

**OFFICIAL PROCEEDINGS  
OF THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS HELD  
AUGUST 23, 2011 6:00 P.M. AT CITY HALL WILLISTON, NORTH DAKOTA**

1. Roll Call of Commissioners

COMMISSIONERS PRESENT: Tate Cymbaluk, Brent Bogar, Brad Bekkedahl, Howard Klug, E. Ward Koeser  
 COMMISSIONERS ABSENT: None  
 OTHERS PRESENT: John Kautzman, Peter Furuseth, Kent Jarcik, Alan Hanson, Monte Meiers, Thomas Ladwig, Doug Lalim, Shawn Wenko

Kautzman announced a request for an addition to the agenda, which is for a roof issue above The City Commission Room and he has a verbal quote of \$9,000 to do this. He would like to request this item be added under the City Auditor area – (9A-5).

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

2. Consent Agenda

- A. Reading and Approval of Minutes for:
  - 1. Regular Meeting Dated August 9, 2011
- B. Auditor
  - 1. Accounts, Claims and Bills

Combined Check Register  
For checks between: 08/09/11 - 08/22/11

Check #	Vendor/Employee/Payee Number/Name	Check Amount	Date Issued
-85242	12020 RANDY M DONNELLY	1171.00	08/12/11
-85241	12017 JOHN L. KAUTZMAN	2347.58	08/12/11
-85240	12028 RAINNIE L. LADUE	1169.76	08/12/11
-85239	12018 SANDRA K. SOLBERG	1411.74	08/12/11
-85238	56119 CHEYENNE E. CHINEA	912.35	08/12/11
-85237	13026 KEVIN W. CRAFT	944.19	08/12/11
-85236	56118 KATALIN C. MAGYAR	886.95	08/12/11
-85235	13027 CRYSTAL A. SCHAUBEL	643.34	08/12/11
-85234	13025 JOLEEN S. TINKER	1117.53	08/12/11
-85233	56087 CODY M. BAKKEN	334.87	08/12/11
-85232	18022 SHARYL J. BUSCH	2175.79	08/12/11
-85231	18028 DAVID C. DONNER	2108.29	08/12/11
-85230	56127 RICHARD S. FISHER	71.71	08/12/11
-85229	18026 MATTHEW L. GARDNER	2251.70	08/12/11
-85228	18001 ALAN K. HANSON	1862.16	08/12/11
-85227	18100 TANA L. HINRICKSEN	1428.68	08/12/11
-85226	56101 SUSAN G. HOLMEN	869.41	08/12/11
-85225	18027 STEVEN D. KERZMANN	2082.86	08/12/11
-85224	56107 VICTORIA L. KREGER	440.02	08/12/11

-85223	18099 ERICA J. MYERS	110.17	08/12/11
-85222	18024 JONATHON RASMUSSEN	2431.18	08/12/11
-85221	56130 ANDREW A. SAILER	1306.36	08/12/11
-85220	18020 RICHARD SHEARER	2819.14	08/12/11
-85219	19024 DAVID L. BELISLE	1087.99	08/12/11
-85218	19092 DUSTIN J. BERTSCH	1286.29	08/12/11
-85217	19028 MARK R. BITZ	1707.90	08/12/11
-85216	56097 ALAN C. BRATT	1423.17	08/12/11
-85215	56121 DUSTIN R. CELANDER	1246.75	08/12/11
-85214	19076 CORY G COLLINGS	1490.54	08/12/11
-85213	56113 MINDY SUE DEGENSTEIN	714.86	08/12/11
-85212	19009 LINDA R. GRANBOIS	964.04	08/12/11
-85211	19017 MARK HANSON	1421.24	08/12/11
-85210	19082 RANDY M. HAUGENOE	1262.50	08/12/11
-85209	56102 MICHAEL A. ISENHOWER JR	1242.94	08/12/11
-85208	19012 THOMAS L. LADWIG	1735.10	08/12/11
-85207	19011 JAMES L LOKKEN	2264.65	08/12/11
-85206	56082 TRAVIS J. MARTINSON	1188.53	08/12/11
-85205	56061 AMY D. NICKOLOFF	1373.44	08/12/11
-85204	56078 DAVID A. NYGAARD	1173.68	08/12/11
-85203	19014 KENNETH B. OWENS	1742.62	08/12/11
-85202	56052 JAMESON J. O. SEIM	1320.71	08/12/11
-85201	56098 JAKE O. SNYDER	1169.58	08/12/11
-85200	19077 MICHAEL S. WILSON	1365.69	08/12/11
-85199	19100 RYAN C. ZIMMERMAN	1422.17	08/12/11
-85198	20047 KELLY M. ABERLE	1270.47	08/12/11
-85197	56094 AMY R. DILLY	998.24	08/12/11
-85196	20045 DOUGLAS I. LALIM	1509.64	08/12/11
-85195	56090 RONALD W. ROLLE	1329.21	08/12/11
-85194	21051 CARL S DUNN	1430.03	08/12/11
-85193	21040 MONTE C. MEIERS	1889.39	08/12/11
-85192	21054 WAYNE A WIEDRICH	1531.96	08/12/11
-85191	22020 ROBERT D. KNAPPER	1676.05	08/12/11
-85190	56100 BILLY J. BAKER	1161.66	08/12/11
-85189	23078 DON A. EIDE	1879.66	08/12/11
-85188	56064 HEATH T. GLENN	713.35	08/12/11
-85187	56128 VERNON L. HENDRICKSON	1189.56	08/12/11
-85186	24018 EFFIE J. BROWN	1065.55	08/12/11
-85185	24019 ROBERT D. COUGHLIN	825.15	08/12/11
-85184	56095 DARREL G. GROTBORG	620.10	08/12/11
-85183	24017 STEVEN W. JENSEN	1051.04	08/12/11
-85182	24013 THOMAS C. POTTER	1106.78	08/12/11
-85181	56104 DANIEL W. TUPA	1422.88	08/12/11
-85180	25110 KENNETH W. BERGSTROM	1299.10	08/12/11
-85179	12029 LORI A. LARSEN	850.76	08/12/11
-85178	27076 DANNY R. GERGEN	1229.62	08/12/11
-85177	56091 JAMES A HAGA JR	1134.74	08/12/11
-85176	56084 KENNETH R. BOYKIN	1359.19	08/12/11
-85175	56114 ANTHONY D. DUDAS	1070.18	08/12/11
-85174	56110 ADAM M. FREEMAN	1049.25	08/12/11
-85173	56086 STEVEN C. KJERGAARD	1730.27	08/12/11
-85172	56120 VICTORIA M. RUBLE	982.17	08/12/11
-85171	34017 KENT A. JARCIK	1858.23	08/12/11

-85170	56134	JESSICA L. KAISER	981.03	08/12/11
-85169	34016	ELAINE B. SINNESS	540.62	08/12/11
-85168	35025	JOSILYN F BEAN	1142.70	08/12/11
-85167	56079	BRENDA SEPTKA	892.05	08/12/11
-85166	56042	LEPRIEL M. WHITE	942.08	08/12/11
-85165	56039	KERI L. BODA	655.21	08/12/11
-85164	56111	ANDREA L. MITCHELL	616.23	08/12/11
-85163	56136	TAMMY L. ROBINSON	301.05	08/12/11
-85162	48013	DEBORAH A. SLAIS	1031.34	08/12/11
-85161	48034	YVONNE A. TOPP	395.67	08/12/11
-85160	48089	CLARA WEGLEY	640.93	08/12/11
-85159	52013	SHANNON K. INNIS	1238.15	08/12/11
-85158	52011	ANN M. KVANDE	1281.19	08/12/11
-85157	56041	BARBARA J. PETERSON	700.21	08/12/11
-85156	52003	THOMAS C. ROLFSTAD	2132.57	08/12/11
-85155	52020	SHAWN WENKO	1408.40	08/12/11
-85154	56109	PAULETTE K. BAUER	651.20	08/12/11
-85153	53006	LAURIE K. BECKER	509.49	08/12/11
-85152	53005	BOBBI JO CLARKE	905.60	08/12/11
-85151	53002	AMY A. KRUEGER	1319.12	08/12/11
-85150	56062	BARBARA G. MCFARLANE	244.59	08/12/11
-85149	56080	BRAD E. SEPTKA	1338.42	08/12/11
-85148	56131	KATIE E. SEPTKA	330.18	08/12/11
-85147	54008	TAMMY K. WRIGHT	1154.99	08/12/11
-85146	DEFERRED COMP	NATIONWIDE RETIREMENT SO	13018.58	08/11/11
-85145	FIT	U.S. TREASURY	57811.43	08/11/11
-85144	WEAPON	CITY OF WILLISTON	94.00	08/12/11
44447	*	632 ACKERMAN-ESTVOLD	21167.50	08/09/11
44448		999999 DANNY YATES	283.00	08/09/11
44449		999999 JAMIE BARTLETT	750.00	08/09/11
44450		999999 JOHN TRUEAX	140.00	08/09/11
44451		34 BALCO UNIFORM CO., INC.	307.00	08/10/11
44452		1175 MONTANA DAKOTA UTILITIES	60000.00	08/10/11
44453		1227 Myers Auto Parts	525.00	08/10/11
44454		1335 STATE ENGINEER	750.00	08/10/11
44455		484 VERIZON WIRELESS	271.40	08/10/11
44456		516 WILLISTON CVB	5400.00	08/10/11
44457		13027 CRYSTAL A. SCHAUBEL	561.48	08/12/11
44458		56108 PATRICA A. BUCK	732.52	08/12/11
44459		12026 KAREN P. LARSON	461.78	08/12/11
44460		56146 ASHLEY R. FORSBERG	477.50	08/12/11
44461		56138 JACOB W. NATWICK	947.70	08/12/11
44462		17016 TOM J. GLENN	922.61	08/12/11
44463		18019 THOMAS R. BLOCH	1567.65	08/12/11
44464		18094 MICHAEL CASLER	365.38	08/12/11
44465		18087 BROCK CLINGMAN	26.89	08/12/11
44466		18092 MATHEW EKBLAD	26.89	08/12/11
44467		56045 EUGENE L FIXEN	53.78	08/12/11
44468		18096 TRACY C. KERZMANN	219.60	08/12/11
44469		18070 JEANNE M. SAGASER	26.89	08/12/11
44470		18046 GARVIN SEMENKO	108.27	08/12/11
44471		18079 SCOTT S. TANNER	28.54	08/12/11
44472		18078 MICHAEL W. WALTERS	116.27	08/12/11

44473	18097 DUANE S. WINTER	243.37	08/12/11
44474	56142 TRAVIS L. CARLSON	1159.93	08/12/11
44475	19095 WALTER H. HALL	1248.63	08/12/11
44476	19098 DAVID A. PETERSON	1419.27	08/12/11
44477	19056 CHARLES TANNER	1144.57	08/12/11
44478	21041 ROBERT E HANSON	2045.54	08/12/11
44479	56105 EDWARD A LODWIG	520.15	08/12/11
44480	21052 RAYMON J. SKOGEN	1198.20	08/12/11
44481	22021 LES CHRISTENSEN	1427.12	08/12/11
44482	22014 GARY L. GLOVATSKY	1175.68	08/12/11
44483	56125 KYLE J. BEAUFEAUX	708.10	08/12/11
44484	56123 CARRIE M. BOLSTAD	532.84	08/12/11
44485	56140 AUSTIN J. CORCORAN	626.14	08/12/11
44486	23136 JAMES B. ENGEN	1446.99	08/12/11
44487	23126 BRENT E. HANSON	1275.52	08/12/11
44488	23039 BRUCE A. JOHNSON	1142.76	08/12/11
44489	23142 ROBIN S OLIVERIA	1218.75	08/12/11
44490	23123 GREGORY C WERKMEISTER	1144.20	08/12/11
44491	25030 PEDAR A. ANDRE	1429.94	08/12/11
44492	27058 DAVID LEE BELL	2063.03	08/12/11
44493	25106 RICHARD S. ODEGARD	1176.70	08/12/11
44494	26039 DIANE K. ALBRIGHTSON	744.57	08/12/11
44495	27099 MICHAEL S. BEDA	885.81	08/12/11
44496	27067 RICHARD D. BORUD	1142.67	08/12/11
44497	56068 JORDAN CORCORAN	1134.15	08/12/11
44498	27066 GORDON GRIMMER	1679.08	08/12/11
44499	27096 RUSSELL E. MOMBERG	1744.21	08/12/11
44500	27091 JOSEPH G. MONSON	1030.51	08/12/11
44501	56112 GARRISON CANTER	921.01	08/12/11
44502	56133 DILLON BODIN	434.12	08/12/11
44503	56137 JESSE FERRELL	144.53	08/12/11
44504	56048 CURTIS E. PAGE, JR.	528.29	08/12/11
44505	31051 GORDON L. SMESTAD	1422.84	08/12/11
44506	56122 WESTON E. SMESTAD	558.66	08/12/11
44507	56099 MARK C. AMONDSON	1111.97	08/12/11
44508	56129 CHARLES E. OVERBY	1023.55	08/12/11
44509	25112 DUANE F. OVERBY	1059.73	08/12/11
44510	56055 COLIN M. JOHNSON	613.30	08/12/11
44511	32006 WILLIAM M. MCQUISTON	1022.96	08/12/11
44512	36006 NEIL W. BAKKEN	1548.84	08/12/11
44513	37008 LAVERN GOHL	1214.24	08/12/11
44514	48105 HALEY M BECKER	49.07	08/12/11
44515	56144 CRYSTAL M. BONNER	188.70	08/12/11
44516	56145 HEATHER BOOHER	604.84	08/12/11
44517	48102 KAYLA J. HELL	93.40	08/12/11
44518	56132 HALEY M. NELSEN	130.41	08/12/11
44519	56139 BILLIE R. PARKER	120.76	08/12/11
44520	48106 CLARA A. REINKE	49.07	08/12/11
44521	56135 JEAN M. SMITH	652.67	08/12/11
44522	56066 ZACHARY G. CORCORAN	1454.30	08/12/11
44523	54065 PATRICIA K. FIORENZA	1014.14	08/12/11
44524	56143 KRISTIN C. MARMON	211.36	08/12/11
44525	56141 MACKENZIE C. STORBAKKEN	268.91	08/12/11

44526	US TREASURY	UNITED STATES TREASURY	100.71	08/11/11
44527	533 WILLIAMS COUNTY	TREASURER/RECORDE	7.53	08/11/11
44528	MN CHILD SUPPOR	MINNESOTA CHILD SUPPORT	294.00	08/12/11
44529	MT CSED FT	MONTANA CSED	44.18	08/12/11
44530	ND CHILD SUPPOR	ND CHILD SUPPORT ENFORCE	209.00	08/12/11
44531	623 FLEET SERVICES		3544.32	08/12/11
44532	245 MEDQUEST INC		773.45	08/12/11
44533	275 NAPA AUTO PARTS		861.64	08/12/11
44534	246 PHYSIO-CONTROL, INC		380.80	08/12/11
44535	673 CLERK OF DISTRICT COURT		500.00	08/12/11
44536	999999 DERRICK BATTLES		490.00	08/12/11
44537	999999 RICHARD MAUS		290.00	08/12/11
44538	999999 SHARON NJOS		250.00	08/12/11
44539	673 CLERK OF DISTRICT COURT		2000.00	08/12/11
44540	1336 R & T Water		2365317.00	08/12/11
44541	601 BLACKHAWK AGENCY, LLC		2099.52	08/15/11
44542	564 WILLIAMS RURAL WATER DISTRICT		1083.04	08/16/11
44543	999999 DAVID OR WHITNEY FRANZ		14.58	08/16/11
44544	999999 SHAUN FIDDLER		235.00	08/17/11
44545	999999 TYRONE JACKSON		200.00	08/17/11
44546	35 BANK OF NORTH DAKOTA		24998.83	08/18/11
44547	750 UPS		24.40	08/18/11
44548	999999 CYNDI JOHNSON		17.34	08/18/11
44549	415 SELECT FORD		21202.00	08/19/11
44550	999999 CHRISTOPHER POTTER		240.00	08/19/11
44551	673 CLERK OF DISTRICT COURT		500.00	08/19/11
44552	999999 JARED WILSON		1.00	08/19/11
44553	999999 JOHN AHLERS		1500.00	08/19/11
44554	999999 RICHARD WAITMAN		150.00	08/19/11
44555	999999 SPENCER SLINGSBY		100.00	08/19/11
44556	673 CLERK OF DISTRICT COURT		500.00	08/19/11
44557	673 CLERK OF DISTRICT COURT		100.00	08/19/11
44558	ND HEALTH	ND PUBLIC EMPLOYEES RETI	456.16	08/22/11
44559	632 ACKERMAN-ESTVOLD		15185.01	08/22/11
44560	3 ADVANCED ENGINEERING &		17655.00	08/22/11
44561	6 AL MCFARLANE		5075.00	08/22/11
44562	718 AMERIPRIDE SERVICES		475.16	08/22/11
44563	999998 AMY D. NICKOLOFF		25.00	08/22/11
44564	970 API WILLISTON CHAPTER		5000.00	08/22/11
44565	1027 ASPEN EQUIPMENT		400.06	08/22/11
44566	30 ASTRO-CHEM LAB, INC.		31.00	08/22/11
44567	723 BADLANDS STEEL, INC		86.90	08/22/11
44568	33 BAKER & TAYLOR CO.		253.78	08/22/11
44569	34 BALCO UNIFORM CO., INC.		189.00	08/22/11
44570	35 BANK OF NORTH DAKOTA		23713.92	08/22/11
44571	1337 BARTLETT & WEST		9750.62	08/22/11
44572	1181 BASIN CONCRETE		14902.00	08/22/11
44573	38 BASIN PRINTERS, INC.		1488.00	08/22/11
44574	39 BASIN TIRE SERVICE, INC.		760.00	08/22/11
44575	48 BISMARCK TRIBUNE		1024.86	08/22/11
44576	49 BLACK MOUNTAIN SOFTWARE		2758.00	08/22/11
44577	1339 BOBCAT OF WILLISTON		441.91	08/22/11
44578	51 BOOKS ON BROADWAY		80.30	08/22/11

44579	52 BORDER STATES ELECTRIC	13786.64	08/22/11
44580	1054 C & D WATER SERVICES	6.50	08/22/11
44581	678 C. EMERY NELSON, INC.	1604.71	08/22/11
44582	616 CENTER POINT LARGE PRINT	160.56	08/22/11
44583	1349 CENTURLINK	995.31	08/22/11
44584	79 CITY OF WILLISTON	43622.21	08/22/11
44585	999998 CLARA WEGLEY	107.60	08/22/11
44586	822 COUNTRY FLORAL	54.14	08/22/11
44587	1000 COUNTRY SCENTS	54.00	08/22/11
44588	567 CRAIG'S SMALL ENGINE REPAIR	769.11	08/22/11
44589	89 CRAVEN-HAGAN CLINIC, LTD.	150.00	08/22/11
44590	825 CROWLEY FLECK PLLP	2814.00	08/22/11
44591	548 DAKOTA DIESEL	1486.15	08/22/11
44592	1211 DANCE FEVER BOOSTER CLUB	2500.00	08/22/11
44593	1318 DAVE DONNER	310.00	08/22/11
44594	97 DAVID A PETERSON	600.00	08/22/11
44595	1347 DAVID MOORE	139.99	08/22/11
44596	100 DAWA SOLUTIONS GROUP	85.00	08/22/11
44597	124 ELECTRIC & MAGNETO, INC.	205.00	08/22/11
44598	577 EMERGENCY MEDICAL PRODUCTS	341.92	08/22/11
44599	126 EMRY'S LOCKSMITHING	875.00	08/22/11
44600	905 FALCON PUMP & SUPPLY	697.29	08/22/11
44601	128 FAMILY CRISIS SHELTER	2518.10	08/22/11
44602	130 FARGO WATER EQUIPMENT CO	4468.29	08/22/11
44603	569 FEDEX	95.08	08/22/11
44604	907 FERGUSON WATERWORKS	76.74	08/22/11
44605	1341 FORSTNER FIRE APPARATUS, INC.	193.90	08/22/11
44606	134 FORT UNION SUPPLY & TRADE	377.41	08/22/11
44607	139 GAFFANEY'S	1744.00	08/22/11
44608	1319 GARNEY COMPANIES, INC.	246604.63	08/22/11
44609	1154 GOOSENECK IMPLEMENT	211.53	08/22/11
44610	144 GRAYMONT WESTERN CANADA	6754.31	08/22/11
44611	1298 Great Plains Towers, Inc.	1725.00	08/22/11
44612	148 HANDY ANDY'S NURSERY	651.78	08/22/11
44613	151 HAWKINS, INC.	1029.22	08/22/11
44614	550 HEDAHL'S PARTS PLUS	67.18	08/22/11
44615	161 HOME OF ECONOMY	363.92	08/22/11
44616	162 HORIZON RESOURCES	31732.51	08/22/11
44617	163 HOSE AND RUBBER SUPPLY	43.18	08/22/11
44618	164 HOTSY EQUIPMENT CO.	350.00	08/22/11
44619	173 INFORMATION TECHNOLOGY DEPARTMENT	275.00	08/22/11
44620	174 INK SPOT PRINTING	239.00	08/22/11
44621	196 KADRMAS LEE & JACKSON INC	32756.45	08/22/11
44622	999998 KAREN P. LARSON	144.32	08/22/11
44623	895 KDSR-FM	120.00	08/22/11
44624	1344 KELLER PAVING/KNIFE RIVER	280812.60	08/22/11
44625	213 KUMV-TV	510.00	08/22/11
44626	1343 LARGE PRINT OVERSTOCKS	93.09	08/22/11
44627	228 LINDSEY IMPLEMENT, INC.	73.30	08/22/11
44628	1345 MAGNEY CONSTRUCTION	14760.00	08/22/11
44629	239 MATERIAL TESTING SERVICE	577.00	08/22/11
44630	240 MATHISON COMPANY	273.56	08/22/11
44631	585 MCCODY CONCRETE PRODUCTS, INC	125.00	08/22/11

44632	250 MICROMARKETING ASSOCIATES	68.23	08/22/11
44633	255 MILLY'S ALTERATIONS	38.00	08/22/11
44634	243 MONTANA DAKOTA UTILITIES	10854.48	08/22/11
44635	1175 MONTANA DAKOTA UTILITIES	1300.00	08/22/11
44636	270 MURPHY MOTORS, INC.	373.93	08/22/11
44637	271 MVTL/MINNESOTA VALLEY	3738.50	08/22/11
44638	275 NAPA AUTO PARTS	290.48	08/22/11
44639	1285 National Payment Solutions, LLC	479.27	08/22/11
44640	281 ND ASSN. OF OIL & GAS	2466.04	08/22/11
44641	290 ND DEPT OF TRANSPORTATION	13085.82	08/22/11
44642	291 ND DEPARTMENT OF HEALTH	4288.98	08/22/11
44643	303 ND POST BOARD	110.00	08/22/11
44644	314 ND WORKFORCE SAFETY & INS	1.04	08/22/11
44645	320 NEMONT	3517.34	08/22/11
44646	1348 North Dakota Chamber of Commerce	375.00	08/22/11
44647	1031 North Dakota Fire Chief	800.00	08/22/11
44648	324 NORTHERN IMPROVEMENT CO.	3566.55	08/22/11
44649	333 NORTHWEST SUPPLY CO.	124.75	08/22/11
44650	342 OILIND SAFETY	24.88	08/22/11
44651	343 OLYMPIC SALES, INC.	24532.00	08/22/11
44652	1342 Oxford University Press	578.13	08/22/11
44653	1055 PARTS CENTRAL - HEIL ENVIRONMENTA	268.81	08/22/11
44654	351 PENWORTHY	831.61	08/22/11
44655	1346 Pioneer Service and Fence	3316.00	08/22/11
44656	359 PRAXAIR DISTRIBUTION INC	532.33	08/22/11
44657	641 PREBLE MEDICAL SERVICES, INC	343.00	08/22/11
44658	367 QUILL CORPORATION	535.79	08/22/11
44659	879 RDO TRUCK CENTERS	565.95	08/22/11
44660	390 RICHARD A. JOHNSON	2546.75	08/22/11
44661	400 ROTARY CLUB OF WILLISTON	400.00	08/22/11
44662	415 SELECT FORD	535.26	08/22/11
44663	425 SOCIETY FOR HUMAN	180.00	08/22/11
44664	999998 STEVEN C. KJERGAARD	191.82	08/22/11
44665	999998 STEVEN C. KJERGAARD	532.44	08/22/11
44666	1036 SWANSON PROCESS SERVICES, CO.	400.00	08/22/11
44667	447 THE SHOPPER	422.80	08/22/11
44668	647 THUE, JANICE M	593.20	08/22/11
44669	1317 TI-ZACK CONCRETE	5748.69	08/22/11
44670	757 TODAY'S SHOE REPAIR	225.00	08/22/11
44671	461 TRACTOR SUPPLY CREDIT PLAN	436.96	08/22/11
44672	484 VERIZON WIRELESS	1234.02	08/22/11
44673	488 VISA	2427.39	08/22/11
44674	489 VISA	1372.41	08/22/11
44675	1304 VULCAN INDUSTRIES, INC	387.38	08/22/11
44676	491 WAM SOFTWARE, INC.	1967.50	08/22/11
44677	1249 WASTE NOT RECYCLING LLC	7169.40	08/22/11
44678	496 WCS TELECOM	386.48	08/22/11
44679	503 WESTLIE MOTOR CO.	199.36	08/22/11
44680	531 WILLIAMS COUNTY AUDITOR	4573.13	08/22/11
44681	514 WILLISTON COMMUNITY LIBRARY	84.75	08/22/11
44682	516 WILLISTON CVB	768.77	08/22/11
44683	517 WILLISTON FIRE & SAFETY	67.75	08/22/11
44684	518 WILLISTON HERALD	588.74	08/22/11

44685	519 WILLISTON HOME & LUMBER	88.34	08/22/11
44686	523 WILLISTON POLICE ASSN.	160.00	08/22/11
44687	526 WILLISTON TRUE VALUE	76.81	08/22/11
44688	529 WILLISTON/WILLIAMS COUNTY - DES	6442.23	08/22/11

Total Claims	341	3,434,615.39
Total Payroll		<u>243,910.33</u>
GrandTotal		3,678,525.72

2. Application for a Local Permit or Charity Local Permit
  - a. Wilkinson School PTO – Bingo and Raffle for the 2011-2012 school year
3. Application for City Alcoholic Beverage License
  - a. CHM Enterprises Inc., 22 Main Street, Williston, ND
- C. Building Official
  1. Application for Master Plumbers License
    - a. Donald Swofford – TCP Plumbing
  2. Application for Fuel and Gas Piping Installers License
    - a. Donald Swofford – TCP Plumbing
  3. Application for Master Mechanics License
    - a. Logan Hjermstad – Peterson Sheet Metal
    - b. Jeffery Stauffer – Jet Industries, Inc.
    - c. Bill Henderson – General Sheet Metal
    - d. Jon Hayek – General Sheet Metal
    - e. Russell Crowder – General Sheet Metal
    - f. Chad Moe – Elite Air Systems
  4. Application for Journeyman Mechanics License
    - a. Jami Olson – Peterson Sheet Metal
    - b. James Matheney – Peterson Sheet Metal
    - c. Christopher Lottman – Elite Air Systems
  5. Application for Sewer and Water Installers License
    - a. James Ricketts – First Dakota Enterprises Inc.
- D. City Planner
  1. Request to set Public Hearing for September 13, 2011 for Proposed amendment to the Future Land Use classification from Parks/Open Space to Industrial and Proposed Zone Change from A: Agricultural to M-1: Light Industrial for Sub lot 10, Section 21, T154N, R101W, Williston Township-Basin/Erickson
  2. Request to set Public Hearing for September 13, 2011 for Proposed Zone Change from A: Agricultural to R1-A: Rural Residential for two unplatted parcels of land located in the SE1/4, Section 18, T154N, R100W Stony Creek Township and Proposed Preliminary Plat for Bar Nothing Estates Third Subdivision, Stony Creek Township- Bar Nothing/Lee
  3. Request to set Public Hearing for September 13, 2011 for proposed Zone Change from A: Agricultural to R-3: Low-rise, Multi-family, Townhouse Residential for Section 1, T154N, R101W, City of Williston-Arctic/Branson
  4. Request to set Public Hearing for September 27, 2011 to review a Petition for the Vacation of Street Right of Way (portion of Halliburton



- Drive) - Halliburton
- E. Assessor.
1. Abatement
  2. Exemptions
    - a. Lot 1, Block 4, Sierra Rearrangement, City of Williston – Landmark Professionals, LLC – Interior Remodel – Years exempt 2012-2014
    - b. Lots 12 thru 17, Block 9, Original Town site, City of Williston – Stockman Motors – Remodel upstairs apartment – Years exempt 2012-2014
    - c. Lot 1 & Adj 2' vac walkway. Jorgenson Rearrangement, City of Williston – Bryan & Sheila Goehring – Interior remodels for office space – Years exempt 2012-2014
    - d. Lot 1, Block 2, Wegley Subdivision, City of Williston – Don & Marjorie Ell – 12x12 sunroom with 8x8 deck – Years exempt 2012-2014
    - e. Lot 1, Block 4, Highland Homes 2<sup>nd</sup> Addition, City of Williston – Steve Oyloe – 14x14 3 season porch, plumbing for bathroom remodel – Years exempt 2012-2014
    - f. Lot 1 & Adj 2' vac walkway, Jorgenson Rearrangement, City of Williston – Michael & Stacy Sweeney – 255 sq ft family room addition – Years exempt 2012-2014

**MOTION BY BEKKED AHL, 2<sup>ND</sup> BY BOGAR to approve the Consent Agenda as presented to the Commissioners.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

3. Bid Openings
4. Public Hearings
  - A. Proposed Zone Change from A: Agricultural to C-2: General Commercial for an unplatted parcel in the SW1/4 SE1/4 of Section 2, T154N R101W, City of Williston-Zavanna

Koeser opened the public hearing.

Koeser explained this protest hearing is on a proposed zone change from Agricultural to C-2: General Commercial for an unplatted parcel about 25 acres in the SW1/4 of Section 2, T154N, R101W, City of Williston – Zavanna.

Jarcik pointed out the location of this property and explained a previous re-zone application for Light Industrial was denied. After it was tabled, an application came back for a C-2: General Commercial, that would be consistent with the comprehensive plan. When Planning and Zoning met regarding this, there was discussion about easements on the west side, additional right of ways on the south side, and additional easements on the north side. Planning and Zoning Commission Recommendation was to recommend the City Commission approval of the Zone Change contingent upon a subdivision application & plat, development agreement, and meeting with the Airport Board of Adjustment on future development of the 25 acres.

Craig McIvor informed the commissioners Erickson does not have a plat or a development plan at this time and does not want to sell it. He is asking the commissioners to approve a rezone at this time and in the future a plat could be developed.

Bekkedahl questioned Mclvor if this was going to be an office building structure or a pipe yard, to which Mclvor replied it would be for an office building and the front would be on the west side of 42<sup>nd</sup>.

Lalim explained Zavanna is looking for a permit to put the office structure on the southwest corner of the twenty five acres and Erickson doesn't want to sell or subdivide the property. Zavanna wants to lease the property for a temporary office building, with parking for employees, but we cannot release the permit if it is contingent upon a plat. If there is some way to record easements without doing the plat at this time, so the permits could get going and the easements filed, was could be done.

Meiers suggested at least holding the building permit up until we get the easements, if we are not going to require the plat.

Koeser expressed concerns about how do we get the easements recorded so they are official, if we don't have a plat. Meiers responded there would need to be a drawing that showed those easements, exhibits and descriptions, which would be filed and notarized at the Court House.

Klug questioned how hard is it to come back and change a plat, if there is one.

Cymbaluk expressed concern if we start changing the system, this could create more problems later.

Koeser called a second time for public input.

Koeser called a third and final time for public input.

Koeser closed the public hearing.

Cymbaluk continued to expressed concern about others in the future who do the same thing and this needs to be identified right away in a plat.

Koeser asked Mr. Mclvor why Erickson is not going to plat this now and he responded Mr. Zavanna wants to use the land for office building space.

Klug asked how much time it would take to submit the plat before the building permit is issued and Jarcik responded the total time is two to three months. Klug asked with the preliminary plat, could any work be done before the final plat, which Jarcik responded this could be in October?

Bekkedahl asked Jarcik if the plat process required the plat go back to the Planning and Zoning Commissioners and Koeser answered it does. Jarcik replied with the state required advertising of the hearing in the newspaper the public hearing would have to be in October.

Meiers questioned Jarcik since we are not doing any public improvement requirements in this except for right of ways and easements, couldn't this be a sub lot survey since it is not creating additional lots. Then when it becomes a complete development, then they could create the subdivision and go thru the public hearing. We are looking for easements and right of ways, but not improvements at this time.

Furuseth questioned the recommendation of Planning and Zoning to approve this zone change without being platted.

Cymbaluk questioned if Furuseth was comfortable with follow through of the recommendation less the development agreement. Furuseth responded he is okay with it, if we go with what Meiers says regarding if we can identify the sub lot which has the zone change on.

Bekkedahl commented both the Planning and Zoning Commissioners and the Williston City Commissioners want this zone change approved to C-2.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BOGAR to approve the request as submitted and the recommendation from Planning and Zoning less the development agreement at this time. This would include the subdivision application and plat and meeting with Airport Board of Adjustments.**

Bekkedahl questioned if we are able to take some time off the process by adjusting the city commission meeting schedule or does this not matter in the time lines and Jarcik responded the meeting schedule could be looked at to speed up the process.

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

B. Proposed Zone Change from R-3: Low-rise, Multi-Family, and Townhouse Residential to R-4: High-rise, Multi-Family Residential for Block 6, Lot 19, in Granite Peak Subdivision- Bice/Granite

Koeser opened the hearing.

Koeser informed those present this is on a proposed zone change from R-3: Low-rise, Multi-Family, and Townhouse Residential to R-4: High-rise, Multi-Family Residential for Block 6, Lot 19 in the City of Williston.

Jarcik explained this is the 40 acres on the southern half of the Granite Peak Subdivision, which is approximately a 5 acre parcel. The Ad Hoc met regarding the height of these buildings not exceeding 45 feet, and parking requirements. There was discussion at the Planning and Zoning Meeting regarding buffering and drainage of the development. The recommendation was to approve the rezone request contingent upon meeting off-street parking, lot coverage and other development standards.

Phillip Daryl with Bice Investments who is the applicant spoke to those present regarding their updated plan. This development will be a series of buildings, which will be three and a half stories, with a lower living level.

Cymbaluk questioned the number of units are in each building and Daryl responded there will be 24, with 144 total units.

Koeser called a second time for public input.

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

Koeser closed the public hearing.

Klug questioned if this would add forty more rental units to the City of Williston and Daryl responded that it would add forty five more units.

**MOTION BY KLUG, 2<sup>ND</sup> BY BEKKEDAHL to approve the zone change from R-3: Low-rise, Multi-Family and Townhouse Residential to R-4: High-rise, Multi-Family Residential for Block 6, Lot 19, in Granite Peak Subdivision contingent upon meeting off street parking, lot coverage and other development standards.**

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

- C. Proposed Amendment to the Future Land Use Classification from Public Institutional to Industrial and proposed Zone Change from A: Agricultural and R-5: Mobile Home Court to M-2: Heavy Industrial located in the NW1/4 of Section 29 and Section 20, T154N, R100W, less Sub lot(s) 6&7, Stony Creek Township – Sundby

Koeser opened the hearing.

Koeser explained this is on a Proposed Amendment to the Future Land Use Classification from Public Institutional to Industrial and proposed Zone Change from A: Agricultural and R-5: Mobile Home Court to M-2: Heavy Industrial located in the NW1/4 of Section 29 and Section 20, T154N, R100W, less Sub lot(s) 6&7, Stony Creek Township – Sundby.

Jarcik explained this property is located in the southeast corner of town, south of Highway 1804 and west of Stony Creek School. A portion of this on the future land use plan is shown as industrial and is not specified as heavy or light. There is also 160 acres shown as public institutional which was originally considered as future needs, which Planning and Zoning was considering to change to Industrial. There was discussion regarding access to 1804 and additional traffic on 133<sup>rd</sup> (Stony Creek School road). At the Planning and Zoning Commission Meeting, there was neighbor discussion regarding the school and the school district is not in favor of the rezone. There was a neighbor at this meeting not in favor of a future lagoon in this area and they felt Weatherford would probably make an improvement in road conditions in the area. Upon further discussion, the Planning and Zoning Commission made a recommendation of approval of the rezone for both properties of 265 acres contingent upon: 1) a subdivision plat and development agreement; 2) Fire Flow water and City sewer extended; 3) Annexation; 4) Consideration with the plat and development agreement for access and road realignment on the northern property (from Rich Vestal's existing property to the West) allowing a second access point onto 1804 from the existing road indicated as Old Highway (on the application) for truck traffic as approved by D.O.T.; 5) Traffic Impact Study: Road safety standard considerations with the plat for traffic safety near the school (traffic engineer study for impacts of the industrial development on 133<sup>rd</sup>, safety and proximity of the school and impacts on the intersection with 1804). 6) Reserving the City an option for 40 acres to be determined with the platting process for future sewer plant expansion.

Wade Sundby, the developer trying to get the zoning change to M-2 Heavy Industrial, spoke to those present. He took this property over after the last oil boom, cleaned and kept it up. There are six oil wells on either side of this property, to the north of this is industrial and he feels changing this to industrial is the best way to go. He has had people wanting to put houses in this area and the city turned him down and now Weatherford wants to build, so he's trying to zone this industrial. He feels Stony Creek School should be more concern about the six oil wells around them and the smell of H<sub>2</sub>S, rather than the traffic around the area. He feels the road by the school is not that busy, and is a quarter of a mile off the highway with a speed limit of twenty five miles per hour. He would be willing to put speed bumps in the road and a stop sign at the school, with Weatherford paving and widening the road. His main concern is the kids and will make this as safe as he can and there are other intersections in town that are just as bad.

Greg McNary, Superintendent of New Public School District No. 8 was asked by his board to made a few comments to the Commissioners about this rezoning. Stoney Creek has been at the current location since 1950 and he expressed appreciation to Wade and Peggy for cleaning

up the area near the school. He is not sure right now that common sense is prevailing, with the explosives, man camps, hazardless materials and steep ditches near the school. There is already a bottle neck with traffic at the intersection from Highway 1804. There are 111 kids there and 12 instructors and their job is to minimize risk where it comes to working around kids. He is asking the board to utilize some common sense when making this decision.

Klug questioned McNary how the school monitors the H2S levels in the area. McNary responded at this point, nothing is being done because no one has been ill because of it. Klug also asked when the oil wells were developed and McNary did not know because it was before he was at the school.

Bekkedahl questioned if the school district had any mineral interests in these producing wells and McNary responded they do not due to leasing their property.

Nadine Ponder, who is a 1<sup>st</sup> grade teacher at Stony Creek School, commented she is concerned about bus and truck traffic on the road by the school with the higher enrollment and if the road could be moved.

Carolyn Wayley, Real Estate Manager for Western Region for Weatherford spoke to those present regarding the concerns the community has. Weatherford is completely in agreement to satisfy the subdivision plat and development agreement and they have commissioned a traffic study and will have the results on August 26<sup>th</sup>, 2011. At this point, they will determine what impact Weatherford will have on this area and would be willing to do improvements. She also suggested not be over speculate how many trucks would be coming in and out of this location, because it would be only 75 to 100 trucks per day.

Bekkedahl questioned if there would be other operations with trucks also on this road and Wayley responded they will only have their trucks at this time, they are not looking at any other subdivision at this time. Bekkedahl then asked for assurance for this not happening in the future and Wayley responded they would take into account if there are restrictions and want to be a great neighbor. Wayley wants the city to know they are willing to meet their obligations and conditions and also if they don't meet the conditions, this will be reverted back to Agriculture R5.

Koeser commented Weatherford has been in the community a long time and has a good track record. He is interested in the traffic impact study and is wondering what will happen if the traffic level changes. Wayley responded Weatherford would work with the city to see if this is something which could be improved, because they don't want to put their people into an unsafe situation either. They would look to improve this within reason and if they can't do this, they may look at relocating somewhere else, but this is not their preference.

Cymbaluk wondered why the traffic report is not available now and Wayley responded they are basing this traffic study on the Planning and Zoning recommendations of August 15<sup>th</sup> with a conditional use statement it can be reverted back to its previous use which is agriculture.

Koeser questioned the conditional use statement which Meiers explained was the plating, traffic study, development agreement and if this doesn't happen, it can revert back to what it was before. Meiers suggested changing this zoning to M1, instead of M2, but Wayley responded because of the pipe plant at the location, it needs to be M2.

Bekkedahl questioned why Weatherford can't build a secondary road away from the school if needed. Wayley responded to access the back southern area; they would have to put in a bridge with an estimated cost of two million dollars. This would be to fix a problem which exists today, which would be Rick Vestal's and Wade Sundby's expense, because he had asked for the zone change of all 265 acres and Weatherford is only purchasing 166 acres. Sundby is concerned about flooding in the areas of new and existing roads.

Klug questioned the reasoning why Weatherford is not locating to the west or north industrial areas where they are putting in city water and sewer and Wayley responded these parcels are not large enough and they need additional services such as the east side rail yard.

Robert Hagenson commented he owns 50 acres located a quarter of a mile east of Sundby's property and there is a lot of truck traffic on the road by the school already. We need to have industry here to have jobs and he is in favor of Weatherford building.

Doug Wynkof, a parent of a son who goes to Stoney Creek School and a truck driver commented on his concerns. They are regarding Hwy 1804 which comes off a hill and a curve, where traffic is suppose to slow down and they don't and he is concerned about the backed up and extra traffic.

Brian Ogram, who owns land to the east of this property, commented the truck traffic is horrendous and it is going to continue to be that way. He would like the road paved before anything is started, along with the widening of the school parking lot enter and exit areas. Wayley commented they are committed to paving the road as part of their process.

Jessa Bohls, a parent commented she sent an e-mail regarding her concerns to the Commissioners earlier, which she read to those in attendance. She is concerned about the traffic congestion and safety of the students.

Nora Keating who lives south of Stoney Creek School expressed concerns about the existing oil wells and the H2S odor in the area along with the traffic already there. She also expressed concerns about people dropping off dogs which run wild in the area and the school parking lot being too small. She expressed the problem has been there for awhile, not just because Weatherford is looking to come in.

Koeser informed those present he received a call from a person wondering why the school cannot be moved to a different location. He realized after viewing this location, the school is close to the road.

Kari Larmer, who has a daughter at the school commented regarding the road and the parking lot not being large enough. She is concerned about the extra truck traffic when this road is already busy, especially during the winter months when it's icy.

Bekkedahl asked Mr. McNary if there could be additional parking added around the school, so people would not have to park in the street to pick up their children. McNary responded the buses take up most the parking lot after school, and they don't own any land to add to it.

Sheryl Wynkoff commented she is not anti-oil and does not have an issue with Weatherford or any oil company being there and her concern is the traffic issue. Bekkedahl responded he appreciates everyone's passion for Hwy 1804 and would like those present to work with the DOT on this. Bekkedahl also commented when the City of Williston annexes, the school district boundaries don't change. Schools which are in District 8 will stay in that district unless the property owners petition to the State Education in Bismarck to request a change of school districts.

Loren Teske questions logistics regarding putting this on Hwy 1804 which has load restrictions, so then all the traffic will go south through the center of town to Hwy 2 to get out. There is a bypass proposed around the city and he is wondering if it would be more feasible to put Weatherford where the bypass is going to be.

Ryan Hilliband questioned why couldn't there be a flashing light at the top of the hill on Hwy

1804 and on the other side of the trestle and then put a light at the intersection. Also, why can't there be stop signs on each side of the hill to slow the traffic down. Koeser answered this is something the state would have to approve. Meiers commented the traffic operations study should be recommending this along with more intersections as you come into Williston. The city needs to go through the State Highway Dept. for all signals, 4 way stops or blinking lights. Bekkedahl informed those present the State Highway Dept denies our requests more than they approve them and public support is important.

Koeser called a second time for public input.

Angela McCabe who has three children at Stoney Creek School expressed concerns about traffic and safety in the area if Weatherford builds in the area. Her children used to ride the bus, but after coming home with horror stories about near misses regarding trucks during last winter, she now drives them to school herself. She also feels country culture is being taken away from the kids of the school with the building of Weatherford.

Koeser called a third time for public input.

Carol Scanlan who is a parent and teacher at Stoney Creek School commented to put the needs of the children above all else because they are the future. She also asked the school be kept in mind because there is a lot of love for it. Klug questioned her if the busing to the school is adequate and what kind of job it does and Scanlan responded they do an excellent job, with great bus drivers. The teachers bring the children to the buses and know they are on it completely. The children are taught to be very cautious of the buses and the bus drivers do a great job. Klug questioned why parents are taking their children to school and parking on the road when there are buses. Scanlan feels this is due to safety issues or maybe the child has an activity at a certain time, so the school has this option.

Sheryl Wynkoff commented the issue with parents picking up children and safety is going on at every school in town. She doesn't think we should consider putting major truck traffic by any of the schools.

Holly Sagaser, who is a bus driver for District Eight, commented she does encountered heavy truck traffic on all the roads. She feels a lot of truck drivers do not have respect for other drivers on the roads, including pulling out in front of people and not using their blinkers. She is confident in her driving skills, but finds the area is increasing more dangerous after living here for twenty five years and she is worried about the kids on the bus being involved in an accident. She is very cautious at the intersections by the school and pulling out on Hwy 1804 and does not see room for expanding the parking lot. She feels there are too much of a risk by adding the traffic from Weatherford along with the existing traffic. Sagaser questioned how to contact the State regarding highways in this area and Koeser suggested meeting with Commissioners Klug or Bekkedahl to get this information.

Koeser called a final time for public input.

Larry Slingsby commented he has a commercial trucking license and he sees a lot of trucks running stop signs, etc. He expressed the need for law enforcement to write more tickets even with the headache of going to court.

Koeser closed the public hearing.

Koeser informed those present this is the time for the commissioners to speak, not the public and then it will be decided.

Bekkedahl questioned Wayley regarding the traffic impact study with parents already parking on

this road with kids walking across this street, is the intersection at the school going to be part of the study or just the intersection to Hwy 1804. Wayley responded they were asked to look at the traffic anywhere on 133 as well as the intersection 1804. Bekkedahl asked if Weatherford would be open to looking at the parking at the school and also safety fencing in the front of the school, so kids would not run out on the road. Wayley did not want to speculate on the outcome of the traffic study, once the recommendations are made there will be decisions on how to handle Weatherford's traffic as well as being good neighbors.

Cymbaluk questioned why there could not be another road in this area, since this area is industrial and Meiers answered this would not be feasible because it's a flood plan. Cymbaluk questioned what would be the cost for services to the city to annex this area and he would like additional information regarding this before a decision is made. He was very concerned about the school and truck traffic in the area and the safety of the kids and he feels there are a lot of unknowns at this point. He feels this area cannot be zoned industrial, with the road and the school being situated on this land. Wade Sundby responded there are already oil wells there with tanker trucks, and Weatherford is a tool company with 70% pickup trucks. Cymbaluk expressed concerns about other oil companies looking at the other acres on this property that will be available.

Koeser questioned Mr. McNary on the costs to build a new school which wasn't close to this road and Mr. McNary responded it would be around 3 million dollars plus land costs.

Bekkedahl commented having more in depth discussions about this area after the traffic study, at which time Weatherford will discuss the results with the city and he would also like to include District 8 School in these discussions. He reminded Weatherford the subdivision plan and development agreement are part of the conditions for a zone change and Wayley responded they are not interested in subdividing.

Bekkedahl commended Wayley for all she has done to make this difficult process a good one to go through.

Meiers informed these present a condition of zoning is a subdivision plat and road improvements which will be reviewed and discussed.

Koeser informed the commissioners he is very interested in the traffic study and is willing to meet with Wayley early next week and then have a special city commission meeting later in the week to discuss this.

Cymbaluk agreed having a special meeting regarding the traffic study and also the costs of putting in city services in this area.

Bogar suggested tabling this issue until the traffic study is completed.

**MOTION BY BOGAR, 2<sup>ND</sup> BY BEKKEDAHL to table this motion until the traffic study is received and the Commissioners have a chance to review this and if necessary, to call a special meeting to address the development.**

Koeser informed those present this meeting will be advertised and even though this is not a hearing, the public is invited to attend.

Klug questioned if there was anybody in the oil industry who had any concerns with the H2S in the area of the school and Weatherford. Wayley would like their environmental department to address this instead of her. McNary expressed he has concerns and he will address this with the school's building and grounds committee.



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

Koeser called a five minute recess.

5. Accounts, Claims and Bills Not Approved in the Consent Agenda
6. Ordinances
  - A. 2<sup>nd</sup> Reading of Ordinance 937 – Mandatory Inspections and Fines for Sump Pumps Installation Violations

Koeser informed the commissioners they are dealing with the 2<sup>nd</sup> Reading of Ordinance 937 – Mandatory Inspections and Fines for Sump Pumps Installation Violations. The commissioners agreed earlier in principal this is needed, but there was an issue if someone had a sump pump that is needed in the winter. Furusetth added in a seasonal waiver and was wondering who would be making this decision and he also corrected the misspelling in the first reading.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY KLUG to approve Ordinance No. 937 on the second reading.**

Bekkedahl expressed concerns regarding who will be making the seasonal decisions and sees this as a difficulty due to staffing and informing the public. He asked Furusetth if this should be in the ordinance or will there be abuse without it. Furusetth responded he was uncertain, because he did not think any of the departments would want to get into the enforcement of this. Lalim informed those present with any new construction at the final inspection, they don't require a pump to be put in the hole, but they are requiring a connection to the outside be made. Bekkedahl suggested the wording be changed to "the property owners are allowed to discharge directly into the sanitation sewer system between October 1<sup>st</sup> and March 31<sup>st</sup> if necessary".

**MOTION BY BEKKEDAHL, 2<sup>nd</sup> BY BOGAR amending as presented to the attorney.**

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

**MOTION AS AMENDED to approve the second reading of Ordinance No. 937.**

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

7. Petitions, Communications and Remonstrance's
  - A. Denis Smith – concerns about water hook up before winter

Koeser introduced Denis Smith, who has concerns about water hook up. Smith pointed out the property he owns north of Williston to the commissioners which consisting of two lots. He already has approval for a septic tank on this property, but needs water. He would like to place a modular on one lot at this time and place another one on the other lot later. He understands this property may be annexed soon, to which Koeser responded there has been discussion of this. He knows there are issues between the City and Rural Water, but winter is coming and he is approaching the city why something can't be done. Bogar explained we are trying to work with Williams Rural Water to solve this problem. The city and Rural Water are trying to get to some agreement and have been going back and

forth on the language including the issues with revenue and infrastructure and we are waiting for the agreement from Rural Water at this time. Bekkedahl explained there is a provision with Williams Rural Water right now when we annex an area, in our current agreement we pay them the depreciated price for the equipment which is already there. They would rather the city give them a lump sum for every hook up they have in the annexation area. Every time the city lets another new user into the system, we end up paying a higher price and this negatively impacts the city. Smith explained he has been to Rural Water and suggested we get a third party involved to settle this. Bekkedahl responded this has already been done to some degree with other people being brought in. Kautzman asked Smith if he would pay the difference between the two rates and have it put in an account for the city to possible access for a possible situation. Meiers reminded Smith he will still have to pay the Williams Rural Water hook up fee of \$5,000 for the two lots. Bekkedahl explained Williams Rural Water will want both Smith and the city to pay the hook ups fees. Kautzman reminded the commissioners this will be part of the fill in annexation, which he does expect to be protested and then will have to go to the administrative hearing process, which will take more time. Smith asked if it could be voted as an option to do it the way of the difference in the money to do the hookup which would give him an option to make a choice. Klug expressed he wouldn't want to be the one (Bogar) after this, negotiating with Rural Water. Kautzman suggested adding this item to the special meeting which may take place before the next City Commission Meeting, which is three weeks away. Bogar suggested approaching Williams Rural Water and saying just the land owner, not the city is paying the full price for the hookups, which would still require their agreement.

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. Truck/Trailer street parking

Klug would like to see signs on the edge of town regarding No Truck/Trailer Street Parking in the city unless posted or have it by ordinance. These signs would be similar to the speed limits signs that say 25 miles per hour unless posted. Koeser questioned the trucks which deliver in town, and Bekkedahl suggested the sign say "Local Deliveries Only – All Other Truck Traffic Prohibited". Cymbaluk explained the Chief of Police is being asked to step in and enforce this and also to increase the penalty. Furueth questioned what this sign should say and Kautzman suggested working on it before the next meeting.

Thomas Ladwig explained to the commissioners the police dept. has been chasing trucks around for quite some time and they have increased their enforcement on the truck route. The \$100 fine is not popular with the truckers and there have been complaints, but there has not been anyone in court contesting this.

Koeser asked to keep in mind; it's not the bigger companies that cause this problem because they have shops/yards. The problem is with contractor truckers who have no shops and do their oil changes on the street/put their garbage on the street, etc. Bekkedahl mentioned a person had talked to him about when a person hires a contractor trucker, they should be required to have a place for them to park. Cymbaluk responded this issue has been discussed at length at the County Planning and Zoning Commission Meetings and we are trying to minimize the damage to the streets. Koeser mentioned Meiers has told him there is so much dirt on the streets, there is need for a bobcat to scrape it off, instead of using the street sweeper. Also, when no truck parking signs are posted by businesses, trucks park there anyway.

Klug explained these signs are one more way for the city to try to regulate the trucking business to follow the rules and he read 25% of trucks are not road worthy. Bekkedahl informed those present an operating weigh scale is needed here, which Senator Lyson is working on.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BEKKEDAHL to all allows our City Attorney to proceed with drafting an ordinance for such traffic violations.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

Furusetth requested any city commissioners e-mail him with suggestions for this ordinance.

- D. Fire, Police, and Ambulance Commissioner
- E. Water Works, Sewer, Airport, Building and Planning Commissioner
- 9. Report of Department Heads
- A. City Auditor
  - 1. 2012 Budget Hearing – September 13, 2011 at 6PM - Preliminary Budget handed out August 26<sup>TH</sup>

Kautzman announced he is looking for the Commissioners to set the 2012 Budget Hearing on September 13<sup>th</sup> at 6PM and he will start handing out paperwork for this tomorrow.

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

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- 2. Request from Dawa to use bases, poles, drapes for the Bakken Oil Product and Service Show on October 14, 2011

Kautzman presented a request from Dawa to use pipes and drapes for the Bakken Oil Product and Service Show on October 14, 2011. There has been a policy which states you can't rent things and take them out of the building, so he is bringing this to the commissioners.

Koeser asked if anyone in town rents these items and Kautzman was unsure but could make some calls on Wednesday morning.

Klug responded Convention and Visitors Center/KUMV have purchased pipes and poles for the Sports/Rec Show and Farm Show from outside the area, because there is no place locally to purchase these.

Cymbaluk questioned if we could get a deposit and Kautzman responded this is more labor and work to line this up.

Bekkedahl mentioned he notice on the letter it says they would pick up and return the equipment and Kautzman replied due to lack of staff, this would need to be done.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY BOGAR to grant the request provided they pick up and return the equipment in proper condition after it is used.**

Kevin Paschke from the Williston Area Chamber of Commerce informed the Commissioners the drapes have recently been cleaned and this was very costly. He recommended speaking with Dawa to make sure they don't hit the floor, etc.

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

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

- 3. Resolution authorizing the issuance of \$12,000,000 Taxable Certificates of Indebtedness Series 2011

Mike Manstrom informed the commissioners of the results of the Resolution authorizing the issuance of \$12,000,000 Taxable Certificates of Indebtedness Series 2011. This is the \$12,000,000 which is the interim financing for the new energy infrastructure and impact grant program. Interest rate on the bonds for 15 months is 1%, which is under what was anticipated originally and these bonds were all bought by regional banks. The resolution states this money will be wired to the Bank of ND as of September 7<sup>th</sup> with a fee and there is also an early call feature, so it can be paid off early with no cost.

Cymbaluk questioned the projects listed to be completed with the \$12,000,000 and Koeser explained by listing the projects, it does not commit us to completing any of them.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY BOGAR to approve the resolution authorizing the issuance of \$12,000,000 Taxable Certificates of Indebtedness Series 2011 to the city of Williston as presented.**

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

- 4. Tofte-Bean Industrial Park

Kautzman informed the commissioners part of this project was possible creation of an incremental district and he is asking for notice of hearing for this. Tofte is asking for half of the assessment cost being picked by an incremental district when the project first started. We are trying to move this process forward by basically setting a possible public hearing on this incremental district, there is a fifteen day time period when this has to happen. There are other resolutions Meiers and Tofte have worked on to create this district for an assessment, where if the incremental flows are not sufficient, we have the ability to assess against the property. The worst case scenario would be the assessments against the property would result in their delinquency and we would get the property back. Kautzman is asking the commissioners to approve the notice of hearing which would tentatively be set for September 13<sup>th</sup>.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to approve the notice of hearing.**

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

Meiers presented four resolutions which will create a district for this improvement area. These will create the district, direct an engineering report, receive the engineering report, and directing plans/specs. This is the assessment over lay, for the incremental district.

Cymbaluk asked if this commits us and Kautzman responded it does not commit us to anything at this point.

**MOTION BY BOGAR, 2<sup>ND</sup> BY KLUG to approve the four following resolutions which will create a district for this improvement area:**

**Resolution creating the water, sewer, storm drain and surface improvement District 11-7 .**

**Resolution directing the engineer for the city of Williston to prepare a report as to the general nature, purpose, and feasibility of the proposed improvement and an estimate as to the probable cost of work for water, sewer, storm drain & surface improvement District 11-7.**

**Resolution receiving the engineer’s report as to the general nature, purpose, and feasibility of the proposed improvement and an estimate as to the probable cost of work for water, sewer, storm drain & surface improvement District 11-7.**

**Resolution directing engineer for the City of Williston to prepare detailed plans and specifications for construction of the improvement project designated as water, sewer, storm drain & surface improvement District 11-7.**

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

5. Roof Issue above the City Commissioners Room

Kautzman informed the commissioners he pointed out some tears in the fabric line of the roof above the commissioner room to the people who are repairing the roofs of the fire hall and New Armory. He was hopefully it would cost \$1,700, but was told it would be \$9,000, which would cover the whole roof and give the city a 15 year warranty or \$7,000 which would repair the tears only.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY CYMBALUK to authorize the Auditor to enter a contract for roof replacement at a cost of \$9,000.**

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

C. Director of Public Works/City Engineer  
1. Change Order -#1 – West Water and Sewer Project

Meiers presented a change order #1 for the West Water and Sewer Project, which would provide larger rock bedding for the pipe, due to the extreme wet conditions this early summer. He is recommending approval of up to \$102,000.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY CYMBALUK to approve the change order as presented by the engineer in the amount of up to an increase of \$102,000.**

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

## 2. Micro Seismic Agreement

Meiers presented a Micro Seismic Agreement to conduct a hydro-fractural survey which would be monitoring the fracturing of wells in the area for Brigham to get a permit to run cables throughout the city. The payment to the city will be \$300 per linear mile.

Demo Gonzaloes from Micro Seismic informed the commissioners they have four lines consisting of 340 stations at 75 feet intervals in the city limits, where one is north of the airport, Wal-Mart and the Red Barn. They will be monitoring a well northwest of the city and these lines would be using road right of ways, alley ways, so they are not disturbing the public. All lines crossing property will be protected, taped down and signed to make visible to the public. The southern part of the project goes south of the bypass, but they will use major roads only and stay north of the bypass, due to the busy traffic in this area.

Koeser questioned how long the cables will be there and Gonzaloes answered they would be there for two weeks using no energy sources.

Klug questioned when this will be done and Gonzaloes responded the frac is scheduled for November 15<sup>th</sup>. Klug asked about the lines when the city does snow removal and Gonzaloes responded they will remove the cables and then place them again when the removal is done. Klug questioned what responsibility the city has if we hit one of the lines and Gonzaloes responded the city is not liable and it will be replaced. Kautzman asked for the mileage estimate and Gonzaloes responded it is approximately 3 1/2 to 4 miles. Klug questioned Gonzaloes about disturbing the home owners when these lines are placed and was answered they would start around 9AM and quit working by 5PM, with a truck patrolling to keep people away. Klug asked about making public announcements regarding this and was answered they could do this and will be passing out cards for people with information to call and Bekkedahl suggested purchasing ad space in The Herald with contact numbers to announce this.

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

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

## 3. 4<sup>th</sup> Ave West Project

Meiers informed the commissioners of a request for another property to receive city water and sewer on the north end of 4<sup>th</sup> Ave West, which is the property the H & H building, is located on. They have asked the consultant engineers to consider this in the plans, if the commissioners okay this and no one objects, which there were none.

## 4. Landfill permit

Meiers announced they need an application to expand the landfill inert and modify the permit at a cost of \$2,000. There is an Ad for Bid to expand the landfill inert as well as work on the side slope lift station raiser, where there were no bids earlier. This is bid opening is scheduled for September 22<sup>nd</sup> at 3PM at City Hall. Meiers is looking for authorization for the permit modification for the mayor to sign.

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

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- 5. 139<sup>th</sup> Ave W street and sewer project

Meiers announced the plans have been completed and a bid opening is scheduled for September 13<sup>th</sup> at 11AM at City Hall for this project.

- 6. Dump truck/sander bid

Meiers is requesting an ad for a Dump truck/sander to go out for bid. This sander would have a unit capable of pre-wetting abilities where liquid chloride can be added to sand to assist with ice conditions. This has already been budgeted for and he is looking for permission to get this started.

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

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- D. Fire Chief
  - 1. Regional response to hazardous materials contract with the state.

Hanson informed the commissioners of a memo of understanding with the State of North Dakota involving regional response to hazardous materials, which started in 1998. This is the final revision which has gone through the four major cities (hubs) and now through the four smaller communities (sub-hubs). This is a memo of understanding saying if the Fire Dept. is called out, they have certain obligations but if they cannot respond, they do not have to. This is equipment which has been given to the dept. by the state since 2001, so this came out before they came up with the plan. If the contract is approved and signed by the Mayor and City Auditor, it will be made into a statement and sent back to us.

**MOTION BY CYMBALUK, 2<sup>ND</sup> BY BOGAR to approve Chief Hanson's request.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- E. Chief of Police
- F. Building Official
- G. City Planner
  - 1. Final Plat review for Ironwood Industrial Park Subdivision and Development Plan - Owan/Morice

Jarcik explained this is a final plat review for Ironwood Industrial Park Subdivision and Development Plan. He received the development plan, which was sent out and reviewed with staff recommendations for approval. The final recommendation is to approve the final plan and development plan with staff corrections for Ironwood Industrial Park Subdivision, subject to the title opinion's final review by the City Attorney, signing of non-protest agreements and any necessary final plat corrections.

**MOTION BY BOGAR, 2<sup>ND</sup> BY KLUG to go with the recommendations of the City Planner.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- H. Economic Development
  - 1. STAR FUND
    - a. Horab Auto Sales – Flex PACE

Wenko explained Horob Auto Sales is seeking a Flex PACE up to \$24,999 for a project of overall cost of \$600,000 to build two new buildings and provide site improvements. Horob's plan is to move into one of the buildings and lease out the other buildings, which will help two existing businesses who are currently being displaced. The Star Fund Board recommends to the City Commission to approve a flex pace up to \$24,999 for Horob Auto Sales to build two new buildings and to provide site improvements.

Klug questioned if there has been anything done in this area regarding the drainage problem when building. Meiers responded there is an agreement with them to grade the ditch or alleyway with approval of adjoining property owners (Old Westland), which they did and the city also provided them gravel, so the drainage is taken care of. Bekkedahl informed Klug this issue was brought up at the Star Fund Meeting and Horob responded he had addressed the drainage at the site.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY KLUG to approve the Flex PACE up to \$24,999 for Horob Auto Sales to build two new buildings and to provide site improvements.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- b. Ekblad, Inc. – Flex PACE

Wenko explained Ekblad, Inc. is requesting a Flex PACE up to \$10,000 on a \$200,000 project to build a warehouse behind Ekblad Development Center. The reason is Ekblad has a high number of sales and he is running out of space and needs more storage space for appliances, TVs, etc. The Star Fund is recommending to the City Commissioners to approve a flex pace of \$10,000 for Ekblad, Inc. to build a new warehouse.

Cymbaluk asked if Ekblad would be willing to clean up the junk (tires, etc.) in the alley and Wenko replied he would ask him.

**MOTION BY KLUG, 2<sup>ND</sup> BY CYMBALUK to approve the Flex PACE of \$10,000 for Ekblad, Inc. to build a new warehouse.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- c. Baha Petroleum – Flex PACE

Wenko explained Baha Petroleum is requesting a Flex PACE up to \$24,999 towards the building of their new facility with an overall cost of \$950,000. They have purchased land where A-1 Auto Savage used to be located and is starting to build their new facility. This new facility will be divided into three businesses with land man services, safety consulting and roustabout services. They employ 52-55 employees and have been adding one employee on an average about every two weeks.

Klug questioned if this was an area of possible annexation and Wenko said this subject did come up and the owner is open to annexation, which he did agree to sign a waiver of protest.



**MOTION BY CYMBALUK, 2<sup>ND</sup> BY KLUG to approve the request of \$24,999 to Baha Petroleum subject to him to agree to sign a waiver of protest with the City.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

d. C & D Water – Flex PACE

Wenko explained C & D Water is requesting a Flex PACE in the amount of up to \$24,999 to build a new facility in Williston, next to their existing building for the expansion of their business. They wish to do a higher volume of bottle water, along with starting an ice business. Cymbaluk asked if they have to tap into Broadway for water and Meiers responded they would share a sewer line with the existing building.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY CYMBALUK to approve the Flex Pace for up to \$24,999 for C & D Water Services to build a new facility for expansion of the current business.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

e. North Dakota Public Transit – Community Build

Wenko explained North Dakota Public Transit is requesting \$50,000 out of Community Build Funds to build/finish the office space in the new transit storage facility. They currently have received \$700,000 from the ND Dept. of Transportation to build this storage facility. Northwest Dakota Public Transit also provided \$35,000 to this project which basically provides four buses in Williston, one bus in Crosby which travels to Williston three times a week and also provides one bus in Watford City and one in Ray/Tioga.

Bekkedahl commented this is a great quality of life feature for people with disabilities and he expressed appreciation to AJ Mock for doing this.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY CYMBALUK to approve this Community Build Grant for \$50,000 for North Dakota Dakota Public Transit to build/finish the office space in the new transit storage facility.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

f. Lutheran Social Services – Community Build

Wenko explained Lutheran Social Services is requesting \$25,000 from the Community Build Fund to provide financing for 10 new low income townhouses in Tioga. The total cost of the project is \$1,136,450 and the Tioga fund has invested \$50,000 into the project. Currently, Tioga has no low income housing and they are looking to provide housing for teachers, municipal workers, and main street employees.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY BOGAR to approve the community build grant for \$25,000 for Lutheran Social Services to finance the building of low income townhouses in Tioga.**

Bekkedahl informed the commissioners at The Star Fund Meeting it was brought up this is a huge step forward for Tioga to commit \$50,000 to this project and would like to see some of this grant money for Williston.

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

g. Williston Chamber of Commerce – Community Growth

Kevin Paschke informed the commissioners The Williston Area Chamber of Commerce is hosting the Williston Basin Energy Festival at the fairgrounds in celebration of the 60<sup>th</sup> year of oil. The event scheduled to be held on September 17<sup>th</sup> will have a variety of events such as a parade with the governor as the Parade Grand Marshall, kid's events, a food festival, contests, a pageant, an awards ceremony and a band and dance. The Williston Area Chamber of Commerce has \$100,000 in matching scholarships and is asking for a grant from the STAR Fund in amount of \$10,000 to assist with the festival. The Star Fund Board is recommending the City Commission approve this grant. Paschke explained this event will be a money maker with around \$40,000-\$50,000 profit. Cymbaluk questioned if this kind of profit is made, would they give the STAR Fund money back to the city. Paschke explained they will net \$100,000 with some of this money being in kind funds. Klug expressed concerns about if this event is going to make \$100,000 and they are asking for \$10,000 for the STAR Fund, unless there is a stipulation to pay it back. He expressed the STAR Fund has been very supportive to the Chamber with a \$30,000 grant before. Koeser responded the Chamber is doing this for the community and they are putting this together and doing all the work for us. Pasckhe said he would be more than happy to give the money back, but the challenge is to have the city listed as a sponsor on all the advertising the media has out there already. Klug responded he has issues with giving this money to have a celebration, when there are other needs in this area.

Fire Chief Hanson questioned if the Fire Dept will be needed at this event and Pasckhe responded Mercy Medical Center will take care of the medical needs for this.

**MOTION BY BEKKED AHL, 2<sup>ND</sup> BY KLUG that the City Commission approve a Community Growth Grant in the amount of \$10,000 to the Williston Area Chamber of Commerce for the Williston Basin Energy Festival that benefits the City of Williston as well.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

h. Budget Home Furnishings – Mini Match

Wenko explained this is for a mini match of \$5,000 for Budget Home Furnishings to do a remodeling of their store front, with a total project cost of \$29,819.

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

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

Wenko informed the commissioners \$175,000 has been committed toward \$4 million worth of improvements to our community.

- I. Airport
  - 1. Bakken Air Lease

Bogar informed the commissioners regarding the Bakken Air Lease, which is Executive Air who would have a flight between here and Bismarck on a scheduled basis. We have been going back and forth on lease negotiating and they have not been able to confirm all their flights, so they asked to make changes to this lease. The price for the first 4 months would \$50 per arrival, then after this it would go back to the original terms of the lease.

**MOTION BY BOGAR, 2<sup>ND</sup> BY BEKKEDAHL to approve the lease change for Bakken Air as presented.**

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

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 5-0**

- 2. Airport Construction Brief

Bogar updated the commissioners on grant funding which has been received for the mill/underlay of runway, which has gone out for bid. The bid closes on September 1<sup>st</sup> with tentative construction dates October 8<sup>th</sup>-15<sup>th</sup>, depending upon contractor's scheduling. During this time, the airport would be closed for air traffic, so this notice will be given to commercial/private flights.

- J. Assessor
- K. Convention and Visitor's Bureau
- 10. Appointments and Consultations with Officers
- 11. Unfinished Business
  - A. Attorney General Request on 11<sup>th</sup> St Apartments

Koeser announced no word has been heard on this and it will be left on the table.

- B. Ordinance regarding Truck Route Enforcement

Koeser announced this has been covered in the previous section of the meeting and Furuseth said he was working on it.

- C. Williston Development Use Agreement – Link Development, LLC

Koeser read a memo from the Planning and Zoning Department which stated not to allow ground floor workforce housing/residential dwelling units in the C-2; General commercial zoning district. This is the area south across from Wilkerson School. Bogar informed the commissioners the developer will re-work their plans and see what works within the zoning.

**MOTION BY BEKKEDAHL, 2<sup>ND</sup> BY CYMBALUK to remove this item.  
MOTION CARRIED UNANIMOUSLY.**

D. Request for no left turn for trucks sign on Lindsey Implement Road

Tyler Goodman from Borsheim Crane commented they are on this intersection every day and the longest they have waited at this approach is forty two minutes to get from their shop unto the road. He said it takes shorter time to make a left turn, than it does a right one and then turn around. Cymbaluk suggested Goodman contact the Legislatures in Bismarck aggressively on why we need lights at the four mile intersection. Bekkedahl questioned when making this request to Peterson it forces them to look at this area, even though they don't approve it. Meiers commented since this is annexed area, it will come back to us to do the study to see if it is warranted.

Koeser commented we will leave this as pending to see how Walt Peterson responds.

E. Williams County Apartment Issue

The City has not heard anything on this, so it is on hold until the County responds to this issue. Bekkedahl questioned if their request fits proper zoning and Jarcik responded it would have some issues in zoning meetings and is now zoned C-3, restricted commercial. It needs to be re-zoned to R-3 or R-4, where a 2 acre district is needed, but this is only half acre property.

F. Trenton Water

Furuseth is preparing documents regarding this issue.

G. EnerMax Request

Meiers has looked at this and some of the property we can serve and he is making provisions to do this. Kautzman suggested this issue be put on hold and he will talk to them about annexation.

H. Crow Fly High Lease Assignment Request

Kautzman explained after the last meeting, Tofte was going to get some assignments back to the commissioners. Koeser asked Kautzman to ask him about this before the next meeting.

12. New Business
13. Executive Session
14. Adjourn

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