

**Official Proceedings
Board of City Commissioners
October 9, 2018 - 6:00 pm
City Hall – Williston, North Dakota**

1. Roll Call of Commissioners and Pledge of Allegiance

COMMISSIONERS PRESENT: Chris Brostuen, Brad Bekkedahl, Deanette Piesik, Tate Cymbaluk and Howard Klug

COMMISSIONERS ABSENT: None

OTHERS PRESENT: John Kautzman, Dave Tuan, Bob Hanson, Anthony Dudas, Ryan O’Rear, Dave Bell, Kent Jarcik, Rachel Laqua, David Wicke, Jason Catrambone, Andrea Duntz, Pete Furuseth, Taylor Olson, David Peterson, Detective Dan Dery, Shawn Wenko, Andrea Placher, Chery Pierzina and Amy Krueger

Mayor Klug presented a quorum.

CHANGES TO AGENDA: Add 7E3

Motion by Cymbaluk, Seconded by Bekkedahl to make a motion to approve UNANIMOUS BY VOICE VOTE

2. Consent Agenda

- A. Reading and Approval of Minutes
 - 1) Special Assessment Meeting Dated: September 18, 2018
 - 2) Regular Meeting Dated: September 25, 2018
- B. Auditor and Finance
 - 1) Accounts, Claims and Bills
 - a. September 21 – October 4, 2018

For checks between: 09/21/18 - 10/04/18

Check #	Vendor/Employee/Payee Number/Name	Check Amount	Issued
-41110	TATE A. CYMBALUK	0.00	09/28/18
-41109	LYNN BYERS-WALLACE	1387.37	09/28/18
-41108	BRENDA D'ANGELO	1409.58	09/28/18
-41107	RANDY M DONNELLY	1741.87	09/28/18
-41106	ELIZABETH HEISEY	1046.01	09/28/18
-41105	JOHN L. KAUTZMAN	3475.33	09/28/18
-41104	KATHY KIMLEY	2175.32	09/28/18
-41103	KAREN P. LARSON	1757.95	09/28/18
-41102	STEPHANIE WELLMAN	1453.00	09/28/18
-41101	JASMINE COLLINS	1473.64	09/28/18
-41100	CAITLIN ESTRADA	1342.49	09/28/18
-41099	JUSTIN FREED	507.02	09/28/18

-41098	SARAH HILTON	1454.83	09/28/18
-41097	GEORGIA HOLLEMBEAK	1324.24	09/28/18
-41096	YULISSA JIMENEZ	159.54	09/28/18
-41095	JULIE KIRKPATRICK	1322.22	09/28/18
-41094	ELIZABETH OLSON	1429.86	09/28/18
-41093	MIKAELA SKALICKY	1478.32	09/28/18
-41092	JOLEEN S. TINKER	1640.38	09/28/18
-41091	CINDY WHITE	1471.26	09/28/18
-41090	LAURA WOLTJER	1514.38	09/28/18
-41089	BRAD D. BEKKEDAHL	196.77	09/28/18
-41088	CHRISTOPHER J. BROSTUEN	811.04	09/28/18
-41087	HOWARD D. KLUG	850.57	09/28/18
-41086	DEANETTE PIESIK	364.38	09/28/18
-41085	DENISE MELBY	1202.36	09/28/18
-41084	JACQUELINE MONZON	2623.44	09/28/18
-41083	KENNETH B. OWENS	227.65	09/28/18
-41082	APREL PURVIS	1476.33	09/28/18
-41081	KATHLEEN STAHOWIAK	3131.25	09/28/18
-41080	JANET B. ZANDER	2379.23	09/28/18
-41079	SUSAN E. MOELLER	1370.87	09/28/18
-41078	HASAN ABDUL JABBAR	2508.53	09/28/18
-41077	GINGER ALBY	1437.25	09/28/18
-41076	BRAD AUTTELET	2487.68	09/28/18
-41075	JOSHUA BANKS	2014.28	09/28/18
-41074	KARALEE BARLOW	1227.95	09/28/18
-41073	CLINTON BATES	2957.58	09/28/18
-41072	ROBERT J. BENTH	2462.13	09/28/18
-41071	MINDY BERNSTEIN	2428.70	09/28/18
-41070	MARC BRADE	3225.54	09/28/18
-41069	JAKE BYMAN	1593.83	09/28/18
-41068	MITCHELL BYMAN	711.72	09/28/18
-41067	JASON CATRAMBONE	3446.41	09/28/18
-41066	JUSTIN CHAMPION	3120.88	09/28/18
-41065	KHRISTOPHER CHAMPION	3292.95	09/28/18
-41064	MATTHEW CLARK	3307.12	09/28/18
-41063	STEPHEN CLARK	2226.51	09/28/18
-41062	PRISCILLA CRAIN	1655.00	09/28/18
-41061	CHRIS DICK	1968.16	09/28/18
-41060	THOMAS DICKEY	188.39	09/28/18
-41059	VICTORIA DOUGLAS	2078.93	09/28/18
-41058	RILEY ECKART	2258.23	09/28/18
-41057	KATHRYN ELWOOD	754.12	09/28/18
-41056	MICHAEL FRONIMOS	2720.69	09/28/18
-41055	CHRISTOPHER GILLIES	2076.10	09/28/18
-41054	MATTHEW GOODE	1529.93	09/28/18
-41053	CALVIN HENSON	167.36	09/28/18
-41052	JOHN HOSKINS	1825.57	09/28/18
-41051	EMILY HUGHES	2577.14	09/28/18
-41050	GREGORY HUGHES	2409.95	09/28/18

-41049	ANDREW ISAACS	1475.05	09/28/18
-41048	CHRISTOPHER JAMES	2009.21	09/28/18
-41047	COREY JOHNSON	3140.40	09/28/18
-41046	MAKAILYN KELLY	1819.24	09/28/18
-41045	TRACY C. KERZMANN	1620.11	09/28/18
-41044	ROBERT KISER	2196.72	09/28/18
-41043	JEREMY KNAPKEWICZ	1560.03	09/28/18
-41042	WYATT KOENIG	1641.01	09/28/18
-41041	DYLAN LAMONTIA	2098.24	09/28/18
-41040	JASON LEWIS	1786.19	09/28/18
-41039	CAROLYN LIMERICK	1612.72	09/28/18
-41038	CHRISTOPHER MAHONEY	3935.65	09/28/18
-41037	ANDRE MARTONI	1786.51	09/28/18
-41036	MICHAEL MESCO	2146.47	09/28/18
-41035	RYAN ALAN MILLER	1850.80	09/28/18
-41034	CRAIG MOEN	1440.13	09/28/18
-41033	PAUL MONZON	351.78	09/28/18
-41032	ERICA J. MYERS	1384.39	09/28/18
-41031	CHRISTIAN OLSON	2067.76	09/28/18
-41030	JESSICA PATTERSON	1641.31	09/28/18
-41029	TRISHA RUSSELL	1332.36	09/28/18
-41028	FLETCHER SCAIFE	2006.82	09/28/18
-41027	IAN SCHULTE	1848.20	09/28/18
-41026	JILL SELLERS	1963.88	09/28/18
-41025	PATRICK SELLERS	1833.44	09/28/18
-41024	TRAVIS SHAY	1572.62	09/28/18
-41023	SARA STAFFORD	1618.36	09/28/18
-41022	IAN STEWART	1348.04	09/28/18
-41021	BRITTANY STORM-ANDERSON	1699.63	09/28/18
-41020	EARNEST THEETGE	2517.91	09/28/18
-41019	JEFFREY VANDYKE	1254.29	09/28/18
-41018	ANTHONY VERESPE	5069.85	09/28/18
-41017	JAMES WESTON	1697.82	09/28/18
-41016	ERIN WETZEL	1478.25	09/28/18
-41015	MATTHEW ABERLE	1780.50	09/28/18
-41014	SAM M. AIDE	1910.43	09/28/18
-41013	STEVEN D. ARMSTRONG	3207.18	09/28/18
-41012	JASON BARTEN	2441.34	09/28/18
-41011	HUGH E BENZEN	1996.61	09/28/18
-41010	DUSTIN J. BERTSCH	1928.25	09/28/18
-41009	LUCAS BRINKMAN	1669.49	09/28/18
-41008	MARTIN BURCH	2447.86	09/28/18
-41007	ASHLEY R. CELANDER	1809.50	09/28/18
-41006	DUSTIN R. CELANDER	1842.17	09/28/18
-41005	KEVIN W. CRAFT	1298.32	09/28/18
-41004	JESSE CRUISE	1633.43	09/28/18
-41003	BRYCE DAHL	1775.96	09/28/18
-41002	ERICA DAVIS	1648.99	09/28/18
-41001	DANIEL DERY	2532.38	09/28/18

-41000	RODNEY H. DICKERSON	2663.03	09/28/18
-40999	JAMES DIXON	1792.43	09/28/18
-40998	ALEXIUS ENGET	1778.97	09/28/18
-40997	BRETT FLESNESS	1936.86	09/28/18
-40996	JORY FORSBERG	1420.82	09/28/18
-40995	CHELSEA S FOSSEN	1421.35	09/28/18
-40994	LINDA R. GRANBOIS	1504.14	09/28/18
-40993	ALEXIS HAGGERTY	1678.59	09/28/18
-40992	WALTER H. HALL	2387.10	09/28/18
-40991	RANDY M. HAUGENOE	2425.80	09/28/18
-40990	DANIELLE HENDRICKS	1967.98	09/28/18
-40989	JACOB R. HENDRICKS	2036.17	09/28/18
-40988	SHAWN HOLM	1720.44	09/28/18
-40987	JONATHAN HOLTER	2162.57	09/28/18
-40986	MICHAEL A. ISENHOWER JR	2221.86	09/28/18
-40985	BEAU JACOBSON	2019.08	09/28/18
-40984	EVAN JOHNSON	1786.48	09/28/18
-40983	ERIC KEYES	1753.60	09/28/18
-40982	AMBER KOEHN	1754.46	09/28/18
-40981	JACOB KOEHN	1896.63	09/28/18
-40980	CINDY KOPAC	14.99	09/28/18
-40979	AARON KURTENBACH	1774.69	09/28/18
-40978	JEREMIAH LACHNER	1888.57	09/28/18
-40977	MICHAEL LICCIARDI	2092.57	09/28/18
-40976	JOSHUA MAHLUM	1711.90	09/28/18
-40975	ANTHONY MANN	1729.86	09/28/18
-40974	TRAVIS J. MARTINSON	2287.12	09/28/18
-40973	CODY MILLER	1939.01	09/28/18
-40972	HEATHER MONTGOMERY	1955.41	09/28/18
-40971	NICHOLAS NELSON	2010.23	09/28/18
-40970	JEFFREY OLSON	2042.02	09/28/18
-40969	GREG OSTER	1558.07	09/28/18
-40968	JOHN PAGANO	1793.22	09/28/18
-40967	AMBER PELZL	1154.69	09/28/18
-40966	JUSTIN PELZL	1740.48	09/28/18
-40965	DAVID A. PETERSON	3744.01	09/28/18
-40964	MEGAN PETERSON	1549.83	09/28/18
-40963	TRAVIS PETERSON	2075.25	09/28/18
-40962	KENNETH L. PRENTICE	1807.36	09/28/18
-40961	KRISTIINA RAVASKA	2033.85	09/28/18
-40960	JONATHAN D. ROGGENKAMP	1846.80	09/28/18
-40959	NICHOLAS SATERMO	1949.28	09/28/18
-40958	CRYSTAL A. SCHAUBEL	1385.86	09/28/18
-40957	ZACHARY SCHWARTZ	1861.97	09/28/18
-40956	CHARLES STAFFORD	1841.05	09/28/18
-40955	THEODORE VANGRINSVEN	1726.95	09/28/18
-40954	ROBERT VANWINKLE	1759.45	09/28/18
-40953	CRAIG WARE	1804.52	09/28/18
-40952	JESSE WEICHT	1955.79	09/28/18

-40951	JENNIFER WILLARD	1624.28	09/28/18
-40950	MICHAEL S. WILSON	2533.35	09/28/18
-40949	KELLY ABERLE	1928.41	09/28/18
-40948	JOE DOSS	2078.33	09/28/18
-40947	LESLIE HAMRICK	988.19	09/28/18
-40946	DOMINIC MONSON	1158.80	09/28/18
-40945	DAVID SASSER	1981.34	09/28/18
-40944	MARK SCHNEIDER	3249.20	09/28/18
-40943	DIANE THOMPSON	1274.34	09/28/18
-40942	LORI THRONSDEN	999.94	09/28/18
-40941	NYDEL TOMPKINS	1310.17	09/28/18
-40940	WILLIAM TOWNSLEY	1673.80	09/28/18
-40939	PEDAR A. ANDRE	1483.93	09/28/18
-40938	MATTHEW ELBERT	1719.68	09/28/18
-40937	ROBERT E HANSON	3130.45	09/28/18
-40936	THOMAS HARTLEY	2649.37	09/28/18
-40935	DAVID WICKE	3297.83	09/28/18
-40934	WAYNE A WIEDRICH	2875.66	09/28/18
-40933	JAREK WIGNESS	2499.21	09/28/18
-40932	LES CHRISTENSEN	2375.74	09/28/18
-40931	AUBREY FOSBURGH	2119.62	09/28/18
-40930	LES WALTER	2027.96	09/28/18
-40929	JASON ANDREASON	2612.16	09/28/18
-40928	KYLE BREDWICK	1271.50	09/28/18
-40927	ZACHERY BREWER	460.45	09/28/18
-40926	LANE CLARK	1432.29	09/28/18
-40925	DAVID CURTISS	1201.32	09/28/18
-40924	JAMES B. ENGEN	2894.21	09/28/18
-40923	DOMINICK IOVINO	1995.41	09/28/18
-40922	JONNY IOVINO	2622.46	09/28/18
-40921	BRUCE A. JOHNSON	1597.90	09/28/18
-40920	RANDALL JOHNSON	1015.52	09/28/18
-40919	RICHARD MALONEY	1338.13	09/28/18
-40918	MARC MOHR	1319.22	09/28/18
-40917	EMIL NEHRING	1633.24	09/28/18
-40916	TROY OSTER	1403.92	09/28/18
-40915	CLYDE RANSONET	1349.11	09/28/18
-40914	GARY SKABO SR	377.49	09/28/18
-40913	MATTHEW TUTAS	1045.55	09/28/18
-40912	IAN WEIGEL	1778.40	09/28/18
-40911	JEFFREY BRYSON	2234.86	09/28/18
-40910	ROBERT D. COUGHLIN	1366.87	09/28/18
-40909	MORKATAA DHINAA	1617.98	09/28/18
-40908	TYLER FIXEN	1347.36	09/28/18
-40907	LACEY JOHNSTON	1598.89	09/28/18
-40906	AMANDA M. KAISER - LEE	1644.12	09/28/18
-40905	MITCHELL KERSTING	2972.65	09/28/18
-40904	EVAN LEWIS	1316.66	09/28/18
-40903	ALDON OLSON	1308.88	09/28/18

-40902	WILLIAM SCHWENDEMAN	1271.54	09/28/18
-40901	SABRINA SIMS	1695.53	09/28/18
-40900	JAMIE SITZMAN	1236.52	09/28/18
-40899	ROBERT SKURDAL	1239.85	09/28/18
-40898	CURTIS CLARYS	2777.92	09/28/18
-40897	CHASE ENGEN	1515.97	09/28/18
-40896	JASON W. HOULE	1480.18	09/28/18
-40895	PRESTON OLSON	1336.04	09/28/18
-40894	BRANDON SANDBERG	1660.20	09/28/18
-40893	THOMAS ATOR	2050.30	09/28/18
-40892	KATRINA HENRY	1441.23	09/28/18
-40891	CHRISTOPHER ADAM	1380.83	09/28/18
-40890	KOLTEN BRUNELLE	1297.18	09/28/18
-40889	RENA COLLIE	1307.69	09/28/18
-40888	JASON COTTAM	1494.93	09/28/18
-40887	ARTHUR CRUMB	2022.01	09/28/18
-40886	PATRICIA K. FIORENZA	2603.64	09/28/18
-40885	DANNY R. GERGEN	1840.71	09/28/18
-40884	JAMES A HAGA JR	2383.77	09/28/18
-40883	VERNON L. HENDRICKSON	1785.87	09/28/18
-40882	LONNY HIATT	1809.65	09/28/18
-40881	JEFFREY LADUCER	1574.60	09/28/18
-40880	RUSSELL E. MOMBERG	2090.63	09/28/18
-40879	JOSEPH G. MONSON	1250.43	09/28/18
-40878	REX OLSON	1425.62	09/28/18
-40877	ZACHERY OSTER	706.26	09/28/18
-40876	TYRELL SMITH	1428.35	09/28/18
-40875	DAVID SMITHBERG	1370.47	09/28/18
-40874	BRYCE STORY	1126.62	09/28/18
-40873	KENNETH R. BOYKIN	2047.93	09/28/18
-40872	KASSANDRA BROWN	1226.21	09/28/18
-40871	NICO BUECHNER	2095.57	09/28/18
-40870	ZACHARY COTHERN	1076.96	09/28/18
-40869	ANTHONY D. DUDAS	3130.84	09/28/18
-40868	ROBERT S HANSON	1926.26	09/28/18
-40867	TERRY HARP	1721.58	09/28/18
-40866	LORI A. LARSEN	1798.47	09/28/18
-40865	CORDELL LINDVIG	1773.06	09/28/18
-40864	JOSHUA LOEWENBERG	2081.40	09/28/18
-40863	BRENT MILLER	1354.48	09/28/18
-40862	DEVIN REIFSTECK	1532.85	09/28/18
-40861	KASEY WYMAN-YOUNG	1214.90	09/28/18
-40860	ARMAND BARBOT	934.78	09/28/18
-40859	JAMES HAGA SR	1403.85	09/28/18
-40858	BRENT E. HANSON	1988.70	09/28/18
-40857	BRIAN VENNE	733.94	09/28/18
-40856	BEAU BERGERON	1712.33	09/28/18
-40855	MARK BRUINEKOOL	1567.19	09/28/18
-40854	TONY SCOTT	1129.50	09/28/18

-40853	MICHAEL SIMPSON	1799.00	09/28/18
-40852	JORDAN BLOTSKE	1252.25	09/28/18
-40851	PORTER LEWIS	1397.05	09/28/18
-40850	GINA MOTT	2624.10	09/28/18
-40849	KELSY NEHRING	1809.75	09/28/18
-40848	SCOTT VASSEN	2801.35	09/28/18
-40847	BRIAN YOUNG	2145.57	09/28/18
-40846	KEVIN CHRISTENSEN	41.56	09/28/18
-40845	CHRISTINE EDWARDS	1360.54	09/28/18
-40844	ROBERT EYNON	41.56	09/28/18
-40843	LUCAS GJOVIG	41.56	09/28/18
-40842	DONNA HANSEN	41.56	09/28/18
-40841	KENT A. JARCIK	3155.32	09/28/18
-40840	RACHEL K. LAQUA	2195.15	09/28/18
-40839	DEEANN M. LONG	41.56	09/28/18
-40838	JEREMY MILLER	1506.93	09/28/18
-40837	JOSILYN F BEAN	1989.85	09/28/18
-40836	DAVID LEE BELL	3049.27	09/28/18
-40835	KENNETH W. BERGSTROM	2706.18	09/28/18
-40834	STEVEN BROE	956.85	09/28/18
-40833	BARBARA ELLICO	1373.36	09/28/18
-40832	KRISTIN PASEKA	1709.93	09/28/18
-40831	ALYSSA WIEDRICH	1161.38	09/28/18
-40830	NEIL W. BAKKEN	2113.18	09/28/18
-40829	SKYLER HENRIE	1887.65	09/28/18
-40828	KENT SKABO	2233.20	09/28/18
-40827	DIANE C. HAGEN	662.65	09/28/18
-40826	ETHAN BECK	121.91	09/28/18
-40825	TRACI BYRNE	1014.42	09/28/18
-40824	KELLY CRUSCH	254.60	09/28/18
-40823	GARY DESJARDINS	958.31	09/28/18
-40822	ARIEL FLECK	415.57	09/28/18
-40821	KAYLA J. HELL	858.53	09/28/18
-40820	MICHAEL HELL	840.90	09/28/18
-40819	MONTANA ICENOGLE	239.74	09/28/18
-40818	MORGAN KEYSER	1065.52	09/28/18
-40817	REBECCA KIEFER	145.96	09/28/18
-40816	WANDA OLAF	1044.06	09/28/18
-40815	ANDREA L. PLACHER	1558.73	09/28/18
-40814	ANN REINKE	106.67	09/28/18
-40813	NATASHA TORRES	657.99	09/28/18
-40812	LISA WEBB	1076.80	09/28/18
-40811	SAWYER ZENT	433.57	09/28/18
-40810	ANN M. KVANDE	1564.01	09/28/18
-40809	BARBARA J. PETERSON	1572.42	09/28/18
-40808	BRENDA SCHMIDT	1455.44	09/28/18
-40807	SHAWN WENKO	2905.21	09/28/18
-40806	KATHY HAVSKJOLD	103.44	09/28/18
-40805	VIVIAN KALMIK	190.63	09/28/18

-40804	AMY A. KRUEGER	2338.59	09/28/18
-40803	SABRINA A RAMEY	1184.13	09/28/18
-40802	JENNIFER STRIETZEL	1326.98	09/28/18
-40801	JONATHAN DEAN	1695.26	09/28/18
-40800	THOMAS FRETLAND	1527.12	09/28/18
-40799	JULIE HATTER	2880.57	09/28/18
-40798	TRISTA HENRIE	2205.66	09/28/18
-40797	MONICA LAMOREUX	1565.83	09/28/18
-40796	JAMES POIRRIER	1388.58	09/28/18
-40795	Derek Booth	129.29	09/28/18
-40794	Tyler D. Carlstad	32.32	09/28/18
-40793	Mathew P. Ekblad	328.87	09/28/18
-40792	Matthew Flaten	64.64	09/28/18
-40791	Joshua Foust	258.58	09/28/18
-40790	Thomas Hartley	64.64	09/28/18
-40789	Brandon Hoffman	129.29	09/28/18
-40788	Blaine C. Jeanotte	32.32	09/28/18
-40787	James Laqua	44.29	09/28/18
-40786	Ryan Lee	193.93	09/28/18
-40785	Lyle Lordemann	193.93	09/28/18
-40784	Eli Lund	161.61	09/28/18
-40783	Josh S. Mosbrucker	32.32	09/28/18
-40782	Paul Riely	161.61	09/28/18
-40781	Milton Sluder	64.64	09/28/18
-40780	Brenden L. Stevens	64.64	09/28/18
-40779	Darwin J. Stevens	96.97	09/28/18
-40778	CJ Vinger	258.58	09/28/18
-40777	Michael W. Walters	59.29	09/28/18
-40776	KEVIN POWERS	2257.51	09/28/18
-40775	BRET WILLIAMS	2593.47	09/28/18
-40774	ANDREA DUNTZ	2002.43	09/28/18
-40773	PEGGY MASTERS	1740.31	09/28/18
-40772	CHERYL PIERZINA	2396.53	09/28/18
-40771	DAVID TUAN	3520.56	09/28/18
-40770	OCAL 3743 IAFF LOCAL 3743	650.00	09/27/18
-40769	IAN STEWART	371.00	09/28/18
-40768	COMP ROTH NATIONWIDE RETIREMENT SO	18663.43	09/28/18
-40767	CHILD SUPPORT ND CHILD SUPPORT ENFORCE	1680.10	09/28/18
-40766	CITY OF WILLISTON	2228.55	09/28/18
-40765	CALVIN HENSON	1067.12	10/01/18
-40764	U.S. TREASURY	216752.14	09/28/18
-40763	U.S. TREASURY	67.00	10/03/18
97000	JONATHAN TAYLOR	400.00	09/21/18
97001	CASH WISE	150.00	09/21/18
97002	WALMART RESTITUTION	58.00	09/21/18
97003	EMILY FALCON	500.00	09/21/18
97004	CLERK OF DISTRICT COURT	750.00	09/21/18
97005	CLERK OF DISTRICT COURT	500.00	09/21/18
97006	BANK OF NORTH DAKOTA	3917.01	09/24/18

97007	WILLIAMS SCOTSMAN, INC.	2189.55	09/24/18
97008	MIDCONTINENT COMMUNICATIONS	533.47	09/24/18
97009	WILLISTON PARK DISTRICT	1407656.23	09/24/18
97010	AMERICAN STATE BANK	1407656.23	09/24/18
97011	FAO USAED-OMAHA	2940.00	09/24/18
97012	JORY MEYER	15.00	09/25/18
97013	CRAIG MCIVOR	15.00	09/25/18
97014	JOHN VOLL	15.00	09/25/18
97015	BANK OF NORTH DAKOTA	3671.95	09/25/18
97016	ALL SEASONS SPORT ABOUT, INC	261.07	09/25/18
97017	NETWORK CENTER INC	13073.22	09/26/18
97018	STRATA INCORPORATED - ID	8065.50	09/26/18
97019	AMERICAN STATE BANK	1308423.86	09/27/18
97020	Mountrail County Health Foundatio	30000.00	09/27/18
97021	WILLISTON VOLUNTEER	10000.00	09/27/18
97022	US POSTAL SERVICE	1414.46	09/27/18
97023	RICHARD RADEMACHER	2165.49	09/28/18
97024	GARY L. GLOVATSKY	2396.10	09/28/18
97025	MICHAEL CLARY	965.35	09/28/18
97026	RICHARD S. ODEGARD	2109.82	09/28/18
97027	JOSHUA DAGENAIS	1401.59	09/28/18
97028	WILLIAM M. MCQUISTON	1469.90	09/28/18
97029	PAUL BAUER	41.56	09/28/18
97030	Nicholas High	96.97	09/28/18
97031	NICO BUECHNER	5004.00	09/28/18
97032	ELIZABETH HEISEY	413.68	09/28/18
97033	GREGORY HUGHES	3521.20	09/28/18
97034	MICHAEL MESCO	5526.92	09/28/18
97035	IAN SCHULTE	7219.80	09/28/18
97036	CHAMBER OF COMMERCE	350.00	09/28/18
97037	CHI St. Alexius	216.00	09/28/18
97038	JOHN HOSKINS	850.00	09/28/18
97039	NAPA AUTO PARTS	1810.31	09/28/18
97040	SUPPORT P PA SCDU	505.00	09/28/18
97041	ALABAMA CHILD SUPPORT PA	150.00	09/28/18
97042	SUPRT CT CONNECTICUT - CCSPC	274.00	09/28/18
97043	SUPRT VIR TREASURER OF VIRGINIA	368.14	09/28/18
97044	DCI CREDIT SERVICES INC	1102.00	09/28/18
97045	ANT CARE DISCOVERY BENEFITS	4002.18	09/28/18
97046	LI & KRAM MESSERLI KRAMER P. A.	378.83	09/28/18
97047	MICHIGAN STATE DISBURSEM	104.75	09/28/18
97048	FAMILY SUPPORT PAYMENT C	188.39	09/28/18
97049	MINNESOTA CHILD SUPPORT	322.00	09/28/18
97050	NDPEA	45.93	09/28/18
97051	TE TAX CO ND STATE TAX COMMISSIONE	370.80	09/28/18
97052	CHILD SUPPORT SERVICES (76.00	09/28/18
97053	WASHINGTON STATE SUPPORT	393.00	09/28/18
97054	Christ Scheen	1450.00	09/28/18
97055	MIDCONTINENT COMMUNICATIONS	125.00	10/01/18

97056	MONTANA DAKOTA UTILITIES	46005.24	10/01/18
97057	LISA LESMEISTER	226.00	10/01/18
97058	LUIS AGUIRRE REYES	150.00	10/01/18
97059	WALMART RESTITUTION	55.00	10/01/18
97060	BRIAN CHANEY	164.00	10/01/18
97061	MOUNTRAIL-WILLIAMS REC	4364.57	10/01/18
97062	BANK OF NORTH DAKOTA	76641.53	10/01/18
97063	NORTH DAKOTA PUBLIC EMPL	224709.59	10/01/18
97064	CLERK OF DISTRICT COURT	500.00	10/01/18
97065	STEPHEN BOATRIGHT	1500.00	10/01/18
97066	PAGE STEARNS	300.00	10/01/18
97067	BRENT HALL	750.00	10/01/18
97068	PHILLIP CHIRCHIR	400.00	10/01/18
97069	ANTHONY RAGSDILL	800.00	10/01/18
97070	JAMIE ESCOBAR-PEREZ	400.00	10/01/18
97071	CLERK OF DISTRICT COURT	750.00	10/01/18
97072	CLERK OF DISTRICT COURT	1500.00	10/01/18
97073	CLERK OF DISTRICT COURT	750.00	10/01/18
97074	ANTHONY D. DUDAS	27.01	10/02/18
97075	MOUNTRAIL-WILLIAMS REC	353.73	10/02/18
97076	RYAN O'REAR	3000.00	10/02/18
97077	RENAISSANCE NASHVILLE HOTEL	3057.45	10/02/18
97078	CHI St. Alexius	58.00	10/02/18
97079	MENARDS	411.23	10/02/18
97080	AMERICAN FAMILY LIFE ASS	3516.60	10/02/18
97081	AVESIS	1788.64	10/02/18
97082	MEDICO LIFE AND HEALTH I	1812.85	10/02/18
97083	USABLE	138.40	10/02/18
97084	BNSF RAILWAY COMPANY	1889.00	10/03/18
97085	CALVIN HENSON	380.25	10/03/18
97086	A & F ELECTRIC INC	2794.15	10/04/18
97087	AACE/THE AMERICAN ASSOC OF CODE E	75.00	10/04/18
97088	ABL MOBILE LOCK & SAFE	175.00	10/04/18
97089	ACE HARDWARE & FLOORING	535.14	10/04/18
97090	ADAN FISCHER	50.00	10/04/18
97091	ADVANCED ENGINEERING (AE2S) &	98695.70	10/04/18
97092	AIRGAS ON-SITE SAFETY SERVICES	14.00	10/04/18
97093	AIRSIDE SOLUTIONS, INC	487.41	10/04/18
97094	ALLIANCE CONSULTING LC	112335.00	10/04/18
97095	AMBER CURTIS	25.23	10/04/18
97096	AMERIPRIDE LINEN AND APPAREL SERV	1494.75	10/04/18
97097	ANGEL RODRIGUEZ	18.47	10/04/18
97098	ARFF SPECIALISTS. LLC	6000.00	10/04/18
97099	ARROW International, Inc.	2215.50	10/04/18
97100	AT&T MOBILITY	82.68	10/04/18
97101	AUTO VALUE	295.94	10/04/18
97102	BAKER & TAYLOR CO.	154.98	10/04/18
97103	BALCO UNIFORM CO., INC.	132.40	10/04/18
97104	BASIN PRINTERS, INC.	173.00	10/04/18

97105	BERRY DAKOTA	1522.00	10/04/18
97106	BLACK GOLD CLEANING LLC	16092.84	10/04/18
97107	BOSS OFFICE PRODUCTS	93.94	10/04/18
97108	BOUND TO STAY BOUND BOOKS, INC.	182.10	10/04/18
97109	BRAATEN PLUMBING, INC	720.00	10/04/18
97110	BRET WILLIAMS	168.00	10/04/18
97111	BRIAN LARSON	30.71	10/04/18
97112	BRIAN YOUNG	35.00	10/04/18
97113	BURNS & MCDONNELL ENGINEERING CO,	24046.28	10/04/18
97114	C & D WATER SERVICES	49.50	10/04/18
97115	Capital One Commercial	99.99	10/04/18
97116	CASH WISE FOODS	43.94	10/04/18
97117	CDW GOVERNMENT	1281.80	10/04/18
97118	CESAR TORRES III	26.74	10/04/18
97119	CHANNING BETE COMPANY	280.21	10/04/18
97120	CHARLES WILDER	1450.00	10/04/18
97121	CHELSEA S FOSSEN	75.00	10/04/18
97122	CHRISTOPHERSON'S TIN	395.75	10/04/18
97123	CITY OF WILLISTON	9581.42	10/04/18
97124	CITY OF WILLISTON	28455.50	10/04/18
97125	CITY OF WILLISTON	56096.97	10/04/18
97126	Cogent	25791.39	10/04/18
97127	CORE & MAIN LP	3137.16	10/04/18
97128	CRAIG'S SMALL ENGINE REPAIR	175.60	10/04/18
97129	CREATIVE PRODUCT SOURCE	497.83	10/04/18
97130	CREDIT BUREAU OF BISMARCK	36.43	10/04/18
97131	DACOTAH PAPER CO.	398.27	10/04/18
97132	DAKOTA DIESEL	442.89	10/04/18
97133	DAKOTA SUPPLY GROUP	187.28	10/04/18
97134	DALAS NEUMANN	9.36	10/04/18
97135	DAVID BECCUE	6.10	10/04/18
97136	DEGENSTEIN'S AUTO PLUS	625.00	10/04/18
97137	DELL MARKETING L.P.	1217.32	10/04/18
97138	DISTRIBUTION NOW	31.37	10/04/18
97139	DON STEVENS	432.24	10/04/18
97140	Doug Gronfur	500.00	10/04/18
97141	DPC INDUSTRIES, INC	3166.50	10/04/18
97142	DRILLING TOOLS INTERNATIONAL	30.03	10/04/18
97143	EAST & WEST EXCAVATING LLC	104575.50	10/04/18
97144	Edge Biologicals, Inc	40.61	10/04/18
97145	ELECTRIC & MAGNETO, INC.	61.62	10/04/18
97146	EMERGENCY MEDICAL PRODUCTS	2400.66	10/04/18
97147	EMRY'S LOCKSMITHING	116.95	10/04/18
97148	ENNIS-FLINT, INC	2510.20	10/04/18
97149	FCI CONSTRUCTORS, INC - ND	4635.00	10/04/18
97150	FEDEX	277.32	10/04/18
97151	FELICIA MONTOYA	41.64	10/04/18
97152	FIRE EXTINGUISHING SYSTEMS, INC	204.90	10/04/18
97153	FOREMOST PROMOTIONS	1245.80	10/04/18

97154	FORT UNION SUPPLY & TRADE	496.90	10/04/18
97155	FRONTIER PRECISION, INC.	743.00	10/04/18
97156	GA Group, PC	5000.00	10/04/18
97157	GALE/CENGAGE LEARNING	23.99	10/04/18
97158	GALLS, LLC	369.19	10/04/18
97159	GATED SOLUTIONS	924.10	10/04/18
97160	GIBBS TOWING LLC	180.00	10/04/18
97161	GINA MOTTLL	52.50	10/04/18
97162	GLOBAL EQUIPMENT CO, INC.	129.53	10/04/18
97163	GOOSENECK IMPLEMENT	34.25	10/04/18
97164	GRAINGER	3066.60	10/04/18
97165	GRAND FORKS FIRE EQUIPMENT LLC	11982.70	10/04/18
97166	GRAYMONT CAPITAL INC.	12907.29	10/04/18
97167	GRAYMONT WESTERN CANADA	17771.45	10/04/18
97168	Great American Financial Services	313.39	10/04/18
97169	GREG OSTER	25.00	10/04/18
97170	HACH	718.55	10/04/18
97171	HALI-BRITE, INC.	144.48	10/04/18
97172	HAMERS AUTOMOTIVE	5782.72	10/04/18
97173	Hardscapes Plus	625.00	10/04/18
97174	HAWKINS, INC.	35607.11	10/04/18
97175	HEIMAN FIRE EQUIPMENT, INC.	191.80	10/04/18
97176	HOME OF ECONOMY	419.37	10/04/18
97177	HORIZON RESOURCES	3654.69	10/04/18
97178	HUGH E BENZEN	25.00	10/04/18
97179	ICR ROOFING LLC	3500.00	10/04/18
97180	ID WHOLESALER SOUTH	357.00	10/04/18
97181	IDEXX LABORATORIES	741.68	10/04/18
97182	idSS GLOBAL LLC	250.00	10/04/18
97183	INFORMATION TECHNOLOGY DEPARTMENT	1551.85	10/04/18
97184	INK SPOT PRINTING	812.10	10/04/18
97185	INNOVATIVE OFFICE SOLUTIONS LLC	89.99	10/04/18
97186	INSURANCE INFORMATION EXCHANGE	189.65	10/04/18
97187	International Society of Fire Ser	125.00	10/04/18
97188	INTERSTATE POWER SYSTEMS	146.46	10/04/18
97189	J P COOKE CO	145.63	10/04/18
97190	JACK GLEASON	8.19	10/04/18
97191	JMAC RESOURCES	35898.94	10/04/18
97192	JONES & BARLETT LEARNING	2241.36	10/04/18
97193	JOSILYN F BEAN	63.00	10/04/18
97194	KADRMAS LEE & JACKSON INC	315448.65	10/04/18
97195	KANDICE SLATER & JORDAN THORMAHLE	5.83	10/04/18
97196	KELLY ABERLE	230.90	10/04/18
97197	KELSY NEHRING	45.50	10/04/18
97198	KOTANA COMMUNICATIONS	70.00	10/04/18
97199	KRISTIN HARRISON	12.97	10/04/18
97200	KRUGER INC.	290.42	10/04/18
97201	MARCO, INC.	1557.88	10/04/18
97202	MATTHEW ABERLE	25.00	10/04/18

97203	MCCODY CONCRETE PRODUCTS, INC	2963.35	10/04/18
97204	MENARDS	751.45	10/04/18
97205	MERRICK INDUSTRIES	4365.30	10/04/18
97206	MICHAEL A KOEHN	12.79	10/04/18
97207	MIDCONTINENT COMMUNICATIONS	75.00	10/04/18
97208	MON-DAK HTG & PLG, INC.	162.40	10/04/18
97209	MONDAK HARDWARE, INC	14.79	10/04/18
97210	MONTANA DAKOTA UTILITIES	42403.63	10/04/18
97211	MOUNTRAIL-WILLIAMS REC	2453.22	10/04/18
97212	MUNICIPAL EMERGENCY SERVICES, INC	108.95	10/04/18
97213	MUNICIPAL GOVERNMENT ACADEMY	30.00	10/04/18
97214	MVTL/MINNESOTA VALLEY	88.00	10/04/18
97215	MYGOV, LLC	1520.00	10/04/18
97216	NAEMT	90.00	10/04/18
97217	NAPA AUTO PARTS	2071.61	10/04/18
97218	NATIONAL TRADE SUPPLY, LLC	403.18	10/04/18
97219	ND STATE RADIO COMM.	1800.00	10/04/18
97220	NEO SOLUTIONS, INC	26997.81	10/04/18
97221	NICE PLUMBING & HEATING	150.00	10/04/18
97222	NORTH DAKOTA LEAGUE OF CITIES	142.50	10/04/18
97223	NORTHERN IMPROVEMENT CO.	22450.00	10/04/18
97224	NORTHWEST RURAL WATER DISTRICT	521.40	10/04/18
97225	NORTHWEST SUPPLY & R&R TROPHIES I	335.00	10/04/18
97226	OFFICE DEPOT	710.40	10/04/18
97227	OLYMPIC SALES, INC.	2189.42	10/04/18
97228	OVERDRIVE, INC	3000.00	10/04/18
97229	PAYMENT PRINCIPALS	20.00	10/04/18
97230	PIERCE AUTO BODY INC	3565.61	10/04/18
97231	POET ETHANOL PRODUCTS, LLC	3670.38	10/04/18
97232	POLAR REFRIGERATION LLC	262.90	10/04/18
97233	PORTER LEWIS	45.50	10/04/18
97234	PRAIRIE SUPPLY INC	121.26	10/04/18
97235	PRAXAIR DISTRIBUTION INC.	33.90	10/04/18
97236	PREBLE MEDICAL SERVICES, INC	85.00	10/04/18
97237	PREMIER SPECIALTY VEHICLES, INC.	87.45	10/04/18
97238	QUILL CORPORATION	498.82	10/04/18
97239	RAMKOTA HOTEL BISMARCK	119.99	10/04/18
97240	RED ROCK FORD	53.84	10/04/18
97241	REEVES COMPANY, INC.	49.79	10/04/18
97242	RMI-Rocky Mountain Industrial Sup	36.00	10/04/18
97243	ROSENBAUER SOUTH DAKOTA LLC	9632.10	10/04/18
97244	ROXIE CONNER	2.27	10/04/18
97245	SANI-STAR	200.00	10/04/18
97246	Seneca Companies, Inc.	9308.00	10/04/18
97247	SHARE CORPORATION	651.73	10/04/18
97248	SHAWNA OXFORD	56.77	10/04/18
97249	SHEP'S WELDING	14424.55	10/04/18
97250	SHERWIN WILLIAMS CO	133.19	10/04/18
97251	SOURIS RIVER TELECOMMUNICATIONS	1.32	10/04/18

97252	STEPHANIE WELLMAN	32.40	10/04/18
97253	STRYKER	15335.00	10/04/18
97254	TAMMY WALTERS	51.06	10/04/18
97255	TIMOTHY WASHINGTON	23.37	10/04/18
97256	TONYA PHILLIPS	4.41	10/04/18
97257	TRACTOR & EQUIPMENT CO.	10925.23	10/04/18
97258	TRANSUNION RISK & ALTERNATIVE	132.00	10/04/18
97259	TRIANGLE ELECTRIC	3440.08	10/04/18
97260	ULTEIG	235501.91	10/04/18
97261	UPS	11.66	10/04/18
97262	US POSTAL SERVICE	120.00	10/04/18
97263	USA BLUEBOOK	258.83	10/04/18
97264	VERIZON WIRELESS	173.76	10/04/18
97265	VESSCO, INC.	15987.79	10/04/18
97266	VISA	20503.62	10/04/18
97267	VISA	1821.61	10/04/18
97268	WAGNER CONSTRUCTION	1286176.26	10/04/18
97269	WESTLIE MOTOR CO.	149.40	10/04/18
97270	WEX BANK	9480.46	10/04/18
97271	WILLIAMS COUNTY TREASURER/RECORDER	20.00	10/04/18
97272	WILLIAMS SCOTSMAN, INC.	1584.33	10/04/18
97273	Williston Auto	1551.20	10/04/18
97274	WILLISTON COMMUNITY LIBRARY	161.37	10/04/18
97275	WILLISTON FIRE & SAFETY	396.56	10/04/18
97276	WILLISTON HERALD	5436.12	10/04/18
97277	WILLISTON TIRE CENTER	1056.36	10/04/18
97278	WILLISTON VOLUNTEER	1000.00	10/04/18
97279	WILTEC SOLUTIONS	55.00	10/04/18

Total Claims: \$7,105,593.60

Total Payroll: \$1,065,856.48

Grand Total: \$8,171,450.08

of Checks: 628

- 2) Business Licenses
 - a. Integrity Auto & Diesel Repair – Bulk Storage
- C. Development Services
- D. Engineering
- E. Authorization to Bid

**Motion by Cymbaluk, Seconded by Brostuen to make a motion to approve the Consent Agenda for October 9, 2018 as presented
UNANIMOUS BY VOICE VOTE**

- 3. Public Hearings
 - A. Public Hearing to Consider a Zone Change from Agriculture to R-6:
Manufactured Home Subdivision for all of Williston Park Subdivision – Staff

Rachel Laqua from Planning and Zoning presented the following;

This is a proposal to rezone the properties between 45th Street W to 50th Street W and between 16th Avenue W to 14th Avenue W, also known as the Williston Park Subdivision, from A: Agriculture to R-6 Manufactured Home Subdivision. This land was subdivided in 1952 in the County, as a product of the first boom. This area has been zoned A: Agriculture as far back as 1985. None of these properties meet the lot requirements for properties zoned A: Agriculture, making them legal non-conforming properties. Because none of these properties can meet the lot requirements in the A: Agriculture zoning district, they have been held to the R1-A: Rural Residential zoning district regulations. This is because it was the closest matching residential zoning district for the existing development. R-1A is intended for half acre lots in areas where community sewer and water are not planned in the near future and for low population density. Even though these properties are not half acre lots, this area didn't have paved roads or City sewer and water services until 2015. The City is proposing to have this area rezoned to R-6: Manufactured Home Subdivision because all these properties can meet the zoning district regulations and the intent of this zoning district is to have manufactured homes as single-family dwellings mixed with other types of single-family dwellings. This proposal is intended to give this area a proper zoning that fits the characteristics of the neighborhood and so the properties are in compliance with zoning regulations. Staff sent out letters to the property owners on July 6, 2018 for the original proposal to rezone the areas to R-6: Manufactured Home Subdivision with a PUD overlay. The Development Review Committee determined that the PUD was not necessary. Staff sent out a second letter informing the property owners of this proposal. We only received one phone call after the first letter from a property owner who was opposed to the rezone and wanted the City to focus on other issues in the area such as truck traffic, poor property maintenance and unlawful activities, however, did not seem to have any issue with the zone change itself. We did receive a phone call from a property owner who was in favor of the rezone and was asking about a timeline, as he has a building permit he wants to submit, as the rezone will allow for more flexibility. The Planning and Zoning Commission heard this at their September 17, 2018 meeting and recommended approval.

Commissioner Cymbaluk asked if a stick build home could be built and Rachel indicated yes.

Mayor Klug opened the public hearing and indicated if anyone wanted to speak to approach the podium and state their name for the record. Mayor Klug asked a second time, he asked a third time, hearing none, he closed the public hearing.

Motion by Bekkedahl, Seconded by Brostuen to move to approve the proposed rezoning of the outlined properties in Williston Park Subdivision from A: Agriculture to R-6: Manufactured Home Subdivision as presented by staff

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

B. Public Hearing – Special Assessments

John Kautzman City Auditor presented the following;

On September 18, 2018 the Special Assessment Board held a public hearing to consider three assessment districts. They recommended approval to amend the Hagan Deferred Property within District 15-3 Water, Sewer and Street Improvements to take assessments from Lot 1,

Block 1 of the National Guard Subdivision and apply them to both Lot 1, Block 1 and Block 4, with total parcel assessment for the project of \$1,008,563.99, and a repayment term of 20 years when it is certified and goes into effect. They also recommended approval for District 17-2 Water, Sewer and Street Improvements with a 20-year repayment term for a total parcel assessment of \$888,247.16; and District 18-2 Street Improvement District with a 20-year repayment term for a total parcel assessment of \$175,136.40.

All assessments will have a 5% interest rate applied, however, the 5% is an estimated rate, as we have a bond issue that will be coming to the Commission next meeting.

Additionally, the Auditor's Office makes the following recommendations at a 5% interest rate for the Board's consideration:

1. **Lot Mowing Assessments** (9 lots) with a total of \$4,648.22 to be assessed, payment due in one year with a 12% penalty if not paid.
2. **District 18-1: 2018 Sidewalk Assessments** with a total of \$22,762.34 and a 20-year repayment period (5 lots).

John indicated there were no protests.

Mayor Klug opened the public hearing and indicated if anyone wanted to speak to approach the podium and state their name for the record. Mayor Klug asked a second time, he asked a third time, hearing none, he closed the public hearing.

Motion by Bekkedahl, Seconded by Piesik to move that the City Commission approve the Special Assessments Board recommendations as presented and staff comments

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

4. Bid Openings
5. Ordinances
6. Petitions, Communications and Remonstrance's
7. Report of Commissioners
 - A. President of the Board
 - B. Vice-President; Finance Commissioner
 - C. Street and Improvement, Sanitation, Cemetery and Public Works Commissioner
 - D. Fire, Police and Ambulance Commissioner
 - E. Water Works, Sewer, Airport, Building and Planning Commissioner
 - 1) XWA Fuel Operations

Anthony Dudas Airport Director presented the following;

Our team opened bids for the airport fueling operations area on August 1st, 2018. This project will incorporate all necessary grading, electrical, and site work improvements to install City

owned and operated unleaded and diesel tanks for airport vehicle use and allow for fuel sale to airport tenants including car rental and airline ground service equipment. Additionally, this project will include the necessary grading for our aviation fuel provider to improve the site for installation of large aviation fuel systems. The bid was broken up into three separate areas: general construction (grading and concrete), mechanical construction (fuel system and tank construction), and electrical construction. We received a total of five bids, two for general construction, one for mechanical construction, and three for electrical construction. The full bid tabulation can be found in your commission packet. Gleason Construction out of Devils Lake is the low bidder for general and mechanical construction and Muth Electric from Mitchel, SD is the low bidder for electrical construction. A breakdown of those bids is provided below in the memo. As shown, the engineer's estimate was substantially below the bid received. Upon reviewing this information, I visited with our Public Works department to review their costs for the recently completed fueling area. It appears that the costs they incurred were similar for the mechanical and electrical construction, although it was difficult to compare side by side as their site work and concrete was part of a larger project. A meeting was held between our project team and Gleason Construction in September to discuss alternatives to reduce the cost moving forward. Several proposals have been discussed, including construction schedule, and may be brought forward as a change order to the commission when we our team has agreed to any changes. I recommend approval to award the General and Mechanical Construction for the airport fueling operations area to Gleason Construction, Inc. in the amount of \$1,539,540.00. I recommend approval to award the Electrical Construction for the airport fueling operations area to Muth Electric Inc. in the amount of \$189,005.00.

Commissioner Bekkedahl asked if re-bidding was considered. Anthony indicated it was, however, as we reviewed the potential bidders specifically for the mechanical side of the construction, it did not appear that there were any additional bidders that might be interested in this project and ultimately that is where a lot of our costs were escalated in the site work and the mechanical of the actual fuel tanks and the pumping equipment for that.

Commissioner Bekkedahl asked if the costs were underestimated and Anthony indicated yes. Commissioner Bekkedahl asked if we are still using these engineers and Anthony indicated KLJ is the engineer on this project.

Commissioner Bekkedahl asked the City Attorney if we can accept a bid this high compared to the estimates and City Attorney Pete Furuseth indicated yes, we can. Commissioner Bekkedahl indicated he hopes this does not set a precedent.

Motion by Brostuen, Seconded by Cymbaluk to move for approval to award the General and Mechanical Construction for the Airport Fueling Operations area to Gleason Construction, Inc. in the amount of \$1,539,540 as presented

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

Mayor Klug asked if awarded tonight when will the negotiation for the cost savings take place and who is going to do this for us. Anthony indicated it will take place immediately and the owners representative and myself will be handling it.

Commissioner Cymbaluk asked if KLJ's fee is negotiable also. Anthony indicated this has already been paid.

Commissioner Bekkedahl asked if the timing has played a part in these costs. Anthony indicated he does not believe it could have been bid sooner and believes that the construction timeline that was outlined within the bidding documents could have been augmented to allow for construction next season. As the bid currently states it would be initiated and finalized by the end of this year, which we do not intend to move forward with.

Mayor Klug asked if we must go with this bid right now. Anthony indicated there will be additional costs associated with re-bidding, with that being said, there is some flexibility in the timeline to not have to award it this evening.

Commissioner Bekkedahl indicated if we are not going to complete the project this year and we are going to negotiate the fee down, wouldn't we be better off re-bidding for next season or are there some potential issues I'm not seeing. Anthony indicated after seeing the bids, as they have been coming back, my impression is that we are not going to see any lesser bids. Commissioner Bekkedahl asked if we wouldn't see any additional bidder for next season and is wondering how many less bidders we had due to the timeline for this year completion. Anthony indicated he cannot answer that question.

Commissioner Brostuen asked how many bids were received in total. Anthony indicated we received five bids, however, three of them were for electrical.

City Administrator David Tuan pointed out that this was consistent with the Public Works Facility bid that was done a year ago, however, the street value is consistent with ones we've done before.

Commissioner Bekkedahl indicated it may have been easier if we had seen this in-depth analysis.

Mayor Klug asked Randy Conrad from Cardon Global what he thinks, and he indicated he agrees with Anthony.

Commissioner Cymbaluk asked if there was a conversation that could be had and Anthony indicated several conversations have already taken place and it is my understanding in regards to the rules related to the bidding, is that we cannot negotiate the price down, after we have set a specific spec, if we are changing any scope of work in any way, schedule or otherwise, we would have to re-bid to award. In this situation, we would award what the actual bid spec was and if there were changes in that scope, that would be a change order to the contract. City

Attorney Pete Furuseth indicated Anthony is correct and Mayor Klug stated the change orders could come in as a negative amount also.

Motion by Cymbaluk, Seconded by Piesik to make a motion to award the Electrical Construction for the Airport Fueling Operations area to Muth Electric, Inc, in the amount of \$189,005 as presented

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

2) XWA Pump Station and Reservoir

Our team opened bids for the airport fueling operations area on October 2nd, 2018. This project will incorporate all necessary improvements to install a City owned and operated pump station to provide adequate water pressures and required 500,000-gallon reservoir to provide the necessary fire suppression for our commercial terminal, ARFF/SRE, and any other facilities that will be located at XWA. A 12,000-gallon reservoir, to be integrated within the larger reservoir, will be constructed to provide potable water and redundancy in case of a water outage for all facilities at XWA. The design team choose the underground reservoir alternative as compared to above ground alternatives. The reason for this decision is to ensure the water does not freeze during winter months, which is a possibility with a water tower. It is anticipated the airport usage in 2029 will be approximately 10,000 gallons per day, which will not allow for adequate circulation of this large quantity to remain potable. This necessitates the separate potable water reservoir. Lastly, this system will allow for expansion to provide water services to other development within the area should that need arise. The bid was broken up into general and electrical construction. We received two bids for general construction, two bids for electrical construction, and two bids for general and electrical combined as shown in the table in your memo. The bids did come in higher than the engineer's estimate by \$104,174, although our overall Airport capital improvement plan had this project estimated at \$3.4M, or approximately \$325,000 higher than the bids received. After review of the bids by AE2S and our project team, it is recommended to move forward with American General Contractors for General Construction and John's Refrigeration and Electric Co. for Electrical Construction.

Commissioner Piesik asked for clarification regarding a comment in the memo allowing for expansion of water services to other developments within the area of the airport or the area of the town. Anthony indicated it is whatever area is deemed allowable. Commissioner Piesik asked if in that case should this be a different expense and not an airport expense, if it is looked at as potential future growth of the City. City Administrator David Tuan indicated you could, however, at the moment there is no one there to use it but, in the future, it could be considered as a District or charged a connection fee, in order to recoup some of these infrastructure costs and is being planned in anticipation of this.

Commissioner Cymbaluk asked if these people would have to annexed in to tie into this. David Tuan indicated no, they would not have to be annexed, however, it would be worked through Western Area Water Supply and Northwest Rural Water to provide this. The infrastructure costs now will prevent someone from having to build a new reservoir in the future and our hope is that there will be shared use at some point in the future, but we have to build it in order to service the needs of the airport.

Motion by Cymbaluk, Seconded by Brostuen to make a motion to award the General Construction for the Airport Pump Station and Reservoir to American General Contractors Inc in the amount of \$2,326,000 as presented

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

Motion by Piesik, Seconded by Cymbaluk to make a motion to award the Electrical Construction for the Airport Pump Station and Reservoir to John's Refrigeration and Electric Company in the amount of \$748,174

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

3) JE Dunn Potential Change Item – Temporary Access Road for Security Vault & ARFF/SRE

This is a proposed change to JE Dunn's contract for the ARFF/SRE Facility to provide a temporary construction road for all weather access between the permanent access road to the electrical vault as well as connecting the road that was approved at the last Commission meeting to 59th Street. This proposal would build a temporary construction route away from those permanent roads, which the current construction routes are on those permanent roads that will be constructed next year, which will impact construction access for those different projects that rely on those accesses. We worked with JE Dunn and their trade partners that are currently on-site to develop a proposal, which the route can be seen on the very back of your packet that was distributed at the start of the meeting tonight. This would include grading the area, placing Class 13 Aggregate and there is an additional alternative for placing a 2" crushed rock concrete base on top of that, to provide the best all weather access deemed necessary for the construction project moving through next year. Our team reviewed these proposed costs and found the proposed unit prices that JE Dunn has in the proposal are within the threshold of all the other projects that we have seen utilize these same materials and we also recommend moving forward with the crushed concrete as it provides a substantially better product during inclement weather conditions. We also ran this proposal by Alliance Consulting, who is the engineer designing the on-site road and made sure that this proposal did not interfere with anything they were working towards, in order to make sure we get the paved roads completed prior to commencement of operations. I recommend approval of change item No. 3, including the alternative for crushed concrete to JE Dunn Construction, in the amount of \$70,561.00.

Motion by Brostuen, Seconded by Cymbaluk to move for approval of Change Item No.3 including the crushed concrete alternate to JE Dunn Construction in the amount of \$70,561 as presented

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

8. Report of Departments
 - A. Administration
 - B. Auditor and Finance
 - 1) Financial Audit Services Selection

John Kautzman City Auditor presented the following;

The City's three-year contract with Brady Martz CPA firm for auditing services expired on December 31, 2017. The Auditor's Office has received two proposals for audit services. The first is from Brady Martz CPA for an extension of our existing contract. The second proposal is from the State of North Dakota's Auditor's Office. The proposal for Brady Martz services is higher than the State's. However, it is worth noting that the City had a contract previously with the State which was unceremoniously dropped. Essentially, the State abandoned us saying that they could no longer support the service to us because of loss of key staff. This forced us to reach out to private CPA firms and pay much more during that time. I would ask the Board to consider that Brady Martz has served us well during the past three years. They are familiar with our operations and provide a personalized service approach that I feel may be lacking with the State's service.

Commissioner Cymbaluk asked why the difference in cost. John indicated he believes it may be the for profit vs. non-profit scenario.

Commissioner Bekkedahl pointed out that it was the previous Auditor Administration (Bob Peterson) that pulled staff out of Western North Dakota when he lost staff during ramp up to the last boom. We have been working with the current Auditor, Josh Gallion, aggressively to try and reinstate and it really became an issue of fairness state-wide, as there was an equity issue, as the Auditor's office continued to provide audits to Eastern North Dakota and not Western North Dakota during this process. We have discussed, that if it is an equity position, they should be doing it everywhere or doing it nowhere. He has responded and staffed up his office to be doing western audits again and personally I think we should take advantage of this, because if we don't and nobody takes advantage of this, they won't continue to staff for western audits anywhere. This is one of those times where the Auditor and Finance Commissioner disagree, so we will leave the decision up to the Commission. If we were to go with the Brady Martz proposal, as I do not see the State dropping us again, as it wasn't a very good political move. I would recommend the 3-year contract to allow time to see how the State address the western audit situation.

Commissioner Cymbaluk asked considering the substantial cost difference, if they were providing the same service. John indicated they are claiming as, as it is an audit and are required to have an annual audit and they are both qualified.

Commissioner Piesik asked if there is any concern regarding the airport PFC audit. John stated he is not concerned, however, the State had never done one and had asked for a lot of information, from what we presently have in place and we provided the information requested.

Mayor Klug stated he sent a letter to the State, regarding this issue and received a not so kind reply. Since we are this far down, if the State wants to do it and they can do it, then that is my recommendation.

Commissioner Cymbaluk asked if the State was also a 3-year option. John indicated yes, it was a 3-year contract.

Motion by Cymbaluk, Seconded by Piesik to make a motion to accept the bid from the State for 2018, 2019 & 2020 as presented

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

2) Deferred Special Assessment Corrections

You were provided a very detailed memo along with several attachments regarding this issue, however, I will re-cap the bullet points;

- Paragraph #1,4,7,13 & 14, five areas, totaling 111 parcels, each are asking for going from deferred to certified. We are asking for a time frame, as we can send letters out and get it on this year's tax bill, which is the recommendation in your memo. The other option is a letter could go out this year with a request to the Attorney's office to also have us file a document of record with the County, so that a future buyer could be notified and/or be aware that we have an outstanding assessment that is coming forward and do this in terms of certification next year (2019 into 2020). These were all by agreement with the development and/or the people involved in setting up the developments, therefore I cannot say for sure that all the homeowners are aware of this and that is the reason for letter and attempt to notify.

Commissioner Bekkedahl asked regarding District 13-12 installed a water and sewer system along 14th Avenue West between 45th and 50th Street allowing properties along 50th Street between 14th and 16th Avenue West to begin using the 50th Street sewer system. The 14th Avenue West water and sewer mains also made possible future water and sewer system extensions along 46th, 47th, 48th and 49th Streets between 14th And 16th Avenue West. The costs of the 14th Avenue West water and sewer mains were assessed to these properties and their assessments were deferred until the future water and sewer mains were extended which occurred in 2015. This deferment should have ended at that time but continues to remain in place. Bob Hanson answered yes. There are properties in the Williston Park Subdivision that

still use their original septic tank/drain field system. Sewer service is available to each property in the Williston Park Subdivision.

Commissioner Bekkedahl asked if it has been City policy in the past when we have done this that we wait and defer the assessment for the sewer portion until they hook into the system. Bob Hanson answered no. Sewer assessments are generally levied when an improvement district makes sewer service available. It is generally up to the property owner to choose when to connect their property to the sewer system.

Commissioner Bekkedahl asked if we have a current ordinance that states if you are on a septic system and we bring sewer into your area, you are not required to replace that septic, but if it fails you are required to hook into our system. Bob Hanson answered that our current ordinances require sewer connections when properties are located within 200 feet of a sewer system. At the time the Williston Park Subdivision was annexed in to the City the Commission waived this ordinance requirement leaving it up to a property owner to choose when to connect their property to the sewer system. The City would revoke this waiver if a septic tank/drain field failure created a health issue in the neighborhood.

Commissioner Bekkedahl asked we are still charging them for the sewer even though they are not accessing it. Bob Hanson answered yes. Each property in the Williston Park Subdivision is being assessed for the sewer system. It is up to the individual owner to decide when they connect their property to the sewer system.

Commissioner Cymbaluk indicated that if the septic fails and the sewer line is available, they are required to tie into the system, if they have an existing septic that is functional and the sewer line goes in they were not required to tie into the system.

Commissioner Cymbaluk asked for clarification, regarding some of these on here, obviously are in the process of being developed or re-developed. We have one right now, Artic Lands, is one of them, that area, Marburger Airport, they develop the 10-acres, within the 50-acres, they will still be required to pay that portion of the assessment, that will not be deferred. Bob indicated yes that is his intention.

John indicated there are several other bullet points, Mayor Klug asked what our options are;

John indicated on Paragraphs 1,4,7,13 & 14, do we want a letter to go out this year with the idea it gets certified this year and on the tax bill or do you want us to send a letter and ask the Attorney about future homeowner notification and send the letter next year for 2019-2020.

Commissioner Bekkedahl asked for this year tax bill and did we have enough time and John indicated we still have time. Commissioner Bekkedahl asked if we, there is no way we can certify them at this meeting for the 2019 tax year enforcement versus a 2018, once we certify them, they go to 2018. John indicated the County is following Century Code, so they can't change the dates.

Commissioner Bekkedahl asked the City Attorney if he has any information on how to notify the property owners so that it is passed on. City Attorney Pete Furueth indicated he did not know, right off the top of his head. Commissioner Bekkedahl stated he sees this as a real dilemma, that if you have a transaction of property, with our intent to take this into the tax year after this and they are not informed of this being on the parcel. Pete Furueth indicated he does not see this being that big of a deal and thinks we can do it. Commissioner Bekkedahl stated he feels

the purchaser would then be stuck with a bill they did not even know existed and this is the issue.

Motion by Bekkedahl, Seconded by Brostuen to move to accept the Deferred Special Assessments report from the City Auditor and all its entailing's as appropriate and that the certifications be current listed for 2018-year certification and payable in 2019

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

The second portion of this is bullet points;

- Paragraph #2,3,5,6,8,9,10,11 & 12, totaling 20 parcels, we are looking for approval on the continuation of the deferment or the removal of the assessment as denoted in the memo. The deferment continuation is either by agreement and/or 1-year again, as denoted in the memo.

Motion by Bekkedahl, Seconded by Brostuen to make a motion to concur with the Auditor's recommendations on Deferment Status'

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

- C. Attorney
 - 1) Heartbreakers Liquor License

Taylor Olson City Attorney presented the following;

I have handed you an outline of our Chapter 3 Ordinance on Alcoholic Beverages and other pertinent Ordinance's in the back. Heartbreakers and The Shop have both been noticed for a hearing from the City Commission on a violation of their liquor license, Chapter 3 of the City of Williston Code of Ordinances governs alcoholic beverages and regulations. Under A2 (in your packet) are the affidavits, according to the ordinance it states that once an affidavit is filed the City Attorney must notice a hearing. There were noticed for hearings at the end of August and this has continued a couple of times and then they were noticed for hearing for today Tuesday October 9, 2018 at 6pm and a copy of each of those and their service documents are included under A2, documents 1-6. The Ordinance states in Section 3-129, all the causes and reasons that a City Commission or that someone can file an affidavit with the City Commission to have a hearing. Just for information, this is not considered a public hearing, so it was not noted that way. There are eight specific causes and Taylor referenced Section 3-129. Basically, what this is saying is that the City may petition a liquor license holder in here for any reason they deem necessary. The notice of hearing requires a five-day notice, which was provided to all the parties and served on the bars as evidence (A/2). I have included Section 3-150 (e) and section (d) penalties are noted, which applies to the sale of alcohol and does not apply to this. The penalties requested today fall under sub-section 3-150 (e) and 3-154, where the City can suspend or revoke for any reason. I have done extension research on revocations and

suspensions by other communities across the Nation and have found that our Ordinance's to be similar. The suspensions and revocations that I have found, after reviewing nearly 100 of them, range from a 1-day suspension all the way to suspension-revocation.

When we cover both hearings, what I will ask at the end, when someone makes a motion, anything that you include, I will ask to go back and make findings, have them signed and entered into our minutes. Also, at the end if there is any action on the liquor license, at the very least, I would like to have the establishment's review Chapter 3 with me and have them sign that they understand all the provisions involved.

Mayor Klug asked who was representing Heartbreakers and it was stated Greg Hennessy.

Lt. Detective Dan Dery from the Williston Police Department presented the following;

The Williston Police Department puts the safety of the City of Williston its number one priority. We have reviewed with the City Attorney, multiple calls for service and reports of incidents from August 2017 through August 2018. Heartbreakers came up on our radar, when we were looking through these calls for service. When we were going through reports and calls for service for other alcohol establishments, we noticed that through the year of 2017-2018, they only generated on average about 20-30 calls for service, some of these issues were on a small scale and others were fighting/assault calls. With 20-30 calls for service on average for most of the alcohol establishments here in Williston, Heartbreakers generated 80 plus calls for service, 55 resulted in police action to descale the situation. Most of these calls were for fighting/assault and some were for aggravated assaults and some of these victims were left in the streets, one of which resulted in a fractured skull and a brain bleed. Several calls were for guns and one or more of these calls resulted in arrest. One individual was stabbed in the back alley. Allegations from witness is that staff is less than helpful in resolving these issues and/or helping assist law enforcement. In February 2018, the Williston Police Department conducted a compliance check (every establishment is checked in the City) and Heartbreakers did fail the compliance check. Detective Dery continued to list incidents that have occurred at Heartbreakers and indicated these incidents take a lot of time from the department both on patrol and with investigations. Patrol has to sit in front of Heartbreakers at closing to monitor the actions of the patrons and staff and this time spent by the patrol units that could be more proactive in addressing other issues, rather than sitting in front of the bar to maintain the peace, even then, with such a law enforcement presence, incidents still occur.

Greg Hennessy Council for Heartbreakers presented the following;

He stated he feels we have a real problem with brand recognition, as you well know there are bars on both sides of Heartbreakers, Our Place and The Penalty Box and the beat cops have admitted that Heartbreakers, because they promote their business and they have uniform security guards and they are actively trying to grow their business and their brand, like the Empire State Building, when anything goes down in the neighborhood, Heartbreakers gets blamed. Opposing council served me with about 2 ½ inches of documentation yesterday morning, even though it was printed out on August 21, 2018. The situation is all these police calls are getting referenced to Heartbreakers, as far away as American State Bank with a broken window. Trying to actually crunch down what the problem is, relative to the totality of the calls and I know the Mayor has written an article about the 241 calls that came in over Labor Day weekend, news coverage of a guy getting stabbed in the face at the Grand Williston and many others and I do not understand why we are getting singled out, as I don't see in context, of this third oil boom, how we are any more dangerous than anyone else, after you got rid of the

exotic entertainment. We are just a bar, trying to service the traffic as best we can. Some of the other things that were part of the material delivered yesterday, shows that we called in some fake ID's, then the Officer indicated we did not card people and we are trying. This is a totality of what is going on in town, as DK's had a shooting and I did not hear any reference to that. I don't think a suspension is warranted here and whatever Mr. Dubie can do with the Commission and/or the Department, because we are certainly not being uncooperative, but at a point where the fractured skull incident, in the alley, again there are three bars, that bounce people out of the bars and 30-minutes later there is a fight in the alley, we do not have any control over this and those people were not stumbling drunk, as that was some rumble that happened elsewhere, it is not our responsibility to follow these people home. Again, we don't feel a suspension is warranted and will do whatever is necessary to work with the Police Department, as we are already working with them, by our measure.

Commissioner Cymbaluk asked Greg, if his client has had issues before, where the license has been suspended. Greg answered not to his knowledge, however, there were rumors with the prior owner, but that pre-dates the exotic dancing. Commissioner Cymbaluk stated that Heartbreakers license has been suspended twice, someone from the audience, commented "when it was a strip club". Mayor Klug stated it is the same license. Commissioner Cymbaluk indicated some of the fights were outside, however, many were inside. Greg Hennessy stated, we screened everything in the file, we divided it up, inside vs. outside and those that were inside, some were called in the next day, making allegations and no hard evidence. At the same time, other bars have had worse situations. Commissioner Cymbaluk stated that since the inception of Heartbreakers it has been an on-going problem, we have been faced with death, gun shots, people are scared to go to that part of town and it is because of Heartbreakers. Greg indicated he feels that this is being over-sold. Commissioner Cymbaluk stated he does not need to over-sell it, he has the calls to substantiate it.

Commissioner Bekkedahl referenced a 10-month period of calls relating to Heartbreakers and read the most calls recent backwards; mostly fighting, a stabbing, verbal altercations, fight with injuries, disorderly persons, etc., and what we are seeing being associated with Heartbreakers, as this is what we are looking at. Greg indicated we got short notice and we did not receive the packet you have and some of these called in 24-hours later.

Taylor Olson indicated she went through the calls and selected the ones that could be directly attributed to Heartbreakers and did not include the minor ones, all the ones included, Mr. Hennessy received a copy of and if you see on the spreadsheet where it says offender, that is where someone was criminally charged and named a few examples and reviewed them all myself.

Commissioner Brostuen asked about the calls Heartbreakers are being blamed for, the ones happening far away, like American State Bank. Taylor indicated she really can't answer that question, she indicated she only looked at the calls that could be directly related to Heartbreakers.

There was some more discussion regarding the calls and the circumstances surrounding them.

Commissioner Cymbaluk stated his point being the routine of Heartbreakers habits and Greg stated that you cannot be convicted on habits. Commissioner Cymbaluk stated having a liquor license is a privilege, not a right and we do not owe you anything, however, we do owe the citizens a safe community. Greg stated we cannot get rid of the oil boom, as this is where the problem is coming from.

Mayor Klug stated we have heard from both sides, as this is not a public hearing, there are still on-going issues that we cannot put up with.

Motion by Cymbaluk, Seconded by Brostuen to make a motion to revoke the license of Heartbreakers and have it returned to the City effective immediately

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

2) The Shop Liquor License

On the phone is Kyle Gilster, council representing JD Hastings Holdings, Inc., the owner of The Shop Bar.

Taylor Olson wanted to point out (A4) on the application submitted to the Liquor Committee, on April 12, 2018, it was approved on April 24, 2018 by the Commission and the license indicated the 100% owner is JD Hastings Holdings, on the next page all partners must be listed and the only name listed is Jordan Hastings, however, Jordan Hastings is only a 51% owner of the business with her husband Deran Hastings, owing the other 49%. No criminal background for Deran was disclosed in the application, nor is he listed as an owner. The Liquor Committee feels this was a bit deceitful, as Mr. Hastings has a criminal history and is an actual owner of the bar and was not listed and the Committee likes to have all the facts. As a condition of our City Ordinance, this is required to be disclosed.

Detective Dery from the Williston Police Department presented to the Commission the issue and circumstances that happened at The Shop on July 22, 2018, Deran Hastings was arrested for aggregated assault a Class C Felony. There have been other incidents since Mr. Hastings has taken over. Employees have admitted they are encouraged to oversell and that Mr. Hastings threatened them when they indicated they were going to inform law enforcement.

Commissioner Piesik asked if The Shop has surveillance cameras that the Police Department has access to and Detective Dery indicated only with a search warrant.

Mr. Gilster, council for The Shop (JD Hastings Holdings Inc) stated he was going to give a statement, then turn it over to the Hasting Family for comment. Mayor Klug stated that was not going to happen, as this is not how it works, that he (Mr. Gilster) was representing the liquor license, Mr. Gilster indicated he was under the impression that Mr. Hastings would be able to comment. Mr. Gilster presented the facts and ownership information regarding JD Hastings Holdings, Inc., and indicated they are willing to make any changes to the ownership status on the corporate side that is needed and I assure the Commission when this was done, there was no intent to be deceitful and they are very interested in an amicable resolution to this situation. Mr. Gilster continued to give information regarding the situation and the Hastings family, etc., and want to make things right to move forward.

Commissioner Cymbaluk asked who handles the day to day operations, Mr. Gilster indicated it was Jordan, as she is the President and the Director and Deran is just a 49% holder in the holding company and not an employee, a member or an officer. Commissioner Cymbaluk asked for clarification as to what Mr. Hastings day to day involvement was and it was stated he

was a loving supportive husband to Jordan, however, on a day to day basis as far as the bar goes, he indicated he does not know.

Jeff Nehring council for the criminal matter asked for permission to address the allegations that were made tonight. Taylor Olson indicated the criminal case on this matter, is still open and pending and any facts that were presented by Detective Dery was taken directly from the affidavit of probable cause filed with the Court, this is the only information provided for the warrant.

Jeff Nehring wanted to address Detective Derys comments and presented additional facts regarding this matter, indicating facts in the affidavit are false.

There was further discussion between Mr. Nehring and the Commission regarding past history, criminal history, the application process, threats made to employee and other relevant information about this case and possibilities regarding resolution of the matter.

Motion by Cymbaluk, Seconded by Bekkedahl to make a motion to suspend the liquor license for The Shop effective immediately for a period of one-week (7-days) within that period The Shop must come into compliance with the City of Williston Code Ordinance and the North Dakota Century Code The Shop must also fill out the City Liquor License Application in its entirety meet with the City Attorney to review all pertinent Ordinances and agree to follow all City Ordinances which must be signed by all parties they must amend their ownership or amend their application to remedy the issues presented if at the end of the one-week they are not in compliance an additional one-week suspension will go into effect which will run consecutively with the first suspension if at the end of the potential second week of suspension The Shop liquor license does not have the necessary above requirements executed and signed by all parties their liquor license will be revoked

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

- D. Public Works
- E. Engineering
 - 1) Authorization to Advertise Request for Proposals for Engineering Services

David Wicke City Engineer presented the following;

The City of Williston will be soliciting proposals for the provision of Professional Engineering Services required to assist the City Engineer in the development, design and construction of municipal infrastructure projects and support the functions of the City Engineer's office for the 2019-2020 biennium. It is the Department's intention to develop a "short list" of qualified Professional Engineer's each to be engaged under the terms of a Master Engineering Services Agreement with individual projects assigned by Task Order to the listed engineer best suited to the project. I recommend the City Commission authorize the publication of the advertisement to solicit for the request for proposal.

Commissioner Bekkedahl asked when we get these in hand, is it the intent that as you find a firm that would be proficient in an area, they would be the one selected for the project or are you going to have us select those firms for each individual project. David answered it could be for one project or a handful of projects and to be able to pick from the list based on proficiency.

Mayor Klug asked who will be doing the evaluations, David indicated it will be staff, we can have an interview process, if the Commission wants to go that route and we will put together an interview board. Mayor Klug indicated he will leave this decision up to you and your portfolio Commissioner, with input from City Administrator.

Motion by Piesik, Seconded by Cymbaluk to make a motion to authorize the City Engineer to advertise for request for proposals as presented

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

2) West Williston Flood Risk Reduction Project – Change Order 1

This change order request is from Spearfish Excavating for the construction of the traffic barrier guardrail system, in the amount of \$62,370. This change order would increase the project's original contract price of \$1,006,545 by \$62,370 to a total of \$1,068,915. We recommend accepting Spearfish Excavating's Change Order No. 1 for the construction of the guardrail traffic barrier system as part of the West Williston Flood Risk Reduction Project in the amount of \$62,370 as presented.

Motion by Brostuen, Seconded by Cymbaluk to move that the City Commission accept Spearfish Excavating's Change Order No. 1 for the construction of the Traffic Barrier Guardrail System as part of the West Williston Flood Risk Reduction Project in the amount of \$62,370 as presented

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

3) NDDOT Long-Term Temporary Highway Closure Agreement

David Tuan City Administrator presented the following;

This is a renewal of an existing agreement with NDDOT which allows the City to authorize closure of Main Street and other highways with city limits. This is a blanket agreement, so we don't have to keep going back every time we want to close Main Street, however, we do inform them every time a road is closed. I recommend approval and this will be effective immediately.

Mayor Klug asked about #5 in the contract, are we going to have to have someone on Saturdays, closing and detouring for events. David answered we had negotiated the first time that this was the City taking the responsibility for it, not necessarily performing it, however each individual that submits a permit to the City is required to submit a traffic plan to all the necessary

department heads on how they are going to close the streets, etc., we have found ourselves assisting at times, depending on the event.

**Motion by Cymbaluk, Seconded by Bekkedahl to so move
UNANIMOUS BY VOICE VOTE**

- F. Fire Department
- G. Police Department
 - 1) 2018/2019 SUV All-Wheel Drive

David Peterson Chief of Police presented the following;

We are requesting authorization to advertise for this item on October 15th & October 22nd, with bids being opened on October 29th, 2018. The Williston Police Department had a crash involving a patrol vehicle on September 25, 2018. The crash resulted in the total loss of a 2012 SUV patrol vehicle and most of the included equipment. It is unknown how much the NDIRF will refund the City of Williston at this time. Total funds requested is \$100,900 for the patrol vehicle and equipment. (\$40,000 for vehicle/\$60,900 for equipment)

Commissioner Bekkedahl asked if we have insurance for these situations and it was indicated we do, however, it will take time.

Commissioner Cymbaluk indicated if any of the equipment is salvageable we will do our best to recover what we can.

Motion by Cymbaluk, Seconded by Brostuen to make a motion to approve the request as presented

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

- H. Development Services
 - 1) Comprehensive Housing Action Plan – Recommendation for a Consulting Firm

Kent Jarcik City Planner presented the following;

At the July 10, 2018 City Commission meeting the Commission approved to advertise a request for qualifications (RFQ). The RFQ was to solicit candidates to develop a comprehensive housing action plan. Six consultant responses were initially reviewed. The Housing Committee interviewed three finalists to include;

- Lisa Sturtevant and Associates, LLC (Virginia)
- Novogradac and Company (Kansas)
- Newmark Knight Frank partnered with Development Strategies (Missouri)

Upon completion of the interviews the committee is recommending the City work with the team of Newmark Knight Frank and Development Strategies to develop a contract and finalize a scope of work for the project. They would be available to start upon approval and I recommend approval.

Motion by Brostuen, Seconded by Piesik to move to approve the committee's recommendation to work with the team of Newmark Knight Frank and Development Strategies to finalize a contract and scope of work for the Comprehensive Housing Action Plan

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

- I. Economic Development
 - 1) Flex PACE Applications
 - a. The Pitt/House of Gainz
 - b. Lisa Engel
 - c. MonDak Holdings LLC
 - d. Seven K Huts/Pizza Hut

Shawn Wenko Executive Director of Economic Development presented the following;

We have several Flex Pace applications tonight;

The Pitt/House of Gainz; Request a Flex Pace Buydown in the amount not to exceed \$12,000 for a new gym that will provide workouts geared toward those with disabilities and specialty equipment and a kitchen for take home healthy meals. Currently it does not meet parking code, however, since they are not doing enough improvements it will be required to bring into compliance.

Lisa Engel; Request for Flex Pace Buydown in the amount not to exceed \$20,000 for the purchase of the McMaster Building. She owns Williams County Abstract and wants to purchase the building and lease it back to McMaster.

MonDak Holdings, LLC; Request for Flex Pace Buydown in the amount not to exceed \$67,000 for the relocation and expansion of the current MonDak Motor Sports. He has purchased the A & A Landscaping building, this is due to increase sales.

Seven K Huts/Pizza Hut; Request for Flex Pace Buydown in the amount not to exceed \$72,000 for the update and relocation of the current franchise. (no relation to Mayor Klug)

The Star Fund Board recommends the approval of the above.

Motion by Cymbaluk, Seconded by Brostuen to make a motion to approve the Flex Pace applications as presented**AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug****NAY: None****ABSENT AND NOT VOTING: None****CARRIES: 5-0**

- 2) Community Build/Growth Applications
 - a. Williston State College Small Business Development Office

This is an annual request for grant funding to off-set operating costs, they are a funded allocation, through state, federal and local partnerships, to include the cities of Williston, Watford City, Crosby and local and regional banking institutions. The annual request is \$45,000, the same as last year, they have been a great partnership for us and I recommend approval.

Motion by Brostuen, Seconded by Cymbaluk to move for approval**AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug****NAY: None****ABSENT AND NOT VOTING: None****CARRIES: 5-0**

- b. Williston Regional Economic Development

This is an annual request for \$85,000, it has a board that consists of approximately 23 members, to include; Williston, Watford City, Stanley, Crosby and Tioga. \$60,000 of this funding will go to the Williston Economic Development Office for our marketing.

Motion by Bekkedahl, Seconded by Piesik to make a motion to approve the Community Growth Grant in the amount of \$85,000 to Williston Regional Economic Development**AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug****NAY: None****ABSENT AND NOT VOTING: None****CARRIES: 5-0**

- 3) Other Business
 - a. Parkridge Townhomes

This is a request to increase the original Flex Pace Buydown amount for Parkridge Townhomes, this was an affordable housing project that was approved in 2014 for an amount, not to exceed, \$262,500, for 36 townhomes, in the Harvest Hills area, eighteen of the units would be rent restricted through guidelines set forth through the North Dakota Housing Incentive Fund. It was caught in a recent audit there was a discrepancy between what was approved and what the Bank of North Dakota wrote the loan for, we ended up overpaying this approved amount by \$6,730.69. Normally we could ask for a refund, however, because this was a housing incentive fund project, which houses key central personnel, that if we were to refund this amount, they

would lose their 2:1 match. We are requesting approval to increase the amount originally approved.

Motion by Cymbaluk, Seconded by Bekkedahl to so move

AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug

NAY: None

ABSENT AND NOT VOTING: None

CARRIES: 5-0

- J. Airport
- K. Convention and Visitor's Bureau
- 9. Appointments and Consultations with Officers
- 10. Unfinished Business
- 11. New Business
- 12. Executive Session
- 13. Adjourned meeting at 8:23pm

Motion by Bekkedahl, Seconded by Piesik to move to adjourn

UNANIMOUS BY VOICE VOTE

Howard Klug, President
Board of City Commissioners

John Kautzman, City Auditor