

OFFICIAL PROCEEDINGS
 OF THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS HELD
 SEPTEMBER 27, 2011 AT 5:00 PM AT CITY HALL IN 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, Pete Furuseth, Alan Hanson, James Lokken, Doug Lalim, Monte Meiers, Kent Jarcik, Shawn Wenko, Shannon Innis

President Koeser entertained a motion to amend the agenda and add 7 A - Williams County Building, C1 Truck Route Ordinance, and E1-Rural Water Agreement and under 61- there will be a second reading of the ordinance to raise the Commissioners salaries, under 9G5 - Timbers Temporary Construction and under New Business - Risk Assessment, Basin Cab, Ballot Language Review, and 139th Storm Sewer Addition.

MOTION BY KLUG, 2ND BY BEKKEDAHL to adopt the agenda as amended.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

2. Consent Agenda

- A. Reading and Approval of Minutes for:
 - 1. Regular Meeting dated September 13, 2011
 - 2. Special Meeting dated September 1, 2011
 - 3. Special Meeting dated August 16, 2011-added minutes.
- B. Auditor
 - 1. Accounts, Claims and Bills

Combined Check Register
 For Checks between 09/13/11 - 09/26/11

Check #	Vendor/Employee/Payee Number/Name	Check Amount	Date Issued
-84925	56070 TATE A. CYMBALUK	0.00	09/23/11
-84924	12020 RANDY M DONNELLY	1171.00	09/23/11
-84923	12017 JOHN L. KAUTZMAN	2347.58	09/23/11
-84922	12028 RAINNIE L. LADUE	1027.17	09/23/11
-84921	12018 SANDRA K. SOLBERG	1411.74	09/23/11
-84920	56119 CHEYENNE E. CHINEA	1050.86	09/23/11

-84919	13026 KEVIN W. CRAFT	944.19	09/23/11
-84918	56118 KATALIN C. MAGYAR	886.95	09/23/11
-84917	13025 JOLEEN S. TINKER	1268.90	09/23/11
-84916	14021 BRAD D. BEKKEDAHL	292.48	09/23/11
-84915	14024 BRENT BOGAR	356.11	09/23/11
-84914	14025 HOWARD D. KLUG	13.33	09/23/11
-84913	15004 JANET B. ZANDER	1321.65	09/23/11
-84912	56087 CODY M. BAKKEN	1179.58	09/23/11
-84911	18021 ROBERT J. BENTH	218.79	09/23/11
-84910	18022 SHARYL J. BUSCH	1732.49	09/23/11
-84909	18028 DAVID C. DONNER	1913.82	09/23/11
-84908	56127 RICHARD S. FISHER	245.90	09/23/11
-84907	18026 MATTHEW L. GARDNER	1814.14	09/23/11
-84906	18001 ALAN K. HANSON	1831.74	09/23/11
-84905	18100 TANA L. HINRICKSEN	1618.08	09/23/11
-84904	56101 SUSAN G. HOLMEN	343.33	09/23/11
-84903	18027 STEVEN D. KERZMANN	1420.94	09/23/11
-84902	56107 VICTORIA L. KREGER	59.20	09/23/11
-84901	18099 ERICA J. MYERS	5.90	09/23/11
-84900	18024 JONATHON RASMUSSEN	2074.47	09/23/11
-84899	56130 ANDREW A. SAILER	1148.07	09/23/11
-84898	18020 RICHARD SHEARER	1760.21	09/23/11
-84897	19024 DAVID L. BELISLE	1087.99	09/23/11
-84896	19092 DUSTIN J. BERTSCH	1367.48	09/23/11
-84895	19028 MARK R. BITZ	1707.90	09/23/11
-84894	56097 ALAN C. BRATT	1269.97	09/23/11
-84893	56121 DUSTIN R. CELANDER	1180.34	09/23/11
-84892	19076 CORY G COLLINGS	1490.54	09/23/11
-84891	56113 MINDY SUE DEGENSTEIN	889.00	09/23/11
-84890	19009 LINDA R. GRANBOIS	964.04	09/23/11
-84889	56147 JACOB J. GREGORY	1264.95	09/23/11
-84888	19017 MARK HANSON	1421.24	09/23/11
-84887	19082 RANDY M. HAUGENOE	1446.25	09/23/11
-84886	56102 MICHAEL A. ISENHOWER JR	1271.93	09/23/11
-84885	19012 THOMAS L. LADWIG	1735.10	09/23/11
-84884	19011 JAMES L LOKKEN	2264.65	09/23/11
-84883	56082 TRAVIS J. MARTINSON	1287.53	09/23/11
-84882	56061 AMY D. NICKOLOFF	1635.97	09/23/11
-84881	56078 DAVID A. NYGAARD	1198.94	09/23/11
-84880	19014 KENNETH B. OWENS	1535.23	09/23/11
-84879	19098 DAVID A. PETERSON	1419.27	09/23/11
-84878	56148 JONATHAN D. ROGGENKAMP	1200.72	09/23/11
-84877	13027 CRYSTAL A. SCHAUBEL	1229.33	09/23/11
-84876	56052 JAMESON J. O. SEIM	1198.94	09/23/11
-84875	56098 JAKE O. SNYDER	1293.69	09/23/11
-84874	19077 MICHAEL S. WILSON	1365.68	09/23/11
-84873	19100 RYAN C. ZIMMERMAN	1219.23	09/23/11
-84872	20047 KELLY M. ABERLE	1189.28	09/23/11
-84871	56094 AMY R. DILLY	998.24	09/23/11

-84870	20045 DOUGLAS I. LALIM	1509.64	09/23/11
-84869	56090 RONALD W. ROLLE	1329.21	09/23/11
-84868	21051 CARL S DUNN	1430.01	09/23/11
-84867	21040 MONTE C. MEIERS	1889.39	09/23/11
-84866	21054 WAYNE A WIEDRICH	2110.94	09/23/11
-84865	22020 ROBERT D. KNAPPER	1503.98	09/23/11
-84864	56100 BILLY J. BAKER	1270.60	09/23/11
-84863	23078 DON A. EIDE	1786.45	09/23/11
-84862	56128 VERNON L. HENDRICKSON	1140.24	09/23/11
-84861	24018 EFFIE J. BROWN	1043.93	09/23/11
-84860	24019 ROBERT D. COUGHLIN	825.15	09/23/11
-84859	56095 DARREL G. GROTEBERG	620.10	09/23/11
-84858	24017 STEVEN W. JENSEN	1240.91	09/23/11
-84857	24013 THOMAS C. POTTER	1106.78	09/23/11
-84856	56104 DANIEL W. TUPA	1705.76	09/23/11
-84855	25110 KENNETH W. BERGSTROM	1386.87	09/23/11
-84854	12029 LORI A. LARSEN	850.76	09/23/11
-84853	27076 DANNY R. GERGEN	1199.04	09/23/11
-84852	56091 JAMES A HAGA JR	1159.83	09/23/11
-84851	56084 KENNETH R. BOYKIN	1209.13	09/23/11
-84850	56114 ANTHONY D. DUDAS	1061.51	09/23/11
-84849	56110 ADAM M. FREEMAN	1266.27	09/23/11
-84848	56086 STEVEN C. KJERGAARD	1562.92	09/23/11
-84847	56120 VICTORIA M. RUBLE	1077.40	09/23/11
-84846	34017 KENT A. JARCIK	1858.23	09/23/11
-84845	56134 JESSICA L. KAISER	981.03	09/23/11
-84844	34016 ELAINE B. SINNESS	596.71	09/23/11
-84843	35025 JOSILYN F BEAN	1151.90	09/23/11
-84842	56079 BRENDA SEPTKA	999.81	09/23/11
-84841	56042 LEPRIEL M. WHITE	442.15	09/23/11
-84840	56039 KERI L. BODA	655.21	09/23/11
-84839	56111 ANDREA L. MITCHELL	616.23	09/23/11
-84838	56136 TAMMY L. ROBINSON	383.17	09/23/11
-84837	48013 DEBORAH A. SLAIS	1031.34	09/23/11
-84836	48034 YVONNE A. TOPP	395.67	09/23/11
-84835	48089 CLARA WEGLEY	640.93	09/23/11
-84834	52013 SHANNON K. INNIS	877.43	09/23/11
-84833	52011 ANN M. KVANDE	1100.48	09/23/11
-84832	56041 BARBARA J. PETERSON	728.67	09/23/11
-84831	52003 THOMAS C. ROLFSTAD	2132.57	09/23/11
-84830	52020 SHAWN WENKO	1408.40	09/23/11
-84829	56109 PAULETTE K. BAUER	738.94	09/23/11
-84828	53006 LAURIE K. BECKER	165.59	09/23/11
-84827	53005 BOBBI JO CLARKE	905.60	09/23/11
-84826	53002 AMY A. KRUEGER	1319.11	09/23/11
-84825	56080 BRAD E. SEPTKA	2962.76	09/23/11
-84824	54008 TAMMY K. WRIGHT	1030.61	09/23/11
-84823	FIT U.S. TREASURY	57771.54	09/21/11
45054	673 CLERK OF DISTRICT COURT	1000.00	09/13/11

45055	999999 DEBRA OKLAND	10.00	09/13/11
45056	999999 JODY MATTSON	600.00	09/13/11
45057	999999 LINDA PETERSON	587.38	09/13/11
45058	999999 MORAD TADROS	470.00	09/13/11
45059	601 BLACKHAWK AGENCY, LLC	2268.00	09/15/11
45060	999999 DAKOTA BRONSON	250.00	09/16/11
45061	999999 DONALD THORNTON	280.00	09/16/11
45062	999999 ERIC OGLE	200.00	09/16/11
45063	999999 ERNEST RUGGIERO	150.00	09/16/11
45064	999999 JAYSON FLORES	250.00	09/16/11
45065	999999 JOSEPH ROICE	400.00	09/16/11
45066	999999 LADONNA KITTLESON	250.00	09/16/11
45067	999999 MARIO VEGA	1500.00	09/16/11
45068	999999 SHANON JOHNSON	250.00	09/16/11
45069	623 FLEET SERVICES	3397.62	09/20/11
45070	8 ALL SEASONS SPORT ABOUT	364.00	09/20/11
45071	212 KOTANA COMMUNICATIONS	1894.00	09/20/11
45072	245 MEDQUEST INC	685.37	09/20/11
45073	359 PRAXAIR DISTRIBUTION INC	454.55	09/20/11
45074	453 THRIFTY WHITE PHARMACY	134.99	09/20/11
45075	526 WILLISTON TRUE VALUE	149.50	09/20/11
45076	999999 CHAZ BROWN	5.00	09/20/11
45077	673 CLERK OF DISTRICT COURT	500.00	09/20/11
45078	999999 DNJ SERVICES	3617.35	09/20/11
45079	999999 ELISHA WEBB	300.00	09/20/11
45080	999999 GARY HUNT	100.00	09/20/11
45081	999999 JESSIE BRYANT	190.00	09/20/11
45082	56108 PATRICA A. BUCK	720.30	09/23/11
45083	12026 KAREN P. LARSON	929.39	09/23/11
45084	56146 ASHLEY R. FORSBERG	923.73	09/23/11
45085	14020 E. WARD KOESER	137.87	09/23/11
45086	17016 TOM J. GLENN	922.61	09/23/11
45087	18019 THOMAS R. BLOCH	1786.03	09/23/11
45088	18094 MICHAEL CASLER	215.11	09/23/11
45089	18096 TRACY C. KERZMANN	514.20	09/23/11
45090	18070 JEANNE M. SAGASER	44.81	09/23/11
45091	18046 GARVIN SEMENKO	14.86	09/23/11
45092	18097 DUANE S. WINTER	27.83	09/23/11
45093	56142 TRAVIS L. CARLSON	1217.88	09/23/11
45094	19095 WALTER H. HALL	1236.70	09/23/11
45095	19056 CHARLES TANNER	1323.40	09/23/11
45096	21041 ROBERT E HANSON	2045.54	09/23/11
45097	56105 EDWARD A LODWIG	280.83	09/23/11
45098	21052 RAYMON J. SGOGEN	1120.91	09/23/11
45099	22021 LES CHRISTENSEN	1440.95	09/23/11
45100	22014 GARY L. GLOVATSKY	1154.56	09/23/11
45101	56140 AUSTIN J. CORCORAN	471.12	09/23/11
45102	23136 JAMES B. ENGEN	1405.22	09/23/11
45103	23126 BRENT E. HANSON	1329.22	09/23/11

45104	23039 BRUCE A. JOHNSON	1142.76	09/23/11
45105	23142 ROBIN S OLIVERIA	1132.65	09/23/11
45106	25030 PEDAR A. ANDRE	1288.86	09/23/11
45107	27058 DAVID LEE BELL	2063.03	09/23/11
45108	25106 RICHARD S. ODEGARD	1148.42	09/23/11
45109	26039 DIANE K. ALBRIGHTSON	744.57	09/23/11
45110	27067 RICHARD D. BORUD	1174.25	09/23/11
45111	56068 JORDAN CORCORAN	1329.75	09/23/11
45112	27066 GORDON GRIMMER	1624.79	09/23/11
45113	27096 RUSSELL E. MOMBERG	1111.70	09/23/11
45114	27091 JOSEPH G. MONSON	1091.44	09/23/11
45115	56112 GARRISON CANTER	1085.48	09/23/11
45116	56133 DILLON BODIN	346.88	09/23/11
45117	56048 CURTIS E. PAGE, JR.	238.18	09/23/11
45118	31051 GORDON L. SMESTAD	1752.70	09/23/11
45119	56099 MARK C. AMONSON	1305.76	09/23/11
45120	56129 CHARLES E. OVERBY	832.07	09/23/11
45121	25112 DUANE F. OVERBY	1034.62	09/23/11
45122	32006 WILLIAM M. MCQUISTON	1128.36	09/23/11
45123	36006 NEIL W. BAKKEN	1525.91	09/23/11
45124	37008 LAVERN GOHL	1237.52	09/23/11
45125	56144 CRYSTAL M. BONNER	150.96	09/23/11
45126	56145 HEATHER BOOHER	636.24	09/23/11
45127	48102 KAYLA J. HELL	220.78	09/23/11
45128	56132 HALEY M. NELSEN	54.72	09/23/11
45129	56139 BILLIE R. PARKER	120.76	09/23/11
45130	56135 JEAN M. SMITH	652.67	09/23/11
45131	56066 ZACHARY G. CORCORAN	2080.76	09/23/11
45132	54065 PATRICIA K. FIORENZA	1313.32	09/23/11
45133	999999 TODD OR SANDRA MORRISON	50.00	09/21/11
45134	96 DAVE MCADOO	15.00	09/21/11
45135	114 DUANE BUSCHTA	15.00	09/21/11
45136	274 NANCY HOFFELT	15.00	09/21/11
45137	1056 A & F Electric, Inc.	112.75	09/26/11
45138	632 ACKERMAN-ESTVOLD	18278.75	09/26/11
45139	4 AGRI INDUSTRIES, INC.	1833.75	09/26/11
45140	6 AL MCFARLANE	3700.00	09/26/11
45141	11 ALVINA SKOGEN	85.80	09/26/11
45142	718 AMERIPRIDE SERVICES	106.69	09/26/11
45143	646 APPLIED CONCEPTS, INC	2812.50	09/26/11
45144	30 ASTRO-CHEM LAB, INC.	1296.00	09/26/11
45145	708 AT&T	350.00	09/26/11
45146	33 BAKER & TAYLOR CO.	401.95	09/26/11
45147	34 BALCO UNIFORM CO., INC.	104.00	09/26/11
45148	35 BANK OF NORTH DAKOTA	34996.83	09/26/11
45149	1337 BARTLETT & WEST	9306.90	09/26/11
45150	37 BASIN CLEANING	3000.00	09/26/11
45151	38 BASIN PRINTERS, INC.	220.00	09/26/11
45152	41 BERRY DAKOTA	874.00	09/26/11

45153	52 BORDER STATES ELECTRIC	238.41	09/26/11
45154	60 BROWN TRAFFIC PRODUCTS	840.00	09/26/11
45155	1054 C & D WATER SERVICES	6.50	09/26/11
45156	69 CARQUEST AUTO PARTS STORES	426.12	09/26/11
45157	616 CENTER POINT LARGE PRINT	160.56	09/26/11
45158	1349 CENTURYLINK	994.38	09/26/11
45159	80 CITY OF WILLISTON	7.85	09/26/11
45160	696 CMI, INC	54.77	09/26/11
45161	1363 CONSOLIDATED ENGINEERS & MATERIAL	1350.00	09/26/11
45162	86 CORY COLLINGS	20.00	09/26/11
45163	1355 DAKOTA HOSE & EQUIP. CO.	336.70	09/26/11
45164	1318 DAVE DONNER	100.00	09/26/11
45165	1365 DEZURIK	127.00	09/26/11
45166	568 DPC INDUSTRIES, INC	1360.88	09/26/11
45167	999998 E. WARD KOESER	58.47	09/26/11
45168	119 EBEL INC.	80.00	09/26/11
45169	549 ECONOMART	92.97	09/26/11
45170	577 EMERGENCY MEDICAL PRODUCTS	347.00	09/26/11
45171	126 EMRY'S LOCKSMITHING	13.60	09/26/11
45172	130 FARGO WATER EQUIPMENT CO	378.65	09/26/11
45173	857 Follett Software Company	50.21	09/26/11
45174	134 FORT UNION SUPPLY & TRADE	315.85	09/26/11
45175	777 FULKERSON FUNERAL HOME	65.00	09/26/11
45176	139 GAFFANEY'S	2810.51	09/26/11
45177	785 GALE CENGAGE LEARNING	1796.20	09/26/11
45178	1118 GARD SPECIALISTS	212.03	09/26/11
45179	1319 GARNEY COMPANIES, INC.	310879.75	09/26/11
45180	144 GRAYMONT WESTERN CANADA	6640.35	09/26/11
45181	615 HARTFORD STEAM BOILER	7850.00	09/26/11
45182	886 Hasler	215.40	09/26/11
45183	151 HAWKINS, INC.	1606.47	09/26/11
45184	153 HEIMAN FIRE EQUIPMENT, INC.	1371.00	09/26/11
45185	161 HOME OF ECONOMY	199.73	09/26/11
45186	162 HORIZON RESOURCES	29008.58	09/26/11
45187	163 HOSE AND RUBBER SUPPLY	77.32	09/26/11
45188	165 HOWARD SUPPLY COMPANY	40.19	09/26/11
45189	173 INFORMATION TECHNOLOGY DEPARTMENT	275.00	09/26/11
45190	1368 Jacqueline Allison	5000.00	09/26/11
45191	999998 JAMESON J. O. SEIM	25.00	09/26/11
45192	196 KADRMAS LEE & JACKSON INC	50308.72	09/26/11
45193	1366 KATHY MAGSTADT	48.75	09/26/11
45194	895 KDSR-FM	120.00	09/26/11
45195	1330 Kennedy & Graven Chartered	8500.00	09/26/11
45196	1299 KNIFE RIVER- NORTH CENTRAL	347049.06	09/26/11
45197	213 KUMV-TV	3686.00	09/26/11
45198	992 KXMD CBS11	120.00	09/26/11
45199	591 LEXIS NEXIS	19.97	09/26/11
45200	1070 Linda Holmen	127.60	09/26/11
45201	228 LINDSEY IMPLEMENT, INC.	109.62	09/26/11

45202	239 MATERIAL TESTING SERVICE	1233.00	09/26/11
45203	585 MCCODY CONCRETE PRODUCTS, INC	1834.28	09/26/11
45204	250 MICROMARKETING ASSOCIATES	113.51	09/26/11
45205	1372 MID-STATE SIGN	1780.00	09/26/11
45206	252 MIDCONTINENT COMMUNICATIONS	50.96	09/26/11
45207	261 MON-DAK PLG & HTG, INC.	288.00	09/26/11
45208	1150 MONDAK PORTABLES LLC	385.00	09/26/11
45209	243 MONTANA DAKOTA UTILITIES	27731.77	09/26/11
45210	1175 MONTANA DAKOTA UTILITIES	1300.00	09/26/11
45211	270 MURPHY MOTORS, INC.	99.94	09/26/11
45212	275 NAPA AUTO PARTS	1255.46	09/26/11
45213	320 NEMONT	3443.23	09/26/11
45214	763 North Dakota Oil Country	260.00	09/26/11
45215	1003 NORTH PRAIRIE SIGNATURE,LLP	311.00	09/26/11
45216	324 NORTHERN IMPROVEMENT CO.	746695.96	09/26/11
45217	327 NORTHERN SAFETY TECHNOLOGY	191.57	09/26/11
45218	333 NORTHWEST SUPPLY CO.	300.75	09/26/11
45219	340 OHNSTAD TWICHELL PC	14722.50	09/26/11
45220	1069 Oil Patch Hotline	69.00	09/26/11
45221	348 PACE CONSTRUCTION, INC.	541.69	09/26/11
45222	1371 PETERSON, DAVID A.	20.00	09/26/11
45223	1051 POET ETHANOL PRODUCTS, LLC	3244.73	09/26/11
45224	359 PRAXAIR DISTRIBUTION INC	41.67	09/26/11
45225	714 PROBUILD	352.69	09/26/11
45226	365 QUALITY BOOKS, INC.	22.00	09/26/11
45227	367 QUILL CORPORATION	194.36	09/26/11
45228	597 QWEST CORP. DBA CENTURYLINK QC	650.00	09/26/11
45229	1364 RAMADA GRAND DAKOTA LODGE	436.00	09/26/11
45230	711 RAY O'HERRON CO., INC	1835.56	09/26/11
45231	380 REEVES COMPANY, INC.	149.76	09/26/11
45232	388 RESULTS UNLIMITED	731.25	09/26/11
45233	415 SELECT FORD	457.12	09/26/11
45234	574 STARION BOND SERVICES	750.00	09/26/11
45235	594 THE DICKINSON PRESS - THE ADVERTI	155.00	09/26/11
45236	463 TRIANGLE ELECTRIC	1428.25	09/26/11
45237	1373 VILLAGE FAMILY SERVICE CENTER	3600.00	09/26/11
45238	488 VISA	558.08	09/26/11
45239	489 VISA	3033.89	09/26/11
45240	812 WALLWORK TRUCK CENTER	75.01	09/26/11
45241	496 WCS TELECOM	440.69	09/26/11
45242	501 WESTERN VET CLINIC	157.50	09/26/11
45243	503 WESTLIE MOTOR CO.	129.08	09/26/11
45244	509 WILLISTON AREA CHAMBER	10075.00	09/26/11
45245	513 WILLISTON COMMUNITY LIBRARY	115.00	09/26/11
45246	514 WILLISTON COMMUNITY LIBRARY	142.31	09/26/11
45247	518 WILLISTON HERALD	5525.44	09/26/11
45248	1369 Williston Sea Lion	3000.00	09/26/11
45249	525 WILLISTON TIRE CENTER	234.05	09/26/11
45250	526 WILLISTON TRUE VALUE	29.15	09/26/11

45251	527 WILLISTON VOLUNTEER	331.72	09/26/11
45252	1367 WZFG- AM	1000.00	09/26/11

Total Claims	302	\$1,724,877.78
Total Payroll		<u>226,605.93</u>
Grand Total		\$1,951,483.71

2. Application for a Local Permit or Charity Local Permit
 - a. Grand Voiture 40 & 8 300 Club - Raffle; October, 2011 - June, 2012
 - b. Coyote Wrestling Club - Raffle: October 29-30, 2011
3. Special Permit to Sell Alcoholic Beverages
4. Application for Arborist License
5. Application for Pesticide Applicator's Permit

C. Building Official

1. Application for Master Plumbers License
 - a. Gregory Johnson - Gregg's Reline Service LLC
 - b. Brian Uentsch - B & B Plumbing
 - c. Harlan Oengel - Precision Plumbing & Heating, Inc.
 - d. Jeremy Hauk - Ray Company
2. Application for Journeyman Plumbers License
 - a. David Beigel - Precision Plumbing and Heating, Inc.
3. Application for Fuel and Gas Piping Installers License
 - a. Gerald Branscum - Advanced Heating
 - b. Jeremy Hauk - Ray Company
4. Application for Master Mechanics License
 - a. Gerald Branscum - Advanced Heating
 - b. Chris Barton - C B Mechanical, LLC
5. Application for Journeyman Mechanics License
 - a. Jeremy Hauk - Ray Company
6. Application for Sewer and Water Installers License
 - a. Glenn Webster - Chris' Excavation

D. City Planner

E. Assessor

1. Abatement
2. Exemptions
 - a. Lot 3, 4, 5, 6 Block 6, Original Town site, City of Williston -Brian and Jody Bolinske - Expand Service Drug Pharmacy at 317 Main and open basement at 313 Main -Years exempt 2012-2014.
 - b. Lot 7 ex NW 10' x 20' & 33' vac 8th Ave E, Block 3, Wegley Addition, City of Williston - K & A Properties Interior remodel- Years exempt 2012-2014.
 - c. 2014.
 - d. Lot 1, Block 11, Timbers Subdivision, City of Williston -Philip J & Cheri L Beda - New single family residence -Years exempt 2012.

- e. Lot 5, Block 1, Creek side Ridge Subdivision, City of Williston – Shane and Jolayne White -New single family residence -Years exempt 2012
- f. Lot 1, Bailey Subdivision, City of Williston, -Todd and Karen McDaniel - New single family residence -Years exempt 2012
- g. Lot 8R Rear L 8,9, 10, Block 10Timbers Subdivision, City of Williston - David B. & Anita L. Sandberg -New single family residence –Years exempt 2012
- h. N 70' Lot 3, Block 4, Volney 3,d Rearrangement, City of Williston - Jonathon Korner -New siding and windows -Years exempt 2012-2014 h. Lot 14, Block 3, Airport 20d Addition, City of Williston - RHR Construction -Remodel Basement bedrooms and bathroom, install drain, tile and sump pump/replace windows and siding - Years exempt 2012-2014

MOTION BY BEKKEDAHL, 2ND 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
 - A. Land Fill Bid Opening

Meiers informed those present there was a bid opening for an inert landfill cell expansion and lift station improvements at the landfill. There were two bidders, Veit and Co. at \$365,347.50 and Lenex Sand & Gravel, Inc at \$749,945.00 and his recommendation is to award this bid to Veit and Co, which is under the engineer's estimate.

MOTION BY CYMBALUK, 2ND BY KLUG to approve this bid opening as submitted.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- 4. Public Hearings
 - A. Proposed Zone Change from C-I: Neighborhood Commercial to R-4: High-rise. Multifamily Residential for S 1/2 of Lot 1, and Lot(s) 2-7, Block 35, Bruegger Addition, City of Williston - JTM Properties/Brekke

Koeser opened the hearing.

Jarcik explained this was to redevelop the old LLC building in to apartment units with the first phase of 13 units and the second phase with 17 units. Items discussed at Adhoc and Planning and Zoning were the current and adjacent zoning, lot coverage and height of building. Recommendation from the Planning and Zoning Meeting was to approve the zone change contingent upon a 45ft height restriction, 32 unit maximum, off street parking standards are met, and not increasing the impervious surface foot print. Jarcik explained the Planning and Zoning Committee did not approve a site plan for parking layout.

Koeser asked for any public input.

Arlene Wells, who lives across the street to the west of this development questioned if this building was going to be rented out to elderly people or was it going to be regular apartments. Jim Brekke responded these apartments will not be designated to be rented to the elderly population and there are already doctors/nurses from the hospital interested in renting them. Mark Schneider with Life Heller Johnson Associates, who is the architect at this point, added there, will be some handicap accessible unit's on the lower level of the building.

Koeser called a second time for any public input.

Koeser called a third and final time for any public input. Hearing none the hearing was closed.

Bekkedahl questioned Brekke if there is a paved parking surface on the north end of this property and Brekke responded there was and this would stay in place for parking or possibly garage units in the future.

MOTION BY CYMBULUK, 2ND BY BOGAR to approve the request as submitted from the Planning and Zoning Commission contingent upon a 45ft height restriction, 32 unit maximum, off street parking standards are met and not increasing the impervious surface footprint.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- B. Proposed Zone Change from Industrial to C-2: General Commercial for Lot(s) 1&2, Block 1, Bakken Industrial Park Subdivision, Missouri Ridge Township - Granite Peak

Koeser opened the hearing.

Jarcik explained this proposal is north of where Sun Well is developing at this time and future annexation is expected with the city which would consist of two lots with 13 acres. This would be for a motel and additional commercial business oriented facilities. There was a recommendation to the City Commissioners from the Planning and Zoning Committee to approve this contingent upon annexation into the city and connection to city sewer and city water as approved by the engineering.

Koeser asked for any public input.

Rick Leuthold from Sanderson Steward, who is working with developer on the project offered to answer any questions regarding the proposed development.

Koeser called for a second time for public input.

Koeser called for a third and final time for public input. Hearing none the hearing was closed.

Bekkedahl questioned if this was part of the initial annexation which was done originally for this area and Koeser responded it was part of the proposed annexation but it has not been annexed yet as we are waiting on plat drawings and easements which need to be identified.

MOTION BY BEKKEDAHL, 2ND BY BOGAR to approve the zone change from Industrial to C-2: General Commercial for Lot(s) 1 & 2, Block 1, Bakken Industrial Park Subdivision, Missouri Ridge Township, contingent upon annexation into the city, and connection to city sewer and city water as approved by engineering.

Cymbaluk stated he was going to abstain from voting on this issued due to a contract representing the "E" family.

AYE: Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

ABSTAINED: Cymbaluk

CARRIED: 0-4

Review Petition to vacate a portion of 100' Street ROW for Halliburton Drive - Halliburton/Falk

Koeser opened the hearing.

Jarcik explained this is to vacate a portion of Halliburton Drive which would extend 26th on the north side. There was discussion of granting an easement of a water line along with drainage easements. There was also a comment from Mr. Sing regarding access to his property and as to whether 26th Avenue would be paved. The Planning and Zoning Commission did recommend approval contingent of completion of 26th Ave (to the NE) to gravel specs prior to vacation and the site plan (Exhibit) include appropriate water/sewer easement and a drainage easement for water drainage to extend to the north end (where new portion of 26th would be).

Koeser asked for any public input.

Furuseth stated there were liabilities issues for the city with this road just coming to an end.

Klug questioned if there is money in this project which needs to be recouped and when we were dealing with Sanjel, there was an agreement where they would pay the city back for the money spent to build the road and Meiers responded Halliburton probably paid for half of this.

Kautzman questioned before it was talked about charging for vacating right of way and why was this not done in this situation. Furuseth responded it is in the city's best interest if this happens and would save a lot of money down the line.

Bekkedahl questioned if 26th Ave would be built up north of there and Meiers responded it has been built already and part of the agreement is they would build this up and leave it gravel.

Koeser called a second time for public input.

Koeser called a third and final time for public input. Hearing none the hearing was closed.

MOTION BY BOGAR, 2ND BY BEKKEDAHL to approve the vacation following the Planning and Zoning recommendations.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

5. Accounts, Claims and Bills Not Approved in the Consent Agenda .

6 . Ordinances

- A. Salary Ordinance - the present ordinance states the President of the Board receives \$900 and the City Commissioners receive \$600 per month. The purpose ordinance is to increase these salaries by 10% with salaries increasing to \$990 and \$660. The first reading was approved at an earlier meeting and the second reading now needs to be approved.

MOTION BY BEKKEDAHL, 2ND BY BOGAR to approve the 2nd Reading of this ordinance.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

7. Petitions, Communications and Remonstrance's

Koeser introduced Sheriff Busching and Williams County Commissioner Dan Kalil who presented on the Williams County Multi-Use Building. Kalil informed the commissioners they have been trying to solve their own employee housing problems and their plan is to build on the corner where the old city shop was.

Scott Busching, who was at the meeting representing the County Housing Committee, spoke to those present on this issue. He explained the need for housing for qualified applicants who want to come here to work and the fact he is losing employees who face an increase in rent and can't afford to work for the department anymore and this is what we need to do to play catch up now and for the future.

Jeff Morrow, architect and President of Artekta explained to the commissions h e was called on this project to provide some preliminary guidance. This is zoned C-3, which doesn't allow this to be an apartment complex only and there is a need for retail/office space in town. Parking issues and the requirement of commercial on the main floor were looked at also, with a preliminary drawing prepared. The ground floor will be 3,000 square feet of commercial or retail space with a store front toward Broadway. There will be tucked under parking and additional parking at the back of the site for the tenants and they believe they have met the parking requirements. There will be 18 units of housing available with a mixture of one, two and three bedroom, which consist of about 6,000 square feet each.

Bekkedahl questioned if more property is needed to satisfy parking requirements and Morrow responded at this time parking requirements have been met according to their preliminary review.

Kalil explained on the main floor, they are hoping to relieve some of the crowding in the Court House by moving some agencies there.

Kautzman questioned Kalil if they would consider any co-investments with the city, as we are struggling with housing units also and this will be placed on a property where a building was torn down and the lot was given to the County. Kalil responded the County's space needs will be evaluated first and the Housing Committee has discussed this. There is a priority system for

these units, with Law Enforcement being at the top and they are limited on the number of apartments built by the size of the lot.

Bekkedahl asked if the County would sell this back into the private sector once the housing need is over and Kalil responded this building is being built to be converted into elderly housing or entirely office space, so it has future value.

Meiers asked if the rents have been set yet on this and Kalil responded they have hired an attorney that specializes in this to lay out some guidelines for them.

Busching expressed the city/county are getting to the point if we want to provide services, we either provide housing assistance or we pay higher wages so employees don't leave us for the private sector.

Koeser expressed his thanks to the County for coming here to update the city.

Bekkedahl expressed appreciation to Scott Busching for his comments to the Bismarck Tribune regarding if the resources are brought to this area, they need to slow down the pace.

8. Report of Commissioners
 - A. President of the Board
 1. Resolution of Support for Williston State College

Koeser read the Resolution of Support for Williston State College to offer a Bachelor of Applied Science in Applied Management to those present. The college is asking the city to approve this resolution and it would be used as part of their application process with the state for a four year program.

MOTION BY BEKKEDAHL, 2ND BY BOGAR to approve the resolution of presented.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- B. Vice-President; Finance Commissioner
- C. Street and Improvement, Sanitation, Cemetery and Public Works Commissioner
 1. Truck Route Ordinance

Klug explained he would like to have the commissioners consider a truck route around the City of Williston. At a previous meeting with State Officials, it was indicated it may not be in the best interest to move the route again, but Cymbaluk, Meiers, Kalil and himself drove the route and discovered it was in our best interest to have it go through the property Mr. Cymbaluk is representing and then tie it back in to County Road 7. Cymbaluk went on to explain this would allow County Road 7 to go further north and tie into County Road 6 and this would allow two arteries into that property along with this route would be three to four miles less, take less time to complete and cost 15-20 million less to build. Cymbaluk explained it would still tie into the North Industrial Park and there are a couple of draws to deal with and it is just about down a section line. Klug explained County Road 7 has a great base to deal with the heavy truck traffic. Cymbaluk explained to move forward with this the city needs to approve, ratify the existing map, next week the County would ratify theirs and then it would be pushed to the State.

Koeser informed those present he received a call from Francis Ziegler last week and his goal is for the city to give him the final route on September 29" and he feels we could do it within a week of that time. If everything receives approval, the DOT would start the preliminary work right away, so bids could go out in January of 2012 and next year the rough road would be put in.

Cymbaluk explained t h e northwest corner of the proposed truck route, which is going to Planning and Zoning to be zoned industrial and a decision needs to be made to go straight and then curve off or do we come through the center of the property and go to the northwest, moving it up a half mile. There are three different owners of the properties involved that we need to deal with and there is a half mile connection to deal with.

Bekkedahl questioned why we can't just do what it shows versus trying to open up new discussions with people we have no guarantees with regarding going further north.

Meiers expressed concerns about assess control with the people who want to build a long the truck route. Cymbaluk informed him in visiting with DOT, there cannot be more than 5 approaches in one mile or every 16th line.

Meiers informed those present FRF/DOT are meeting with the City o n Thursday, September 29th at 10 AM and then they will go to the meeting with the trucking industries to talk about the route at 7PM to discuss the pros and cons and find out what we are missing.

Gerald Miller questioned if the city is able to stay o n the h a l f m i l e and go straight north also. Koeser responded we would have to bring the businesses over to t h i s and it would be a challenge. Meiers responded this would be more miles of road and t h e r e i s a l r e a d y a County Road there half mile away.

Miller explained this could be longer if used and they would have to get on the 4 lane, to which Cymbaluk responded we want to tie into County 4 because the road base is there.

Bekkedahl questioned if by moving this back to the east, would this offer any constraints as far as any future city growth and Meiers replied this is a corridor for the proposed future water treatment plant also.

Bekkedahl also explained the DOT could put together a better controlled intersection if we do this and traffic will be improved. Meiers continued DOT is concerned about the amount of development at this intersection and the more is going to happen, so somewhere we have to curve around this or build new road.

Koeser informed the Commissioners there needs to be a resolution and map to provide some flexibility for the intent of the proposed truck route. This would be Resolution 11-69 entitled "A Resolution to Adopt the Truck Route Technical Memorandum (September 27, 2011) And Attached Truck Route Map Designating a Recommended Alignment (2011).

Koeser thanked Cymbaluk, Klug, Meiers and Kalil for studying the proposed truck route area and getting a prospective of this.

MOTION BY BEKKEDAHL, 2ND BY CYMBALUK to approve Resolution No. 11-69.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTI N G : None

CARRIED: 5-0

Bekkedahl informed the Commissioners he spoke to Paul Benning, the local government engineer for the DOT. Benning stated an important part of this is a technical advisory committee needs to be formally formed and in operation fairly soon and he would like to appoint our membership to this committee.

MOTION BY BEKKEDAHL, 2ND BY CYMBALUK to appoint Monte Meiers, City Engineer and Howard Klug, Street and Roads Commissioner to the Technical Advisory Committee for the bypass discussion with DOT.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

Kautzman questioned if the issue of the local truck route ordinance would be discussed tonight. Furuseth explained he needs more input from the Commissioners before this can be discussed. Meiers requested going to the sign committee and the attorney, so something can be started on this to deal with the truck parking in the city.

MOTION BY BEKKEDAHL, 2ND BY CYMBALUK to appoint the Sign Committee to meet with the attorney to try to come up with an ordinance on this issue.

Furuseth commented he hopes to have this ready by the next City Commissioner Meeting.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- D. Fire, Police, and Ambulance Commissioner
- E. Water Works, Sewer, Airport, Building and Planning Commissioner
 - 1. Rural Water Agreement

Bogar reminded the commissioners of the rural water agreement which he presented at the last meeting and then this agreement went to the Rural Water Association for their approval. The Rural Water Association changed the hook up fee the customer would pay which would be counted credit toward the City's amount of the number of hook ups acquired from \$2,500 to \$1,500 credit. When looking at this, they discovered there was \$1,200 of our costs which they wouldn't recoup in that. At this time, Bogar would recommend the commissioners accept this and the details will be worked out as the final details are being negotiated.

MOTION BY BOGAR, 2ND BY CYMBALUK to accept the Rural Water Association agreement at this time and the details will be worked out as the final details are being negotiated.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

Cymbaluk questioned if this is going to be retroactive with the items already approved and Bogar responded since the Rural Water Association didn't approve what we approved at the last meeting, none of the impending hook ups have been approved yet. So now since we have accepted that, there have been a couple calls from people and Bogar has told them if we accept the counter proposal, Rural Water would be able to move forward with approving these hook ups which could start next week.

9. Report of Department Heads

A. City Auditor

1. Rachele Truckner, 2309 29'h St. West, Sewer Drainage Claim

Rachele Truckner of 2309 29" St. West presented a packet regarding a Sewer Drainage claim to the commissioners. On August 26", 2011 they arrived home to find water in their basement and it was discovered it was sewage. At the time, Wayne Wiedrich told them the man hole had shifted and broken the sewer line, causing seeping back into their basement. They had to rip out carpet in their new living room in their basement, hallway and stairs and their recently purchased furniture was contaminated. In the packet is an invoice from Five Star Cleaning Service showing the costs of the damage. Truckner has completed an insurance claim with the City's Insurance which was turned down because there was no negligence on the City side and she understands this incident was unpreventable and unforeseen. She is questioning "Isn't this what insurance is for?" Also on the letter from the insurance it stated this was caused from back up and it was actually seepage. The insurance company also heard a different story than Truckner was told about the water level moving two pipes. Truckner informed the commissioners they have never had water in their basement before this and their sump pump has not run at all.

Kautzman asked for a total cost, which Truckner responded is \$5,242.17.

Bekkedahl asked if the sewer came through the floor drain in the basement and Truckner replied it did not, it seeped in. Bekkedahl then asked if other homes were affected and Meiers responded this was a man hole they cut in three years ago and what happen was outside the pipe where the connection from the pipe to the man hole separated and then plugged the pipe and kept the sewage out. Most of the buildings in the area are apartments with no basements, so this house was the first in the area to have a basement and he thought insurance would cover it or else the contractor due to it is unusual to have this happen after only three years of construction. Meiers informed those present our policy is to cover \$500 if the insurance does not cover. Truckner then asked if this figure could be negotiated because the Five Star Cleaning bills is over \$1,200 and the \$500 is just not enough.

Koeser expressed his appreciation to Truckner for telling her story and asking questions of the Commissioners.

Bekkedahl questioned Meiers if there was any way the pipe separation occurred first and caused saturation to the soil or the saturation occurred and caused the pipe separation. Meiers did not see this and is assuming ground water pressure saturated the trench gutting and caused the bedding in the piping to separate and there is a tremendous amount of ground water in the area.

Bekkedahl sees this as more of a sewer pipe event and asked Trucker if their insurance had coverage for this and she responded they do have sewer backup, but the company is saying it

is seepage because nothing came through the pipes. He is having difficulty with considering this seepage, and he doesn't think we have any liability and Truckner's insurance company is trying to avoid a claim by calling it seepage, versus a pipe event. He questioned if the city needs to work with the insurance companies before they do something different and Furuseth responded we can do either or.

Bekkedahl expressed without accepting any responsibility, we need to help more than \$500 which is our standard policy since there has been an event in our city system and as long as we can do this without claiming we are not setting precedence.

Furuseth asked if we could have a committee to discuss issues like this, which consists of Meiers, two sign committee commissioners and himself. Bekkedahl expressed we should talk to our insurance company to discuss this. A recommendation from these will be brought back to the City Commission Meeting on October 11th.

- B. Attorney
- C. Director of Public Works/City Engineer
 - 1. Sewer Plant Update

Meiers informed the commissioners David Johnson of AE2S and himself met with the Corp of Engineers, ND Health Department and US Fish & Wildlife in Riverdale today. At this time, we have not received approval of the waste water treatment project expansion and after studies and stages with them, they have major reservations. The purpose of the meeting was to ask them what we can do on a temporary basis, before the sewage becomes overwhelming at the plant. Things talked about were some temporary improvements with a possible five year lease amendment for these and we would try to maximize the large stabilization ponds usage. There would be continuous flow discharge where the development of filtration U B plant would have to be developed on site, another pump lift station from a small pond and then discharged to the head of the Corp of Engineers pumps. There were concerns about how often these would be pumped and how often the city would have their continuous discharge. At the end of the meeting, it was decided the Corp would do this as an interim if the city goes into the relocation study to look at other options. Meiers presented a copy of the agreement which AE2S presented and if accepted the city may get a categorical exclusion this year where construction could be started on an emergency basis. If this agreement is approved, a 404 from the Corp is needed to connect in to the marsh land, a modification to the lease by the Corp and also a request from The North Dakota Health Department to receive a discharge permit modification to our waste water discharge, due to ammonia requirements.

David Johnson representing AE2S reminded the commissioners of the entering into an agreement with the Corp of Engineers to do planning to relocate the Waste Water Treatment Facility. The Corp has put forth an agreement which they will sign, if the City agrees with it. This agreement will be used to set up the scope of who is going to do what and the cost of the project and this will ensure this project will move forward. The dollar amount on the agreement is \$28,000 which will get the scope and fee together, get the Corp up to speed on what has been done, and to try to move forward with the rest of study next year. After getting this agreement with the Corp, the next step would be to start talking to the delegation to let them know they will be needed to help fund the study, along with their assistance for relocation.

MOTION BY CYMBALUK, 2ND BY KLUG to approve the request as submitted subject to typos and clarification of what state we live in.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

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

- D. Fire Chief
- E. Chief of Police
- F. Building Official
- G. City Planner
 1. Review Preliminary Plat for Dakota Crossing Subdivision, a Rearrangement of the Mercy Rearrangement No. 3 and Block 1, Mercy Rearrangement, and the vacating of a portion of Gate Avenue and a street easement - City of Williston. Mercy Medical/Grimshaw

Jarcik informed the commissioners this rezone had been heard previously as a rezone to C-3 Restricted Commercial and now this is coming back with a plat to create three lots including a vacation of Gate Avenue. There were issues of drainage and buffering which have been already addressed by the developers. Discussion at the Planning and Zoning Meeting included; an easement over Gate Ave, there needs to be an establishment of an easement for a previous storm drain which is in place and this would be included in this plat.

Matt Grimshaw has also requested Gate Avenue to rename to Mercy Drive. Meiers questioned if anything was addressed off Gate Avenue and Leuthold answered there was not.

Cymbaluk questioned what is being done with the helipad while the construction is going on and was answered the airport is being used as a temporary location and then will be relocated back at the hospital.

Bekkedahl questioned where the hospital emergency room would be and Leuthold responded it would stay in the existing location, but Gate Ave will be vacated and the access will remain.

MOTION BY CYMBALUK, 20d BY KLUG to approve the preliminary plat as presented.**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser****NAY: None****ABSENT AND NOT VOTING: None****CARRIED: 5-0**

2. Review Preliminary Plat and Development Plan for Arctic Acres Subdivision, City of Williston - Arctic Lands, LLC. /Branson

Jarcik informed the commissioners this is for an area south of the fairgrounds, which came in as a three lot subdivision. Thru the process of ad hoc and the Planning and Zoning Commission, it was found the third lot is mainly drainage and undevelopable. There were discussions about University Avenue coming through this area also and it was decided to move the rural 6 inch water line easement to the west as part of the development agreement. There was additional discussion regarding the frontage of the lot where they would be a 30 foot access and utility easement. Recommendation on the development agreement would be to approve it with the inclusion of water and sewer plan submitted as approved by engineering. The Planning and Zoning recommended approval of the preliminary plat of the two lots contingent upon park district fee at the time of acquiring a building permit, development agreement, title opinion and final plat requirements.

Cymbaluk questioned if the purposed water and sewer goes right pass this and Meiers responded there is no design completed for the water and the sewer route is fairly close and until this is done, it cannot be shown. Meiers thinks it will fit in the easements and we need to reserve the right to get it approved where ever it is going to be.

Klug commented he thought water was being brought here from University and Meiers responded they are but a plan has to be approved first. Klug also questioned if there was an agreement in place to say how much property we are going to need to extend University to the fairground road. Meiers responded our comprehensive plan shows offsetting a block west of China Man's Coulee and until Branson comes in and plats this property, University cannot be developed. But whoever comes in along University, the process for the right a way will be started along with a street.

Rod Westrum of Westrum Land Surveying spoke in the absence of the Developer Dale Branson. He informed those present one of the reasons the westerly lot was left open is because it is possible to construct University Ave on this property. There is a buffer there where University Ave could go on the east/west side of China Man's Coulee or also to change the drainage plan of the coulee. Klug responded in earlier discussions, he had heard the east side of China Man's Coulee wasn't feasible for the road and Westrum re plied anything is feasible with enough design and money depending if the city wants to run University up the quarter line where its present location is from the south with putting a jog in it.

Bekkedahl questioned the relocation o f the drainage from the China Man's Coulee to the north. He wondered if this would now be placed between the fairgrounds a n d the Wilder property a n d drained in the Little Muddy drainage of the north end of the fairgrounds. Westrum replied China Man's could be shifted to the west where it runs north and south and run it a long side and put a pipe under University.

Meiers commented we are not at the point to do anything with the developing of this property and when this property is developed we will need to deal with it. We cannot make a commitment now, until we know what he is doing with the remaining property.

MOTION BY KLUG, 2ND BY BEKKEDAHL to approve the preliminary plat and development agreement for Arctic Acres Subdivision.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

Koeser called for a five minute recess.

3. Review Preliminary Plat for Zavanna Subdivision, City of Williston - Zavanna, LLC - Reed/Erickson.

To m Reed informed the commissioners this area has been recently annexed in to the City. The Planning and Zoning Commission needed a sewer and water easement for the north edge of the property, which has been provided.

Koeser read the recommendation from Planning and Zoning which states to recommend approval of the Preliminary Plat for Zavanna Subdivision.

Bekkedahl asked if Meiers was comfortable with this and Meiers responded he was.

MOTION BY KLUG, 2ND BY CYMBALUK to approve the preliminary plat for the Zavanna Subdivision.

Cymbaluk commented this is a great example of why you have a plat instead of a sub lot.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

4. Review City's acceptance of park land for the Harvest Hills Subdivision

Furuseth informed those present the Park District didn't want to accept this because they did not have the funds to maintain it and they felt the city should accept it. This needs to be approved by Planning and Zoning if the Park District refuses to take it on and he thought it should be on the City agenda, so the commissioners know what we are agreeing to and the reasoning for this.

Koeser questioned if it would be appropriate for the commissioners to act on this and Furuseth believed they could act on this to ratify the approval of Planning and Zoning. Kautzman commented in general he understands our approach would be to access this area for maintaining these green spaces with the intent of possibly having a third party bid on the maintenance of this area.

MOTION BY BEKKEDAHL, 2ND BY BOGAR that the City accepts Planning and Zoning Commission recommendation for the dedication of the acceptance of park land for the Harvest Hills Subdivision to the city of Williston.

Cymbaluk questioned if this would be Meier's responsibility to see this is done and Furuseth replied it would be contracted out.

Lalim questioned if the park dedication would be part of the building permits there and was answered no.

Leuthold commented The Park Board has verbalized if the 1 cent sales tax is passed, they could take this project on.

Bekkedahl commented this dedication allows the city to place structures on this property which is so needed and avoids delays by not being able to file a plat.

Cymbaluk questioned if there was a dedication fee on this property and Koeser responded there wasn't.

Kautzman explained they have enough area set aside for green space, so the fee does not have to be paid.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

5. Acceptance of agreement of a temporary construction shed in the Timbers Subdivision-Milyard.

Jarcik explained this is an agreement composed by the City Attorney to follow through with Milyard's request for a temporary construction shed in the Timbers Subdivision. Planning and Zoning recommendation is to approve this agreement and then Mr. Milyard can get a building permit for the shed.

MOTION BY BEKKEDAHL, 2ND BY BOGAR to approve the agreement as presented.

Klug asked if in a previous meeting it had been talked about if this was going to be a taxable structure.

Bekkedahl responded this development is requiring structures be put on footings and these are taxable.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- H. Economic Development
 1. STAR Fund
 - a . Downtowners Association - Community Build

Wenko explained a request from the Downtowners Association for the Williston Downtown Streetscapes Master Plan Angela DeMars is requesting a \$16,100 community build grant from the Star Fund to hire the engineering firm of Kadrmas, Lee and Jackson (KLJ) to act as the general contractor on behalf of the city and the downtown association. KLJ will perform three specific responsibilities as it relates to Phase 1 "Signing and Streetscape Furnishings" projects for the Williston Downtown Streetscapes. The three specific responsibilities are the preliminary design phase, the final design phase and the bidding phase of the project. The Star Fund Board recommends to the City Commission to approve a community built grant to the Downtowner Association in the amount of \$16,100.

MOTION BY BOGAR, 2ND BY CYMBALUK to approve the Community Build Grant to the Downtowners Association in the amount of \$16,100 for the first phase of the signage bidding phase.

AYE: Cymbaluk, Bogar, Bekkeda I , Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: Non e

CARRIED: 5-0

- b . Craig's Inc - d.b.a . Craig's Small Engine Repair - Flex PACE

Wenko explained this is a request for a Flex PACE buy down in the amount of up to \$24,999 from Craig's Small Engine Repair to build a new facility in Williston for expansion of their business. Craig's Small Engine Repair has been at the same location for 25 years. They have been busier this year than in the past and decided it is time to build a larger building. They are looking at constructing a 90'x175' building, which would allow them to include a 90'x25'

showroom. Craig Helberg explained this is something their large family has wanted to do for years. Their existing building which they rented was being sold and they purchased some land by the Kum & Go for a backup plan and were able to purchase a steel building and with other help everything fell into place. This would be a great location and the Star Fund money would help them out. Meiers added there is a huge need for this business in this town and Public Works uses it a lot and no one else works on small engines like they do. Renee Helberg expressed her appreciation to Keith Olson from the Small Business Association for his help.

MOTION B Y BEKKEDAHL, 2ND B Y BOGAR t o approve this Flex Pace buy down up to \$24,999.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

c. West Dakota Feed/Seed - Flex PACE

Wenko explained this is a request for a Flex PACE in the amount of up to \$17, 500 as a match to the \$17,500 from the Mountrail-Williams Rural Electric Cooperative revolving loan fund to add bulk bin storage to the facility in Ross. They have been in business since 1999 and storage capacity increase will increase by 25%. Seventy- Five percent of their business is peas and lentils and 25 percent is other crops.

Bekkedahl commented this is a great success story and this is tremendous for this area. They work very well with the other seed companies in the area.

MOTION BY BEKKEDAHL, 2ND BY CYMBALUK to accept the recommendation of the Star Fund to approve this Flex PACE.

AYE : Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED : 5-0

d . Williston Woodworks - Mini Match

Wenko explained there are two requests from our Star Fund Mini Match beautification program. The first one is from Williston Woodworks, who is looking at doing signage improvement, with a match of \$4,988 and total project cost of \$9,976.

MOTION BY KLUG, 2ND BY CYMBALUK to approve.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

e . Chase Thiege - d .b. a . Basin Health and Spine Center - Mini Match

Wenko explained Basin Health and Spine Center is looking at a match of \$4,500 for a rent subsidy for new business start ups under the mini match program with a total cost of \$9,000.

MOTION BY BOGAR, 2ND BY BEKKEDAHL to approve the request as presented.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED : 5-0

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

A. Protest Hearing on Water, Sewer, and Street Improvement District 11-6
 Meiers informed the commissioners he spoke with Rod Dillon, one of the developers of the Best Western on 4th Avenue West. He concurs with the high bid price; we should reject bids and not add any more money to it and re- bid it next spring for a June completion. This is when he is planning to have his parking lot paved and ready. At this time, action is needed to reject the bid.

M O T I O N BY B EKKEDAHL, 2ND BY BOGAR to reject the bid.**AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser****NAY: N o n e****A B S E N T AND NOT VOTI N G : N o n e****CARRI E D : 5-0**

12 . New Business

A. Risk Assessment

Kautzman informed those present of a federal person who did a presentation to department heads recently. One of the programs they have is to do a risk assessment to various buildings. There is no cost to do this and we are not obligated to put in any of the improvements suggested. Kautzman is asking for permission to move the process forward for municipal court services area, due to safety issues.

MOTION BY CYMBALUK, 2ND BY KLUG to move forward with this program.

Meiers commented he has talked to the Water Treatment operator since they are in the process of expanding and security has been discussed and he would like to add this to the Risk Assessment also.

AYE: Cymbaluk, Bogar, Bekkedahl, Klug, Koeser**NAY: None****ABSENT AND N OT VOTI NG: None****CARRI ED: 5-0**

B. Basin Cab

Kautzman explained Basin Cab has approached us to try to get the operating grant, since they are struggling with getting employees. He is asking the Commissioners to approve the operating grant so the appropriate paperwork can be filled out and sent to the State. Bekkedahl asked if there was city money involved and Kautzman responded there is not.

MOTION BY B E K K E DAHL, 2ND BY CYMBALUK to authorize the Auditor to prepare the appropriate paperwork.**AYE : Cymbaluk, Bogar, Bekkedahl, Klug, Koeser****NAY: N o n e**

ABSENT AND NOT VOTING : None
CARRIED : 5-0

C . Ballot Language Review - Sales Tax

Kautzman informed the commissioners at the last public meeting there was an individual who suggested the city should be able to use their sales tax money to pay for any kind of mill/levy increases. He then asked Furuseth to review the ballot issue language. Furuseth explained he did review this and it is not a possibility to use the sales tax money to do this. Kautzman further explained the only way to reduce this is to use it for special assessment infrastructure reliefs which can be a tax relief type measure, unless there is a revote with new language.

D. 139th Storm and Sewer Issue

Meiers informed the commissioners Dave Johnson from AE25 has been hired to design this. The street design would go to an urban section which requires some storm sewers to filtrate the draining and the drainage is to the point where the natural drains are no longer there. Johnson from AE25 explained the storm drain system collects the water coming down 139th from the North. The 54' storm sewer pipeline is designed to carry a two year storm. The problem is this turns and dumps into what used to be an open ditch, but now there is a 36' culvert that is buried. This is dumping into the Lindsey area which is supposed to have an overflow portion in that area. Right now, it is not sure if that is there, but they did not go beyond the limits with their design. He continued to explained there is a alternate design which is to continue on with another 500 feet of 48' sewer pipe, so there would be dumping in two locations, which would reduce the cost of project. This will not prevent all flooding issues, but it will take care of a great share of the flood events which happen. The dilemma is neither of these properties are in the City and cost of this addition is another \$200,000 out of the budget, so who is going to pay. There is a time limit on t h i s project and it needs to be moved forward. Koeser questioned if the Water Board gave permission to install a 36" line and Johnson stated there was no official action by the Water Board. There were conversations with some Water Board members and their engineers and they were instructed they could put in the 36" and 500 feet wide. Meiers biggest concern is he doesn't want to cut down the road and put it in a hole. Koeser questioned i f the city has any ability to assess the water district the \$200,000 and Meiers responded the water district has lots of authority and we have the ability now to go outside the city and assess drainages which come into the city. In order to do t h i s, it has to go through the Water Board and the dilemma is the city only has one piece of property which drains into this. Meiers also suggested taking the million dollars, which is over the 3 million dollar state grant and assessing it out to all the property owners. Bekkedahl questioned if there was any way to move forward to get the construction going and then come back and deal with the Water Board after that. Meiers replied that is why AE 25 is here and they need direction. The Water Board did commission Don Loomer to study the drainage on the west end, but this will not be done until next year, so maybe this could come out to the highway and then approach the Water Board to assess a portion of the drainage cost. Klug questioned who put in the 3 6 inch line and Meiers responded it was Lindsey, who is the property owner. Klug also questioned the natural drainage in front of Lindsey and Meiers responded regarding the highway right of way this was a design item with AE25 to keep the sewer pipe from being so deep through there. This was filled back and extended the culvert back to the ditch line, so the sewer could go through without cutting so deep, w h i c h required permission from the DOT. Klug questioned if the 36" would have worked, if this was not filled in and Bekkedahl responded 54" would have been sufficient to carry the load and drain into the natural drainage. Meiers commented Dave Bauer had mentioned there were 200 acres draining through this area and storm events were looked to increase the pipes and were up to 72 inches. He continued economically you get to a point where you cannot afford this and also to fit it under the road.

Lindsey is arguing about the road which was a rural section road which was elevated only had a 2 4 inch pipe under it, but every Spring, this road would flood and go down the natural drain .
Meiers went on to comment right now our overflow for large storm events is gone.
Kautzman suggested approving with the idea the Water Board would look at assessing the costs out. If not, we explore options that allow us to do that to the surrounding area businesses and in the interim you install what you need to.

MOTION BY BOGAR, 2ND BY BEKKEDAHL to follow Kautzman' recommendation to move forward and explore with The Water Board the ability to assess and leave the City's options opens as well .

Bogar questioned if we could do a deferred special on this area since the Township has asked us to do the fill in annexation. Kautzman replied the problem is if you are doing a special, you normally have a process which needs to be followed when you create it, but there is a correction process also

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

13 . Executive Session

14. Adjourn

MOTION BY BEKKEDAHL, 2ND B Y BOGAR to adjourn.