District 13-2, with the low bidder being Wagner Construction at \$148,160. Public Works recommends award of that bid to Wagner Construction.

**MOTION BY BOGAR, SECONDED BY KLUG, to approve the bid award as presented by Mr. Meiers.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

4. Public Hearings

A. On-Sale Liquor and Beer License; Buffalo Wild Wings, 417 Reiger Drive, Williston, ND

Mr. Kautzman informed the Commission that Buffalo Wild Wings had paid the \$50,000 for a Restaurant License, which is a specific category of License that the Board had created. They will be the second company that has applied for that category. The hearing is because there is a new location with liquor consumption and the ordinance requires that there be a public hearing.

The Public Hearing is opened and a call is made for public input.

A second call is made for public input, a third and final call is made for public input. There is no public input and the Public Hearing is closed.

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve the On-Sale Liquor and Beer License for Buffalo Wild Wings.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- B. Determine the Sufficiency of any protests for Resolution 13-006 Declaring the Necessity of an Improvement in Water, Sewer & Street District 13-3

Mr. Meiers gave the background on the Improvement in Water, Sewer & Street District 13-3. This public hearing is to determine the sufficiency of any protests received for Resolution 13-006, Declaring the Necessity of an Improvement in Water, Sewer & Street District 13-3.

The Public Hearing is opened and a call is made for public input.

A second call is made for public input, a third and final call is made for public input. There is no public input and the Public Hearing is closed.

**MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to approve Resolution 13-006 as presented.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

5. Accounts, Claims and Bills Not Approved in the Consent Agenda  
6. Ordinances  
A. 2<sup>nd</sup> Reading for Ordinance 961: An Amendment to Section 21 C-3: Restricted Commercial District in Ordinance 613, the Zoning Ordinance of the City of Williston

Ms. Rachel Ressler presented the following information:

This is the 2nd reading of an amendment to Section 21: C-3: Restricted Commercial District, of Ordinance 613, also known as the Zoning Ordinance of the City of Williston. The amendment is intended to address the upcoming lapse in the moratorium placed on downtown housing by the Williston City Commission on August 28, 2012.

In November of 2008, the City Commission passed Ordinance 914, which was an amendment to Section 21 that allowed housing behind, above and below commercial and retail establishments. In 2012, the Downtowners Association and City Commission expressed concerns that this had allowed use of downtown buildings as minor storefront offices with residences utilizing the rest of the building. A review of Ordinance 914 led to a moratorium on any creation of or expansion of housing in the downtown area. This moratorium will end on February 28, 2013.

At the direction of the City Commission, a committee was established to examine options after this moratorium ends. A continuation of Ordinance 914 was deemed unacceptable. The Ordinance attached to this memo is the outcome of that committee, which included several City staff and commissioners, as well as members of the Downtowners Association. The amendment allows dwelling units above commercial or retail space in the C-3 district, excluding the Renaissance Zone. In the Renaissance Zone, dwelling units are only allowed above retail space. The amendment also makes several definitions clear, such as "dwelling unit", "retail space" and "lodge". The amendment also includes an intent clause, explaining the intent of the ordinance with

regard to the Renaissance Zone. Each of these clarifications is meant to prohibit any dwelling units that function essentially as man-camps.

Several buildings with office space on the ground floor have residences that were permitted under Ordinance 914, and these will become non-conforming under this new amendment. They will be treated as a non-conforming property, laid out in Section 6 of the Zoning Ordinance. Property owners and tenants of non-conforming, permitted properties have all been notified regarding this amendment to the ordinance.

This amendment is a direct result of the concerns of the City Commission and downtown business owners. It is intended to deal with the upcoming end to the moratorium on housing downtown, after which property owners could return to converting entire buildings downtown into housing, which is considered undesirable by staff and City Commission.

The Downtowners Association has also reviewed this proposed amendment to the ordinance, and stated that it addresses their concerns.

Since the Planning and Zoning Commission meeting on January 28, 2012, we have amended the proposed ordinance to allow residences above commercial uses in the non-Renaissance Zone C-3 district only with a special use permit. Residences above retail in the non-Renaissance Zone C-3 district would be permitted by right. This change was approved by the City Commission at the first reading of this ordinance on February 12, 2013.

The recommendation from the Planning and Zoning Commission is to approve Ordinance 961: An Amendment to Section 21: C-3: Restricted Commercial District, of Ordinance 613, the Zoning Ordinance of the City of Williston.

**MOTION BY CYMBALUK, SECONDED BY KLUG, to approve the the Second Reading of Ordinance 961.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

7. Petitions, Communications and Remonstrance's
  - A. Storm Water Pipeline and Drainage Easement Agreement

This item was presented by Commissioner Koeser and is a communication with the Slingsby's regarding a Storm Water Pipeline and Drainage Easement Agreement with the Slingsby's and the City of Williston.

Darlene Slingsby spoke on this issue. The Slingsby's live at 2400 Bison Drive. The Storm Sewer is quite a concern of theirs. She addressed some of her concerns and wants the issues taken care of prior to them signing the Agreement.

Commissioner Bekkedahl stated that he was hopeful that by going to a different position on their property as they had requested, that it would make it better for them and get the water away from their property.

Commissioner Koeser would like volunteers to form a committee to work with the Slingsby's on coming to resolution to their issues. Commissioner Bogar is requested to be on the committee as is Mr. Meiers and Mr. Furuseth, Wayne Crow from KLG as a consultant and Commissioner Klug also volunteered.

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to form a Committee to work with the Slingsby's on working towards a resolution to the Storm Water Pipeline and Drainage Easement Agreement.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

8. Report of Commissioners
  - A. President of the Board
  - B. Vice-President; Finance Commissioner
  - C. Street and Improvement, Sanitation, Cemetery and Public Works Commissioner
    - (1.) Request for Commission Support for Traffic Signals

Commissioner Klug presented the following information:

North By Northwest Development has written a correspondence regarding the Chandler Field area out west of town, stating that the infrastructure is nearly complete. Eric Schmela from North By Northwest Development is at the meeting and will explain their request.

The language they are seeing time and time again for companies looking at the area is "safe access", to the commercial center. With that the only safe access requested by these buyers is a traffic signal. They are requesting the Board's support on pursuing a traffic signal.

Mayor Koeser asked Mr. Meiers if the Board were to support their request would the best way to communicate that to the NDDOT be through a letter. Mr. Meiers stated that the Board's support for the traffic signal would be beneficial. Mr. Schmela stated that the attached Traffic Impact Study does indicate that a signal would be warranted. They are willing to fund the traffic signal and are not asking for anything other than the Board's support.

Mayor Koeser suggested that any letter also contain the information that the developer is willing to fund the traffic signal.

Mr. Meiers suggested that the request is based on the study that the need will be there when development occurs, so that NDDOT understands that this is to be prepared for the development because it is starting versus working at it from the other aspect. It was suggested that a copy of the letter be sent to the Governor's office as well and that the letter include a copy of the traffic study.

**MOTION BY CYMBALUK, SECONDED BY KLUG, to direct the Engineering Department to draft a letter to NDDOT regarding the traffic signal for the Chandler Field area for the Mayor's signature.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- D. Fire, Police, and Ambulance Commissioner
- E. Water Works, Sewer, Airport, Building and Planning Commissioner
- 9. Report of Department Heads
  - A. City Auditor
    - (1.) Request for use of tables, chairs, and table stage sections by the Babe Ruth World Series Committee

Mr. Kautzman presented the following information:

The 13 Year Old Babe Ruth World Series Committee is requesting free use of tables and chairs from the National Guard Armory for their function off-site from August 14th through August 16th.

It was suggested that they would still need a signed rental agreement, however, with a \$0 rental fee.

**MOTION BY BEKKEDAH, SECONDED BY CYMBALUK, to grant the request with the agreement that anything that is returned in unusable condition be replaced or repaired at their expense.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- (2.) Building Department job description approval and salary range

This is in regards to the memo written by Randy Donnelly, the Personnel Officer, which indicates the results of the Salary Committee meeting for some Building Department job description changes and some reassignments of some salary ranges.

The memo summarizes the Salary Committee recommendations as follows:  
Building Inspector I - changes in job description; Building Inspector II - changes in job description; Permit Tech I - formerly Secretary I; Senior Building Inspector - New position, Range 52 Salary 47,131-66,594; Plans Examiner - New position, split up Office Manager/Plans Examiner, Range 51 Salary 47,131-66,594; Office Manager - New position split up Office Manager/Plans Examiner, Range 52 Salary 43,765-66,594; Permit Tech II - formerly Secretary II.

**MOTION BY CYMBALUK, SECONDED BY BOGAR, to approve the request as submitted by the Building Department.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- (3.) Williams Rural Water - Buyout of 4 accounts and collection of past due

amounts

Request to pay \$4,500 each for four accounts in our Rural Water Agreement. After the \$18,000 payment the accounts would then be transferred to the city.

**MOTION BY BOGAR, SECONDED BY CYMBALUK, to approve the payment of \$18,000 to Williams Rural Water for the four accounts as presented.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

(4.) Airport International Inn - Transfer of Liquor License

Mr. Kautzman presented the following information:

Commissioner Klug pointed out that the party that filled out the application has incorrectly identified it as a General On-Sale Beer and Liquor License. It should be a Hotel/Motel On-Sale License so that correction was duly noted. Mr. Kautzman discussed this with the applicant and pointed out that there was no way the Board would be asked to approve that type of licenses transfer. They would ask that the Board approve the License as a Hotel/Motel On-Sale Beer and Liquor License, along with their Off-Sale Beer License. This is a party on the East Coast who is buying this facility, so they are looking to have this application forwarded onto the State for consideration. The selling party basically has signed off and the management team that is currently in place will be staying in place. This would be a conditional approval subject to the State approving that license.

**MOTION BY KLUG, SECONDED BY CYMBALUK, to transfer the license after review by our City Attorney.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

Commissioner Klug stated that he is requesting review by the City Attorney because they took the application and crossed out certain portions of the application and he would like confirmation that it fits the requirements.

(5.) Missouri Basin Bowman - Raffle - February 28, 2013 - April 3, 2013

**MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to approve the application for the raffle permit as presented.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

B. Attorney

C. Director of Public Works/City Engineer

(1.) Resolutions for Street Improvement District 13-5



Mr. Meiers presented the following information:

At budget time Public Works put together requests for some Mill and Overlay projects throughout the City. We have now developed the plans for that and the resolutions to go ahead with that. It would be mill and overlays areas in multiple areas of the City. With our present policy, we would fund 50% of the costs and asses 50% of it.

Public Works is looking for the Board's approval of the Resolutions for creating Street Improvement District 13-5 and setting up a protest hearing for April 9, 2013 at which time people can indicate whether or not they favor the project.

**MOTION BY CYMBALUK, SECONDED BY KLUG, to approve the Resolution No. 13-027 to Create Street Improvement District 13-5 and Resolution No. 13-028 Declaring the Necessity of an Improvement in Street Improvement District 13-5.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

(2.) Request for Ad for Bids - Street Sweeper

Mr. Meiers is requesting approval on a Call for Bid for a Street Sweeper.

**MOTION BY BEKKEDAHL, SECONDED BY BOGAR, to approve request for a Call for Bid as requested.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

D. Fire Chief

(1.) WHS Rodeo Club request for reduced rate for Ambulance coverage for Rodeo on May 11, 2013.

A letter was received from the WHS Rodeo Club requesting that they receive a flat rate for Ambulance standby for the rodeo to be held on May 11, 2013

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve request as presented.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

E. Chief of Police

(1.) 2012 Annual Report

This is for informational purposes only.

Chief Lokken provided the Commissioners with a detailed Annual Report for 2012. It included a summary of activities conducted by the Williston Police Department. There was approximately an increase of 3000 calls for service. Felony arrests were up 70%, misdemeanor arrests were up over 45%, DUI's increased by 80 or 38% and 911 calls were up by 4450 calls.

They were able to fill thier budgeted amount of personnel and the Chief indicated that without the City's subsidized housing this would not have been possible.

Their biggest problem during the daytime is the traffic and in the evening the biggest problems are domestic disturbances and calls for fights in progress.

The Chief also thanked the public for the donations to finance starting up the K-9 unit, as it has greatly benefited the community.

F. Building Official

G. City Planner

(1.) Renaissance Zone Approval for Project at 16 and 18 E. Broadway: 14 & 16 E Broadway LLC

Rachel Ressler presented the following information:

The Renaissance Zone Review Authority Board met on February 21, 2013 and reviewed an application for inclusion as a Renaissance Zone project submitted by 14 & 16 E Broadway LLC.

This project will include renovating the interior of the building at 14 & 16 E Broadway (Lot 5, block 10 of the Original Townsite), which currently houses the Public Defender's office and the Protection & Advocacy office. In addition, there are 4 apartments, currently in the building. The building is proposed to be the future site of Basil, a 100+ seat Asian fusion restaurant and sushi bar, and 10 apartments (3 of which currently exist). The proposed apartments include 3 three-bedroom apartments and 7 two-bedroom apartments. The total square footage of the building is 18,430 sq. feet.

Major financial improvements include installing a sprinkler system (\$40,000), interior carpentry (\$200,000), electrical work (\$55,000), plumbing work (\$50,000), apartment upgrading (\$73,000) and restaurant equipment, furniture, and lights (\$195,000). The total project estimate is \$1,393,000. According to the Assessor's office, the current true and full value of the property is \$76,400. Upon completion of the project, the building's value is estimated to have a value of approximately \$1.4 million.

The Renaissance Zone Review Authority Board heard the proposed project and determined that the project fits the intended purpose of the zone.

The Renaissance Zone Review Authority Board recommends approving the application submitted by 14 & 16 E Broadway LLC to renovate a downtown building located at Lot 5, Block 10 of the Original Townsite (Block 8 of the Renaissance Zone) to provide a full restaurant, bar and sushi bar, as well as

multiple apartments; contingent on meeting parking requirements and all applicable ordinances. This would allow for a property tax exemption at 100% and any eligible income tax credits as approved by the State.

Commissioner Cymbaluk raised questions regarding the parking issues.

**MOTION BY CYMBALUK, SECONDED BY BOGAR, to approve the request as presented.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- H. Economic Development
  - (1.) Flex Pace: 20/20 Properties

Shawn Wenko presented the following information:

There have been a lot of calls lately asking “what is Flex Pace?” The Flex Pace buy down program is a collaboration amongst the Economic Development office, the Small Business Development Center, a local financial lender and the Bank of North Dakota. In general it’s a loan interest buy down program that can reduce the borrowers’ rate on their loan by as much as 5%. The Bank of North Dakota provides the lion's share of the funding, 65%, while the STAR Fund closes the gap with the remaining 35%. On large projects, borrowers can save as much as \$75,000 on their interest. As a community the Flex Pace Program allows us the opportunity to provide assistance to borrowers developing projects with long-term economic stability as well as quality of life enhancements for our residents. All of the programs are on-line at [willistondevelopment.com](http://willistondevelopment.com) with further detail and Economic Development is always willing to sit down with anyone that thinks they may qualify for any of the programs.

Mitch Fearing of 20/20 Properties is requesting a flex pace of 24,999 to construct a new professional building. The building will be three floors, with eye care on the first floor. The third floor will be used for specialized doctors from Mercy Medical Center. The second floor will have space for additional professional offices. The total cost of the project is estimated at \$11.1 million.

The STAR Fund Board recommends to the City Commission to approve a Flex Pace up to \$24,999 to 20/20 Properties for construction of a new building.

**MOTION BY BEKKEDAH, SECONDED BY CYMBALUK, to approve the recommendation as presented.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- I. Airport
  - (1.) Lease Agreement with Delta Airlines

Anthony Dudas, the Assistant Airport Manager presented the following information:

This is a request for approval of a Lease Agreement with United Airlines for them to officially operate at the airport. The cost for them is \$1.50 per thousand pounds of landing weight, .09 cents per gallon of jet fuel and \$750 per month for terminal rent. The City Attorney has reviewed the Lease Agreement and we recommend approval of the Agreement.

**MOTION BY BEKKEDahl, SECONDED BY CYMBALUK, to approve the Lease Agreement.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

(2.) Request to Add Additional Operations Officer

Anthony Dudas presented the following information:

This is a request for the Airport to hire an Operations Officer. This is due to the increased operational load the airport is encountering. Operations Officers typically handle all day-to-day duties including Aircraft Rescue Firefighting, FAA daily inspections, issues regarding passengers, customers, airfield operations, tenants, airfield operation and advertising along with many other tasks.

With the possible airport relocation project consuming more and more of Mr. Kjergaard's time, the addition of this employee would allow me to move into a supervisory role rather than attempting to perform both operations and management duties simultaneously. This addition would also allow me to serve as acting manager during Mr. Kjergaard's absence, which in the dual role I am currently working cannot be accomplished. Finally, this position would increase the productivity of our current operations officers due to my ability to assist with ARFF coverage when other daily operations responsibilities require them to be elsewhere on the airfield.

Each airline will bring in approximately \$2,100 per month in revenue. Currently we have 5 flights per day increasing to 6 beginning in March adding another \$21,000 per year and we expect this number to grow to 8 flights per day by the end of the year. Our fuel income will increase to approximately \$153,000 for 2013 and could increase to \$180,000 with the addition of the sixth flight. Revenue from car rentals has also increase. As of the first of the year the rate we collect from them has increased from 8.5% to 11% leading to a projected annual income of \$228,000. The final part of our revenue is advertising. Currently we collect \$18,000 per year in advertising space and fully expect that number to increase with the addition of five 40 inch screens we have placed throughout the terminal. These screens will be used for the sole purpose of displaying flight data and advertising. Even with these being a very new addition to the terminal we have already received several inquiries from interested parties.

We project that with the current 5 flights per day, we will produce revenue of \$544,600 increasing to \$600,600 with the additional flight that is scheduled to

begin in March, leading to a \$56,000 increase from the addition of just one flight.

If this position is unable to be approved this evening I would request that it be passed on to the Budget Committee.

Commissioner Klug asked if this request was due to the Airport Manager's needed presence in dealing with the new airport.

It was stated that it was one of the reasons, along with the increased charter traffic and the requirements to have staff on hand for their flights as well. It is also to increase the Operations staff's ability to handle other issues such as tenants and airfield maintenance instead of having to be stuck in the firehall while these aircraft are landing or taking off.

**MOTION BY CYMBALUK, SECONDED BY BOGAR, to send this request to the Salary Committee for review.**

**MOTION CARRIED UNANIMOUSLY BY VOICE VOTE.**

(3.) Request to Add Administrative Assistant or Internal Auditor

Steven Kjergaard presented the following information:

At a recent meeting with KLJ regarding clarification as to the level of financial involvement for the airport and the increase in tracking funds it was discussed that they are going to need someone full-time that only handles the financial aspects of the airport. It is a very in depth process especially with the passenger facility charge going active as of April 1st. We will start seeing checks for these 30 days later. We are still discussing what the position will be, internal auditor or administrative assistant.

We are requesting that this go to the Salary Committee.

Commissioner Bekkedahl requested that the Salary Committee seriously look at is where they departmentalize this employee. If it is truly auditing functions the chain of command should be through the Auditor's Department and we not start to instill separate auditors within each department in the City. They can be located where ever it is convenient; however, they should remain under the direct responsibility of the Auditor.

Mr. Kautzman commented that if it was more of an administrative assistant position that would be under Steven's umbrella and they would probably do a lot of the leg work, and that position does exist in a number of different departments and that range exists, so I would suggest that you would normally have both the Budget Committee and the Salary Committee involved.

(4.) Request to add Cell Phone for Assistant Airport Manager

Steven Kjergaard presented the following information:

I am requesting that we be allowed to add an additional cell phone for the airport. This would be for the Assistant Manager position. He is also going to become a

24/7 on call position.

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve the request as presented.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- J. Assessor
- K. Convention and Visitor's Bureau
- 10. Appointments and Consultations with Officers
- 11. Unfinished Business
- 12. New Business

Commissioner Bekkedahl would ask the Commission to support a Motion that he is about to make of a Resolution of Congratulations to the Williston State College's Teton Hockey Team which over the weekend won their first National Championship.

**MOTION BY BEKKEDAHL, SECONDED BY BOGAR, to make a Resolution of Congratulations.**

**MOTION APPROVED UNANIMOUSLY BY A VOICE VOTE OF SUPER!**

- 13. Executive Session
- 14. Adjourn

**MOTION BY BEKKEDAHL, SECONDED BY BOGAR, to adjourn**  
**MOTION CARRIED UNANIMOUSLY BY VOICE VOTE.**

---

E. Ward Koeser, President  
Board of City Commissioners

---

John Kautzman, City Auditor