

**OFFICIAL PROCEEDINGS
OF THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS
December 11, 2012 6:00 P.M. CITY HALL WILLISTON, NORTH DAKOTA**

1. Roll Call of Commissioners

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

COMMISSIONERS ABSENT: None

OTHERS PRESENT: John Kautzman, Bob Hanson, Donald Kress, , James Lokken, Steven Kjergaard, Kent Jarcik, Alan Hanson, Rachael Ressler, Kelly Aberle & Shawn Wenko

President Koeser amended the agenda with the following changes:

Add: 9. C (6.) Corp. of Engineer Easement

Add: 9. I. (3.) Avis, Hertz & Priceless Car Rental

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

2. Consent Agenda

A. Reading and Approval of Minutes for:

(1.) Regular Meeting Dated November 27, 2012

B. Auditor

(1.) Accounts, Claims and Bills

Combined Check Register For checks between 11/28/12-12/10/12				
Check #	Vendor/Employee/Payee	Number/Name	Check Amount	Date Issued
-80742	56169	KATHERINE E. BERWICK	1416.38	11/30/12
-80741	12020	RANDY M DONNELLY	1610.19	11/30/12
-80740	56249	GWENDOLYN GUERRETTAZ	476.74	11/30/12
-80739	12017	JOHN L. KAUTZMAN	2678.20	11/30/12
-80738	56240	KAREN D. KUEHL	1190.78	11/30/12
-80737	56198	LORI LOOSE	357.69	11/30/12
-80736	56255	CHELSEA CAVANAUGH	1274.13	11/30/12
-80735	13026	KEVIN W. CRAFT	1264.38	11/30/12
-80734	56195	JACKIE L. HATCH	1309.48	11/30/12
-80733	56206	DANIELLE HENDRICKS	1255.13	11/30/12
-80732	56118	KATALIN C. MAGYAR	1219.61	11/30/12
-80731	56225	SUSAN E. SCHNEIDER	1187.49	11/30/12
-80730	13025	JOLEEN S. TINKER	1569.13	11/30/12
-80729	56245	AMY WAGGONER	1072.34	11/30/12
-80728	56087	CODY M. BAKKEN	279.02	11/30/12
-80727	18021	ROBERT J. BENTH	31.13	11/30/12
-80726	18022	SHARYL J. BUSCH	2003.48	11/30/12
-80725	56162	JOSHUA A. BUTLER	2017.99	11/30/12
-80724	18028	DAVID C. DONNER	1877.66	11/30/12
-80723	56127	RICHARD S. FISHER	23.59	11/30/12
-80722	56259	ANDREW FOURNELL	1941.93	11/30/12
-80721	18001	ALAN K. HANSON	2265.27	11/30/12
-80720	56101	SUSAN G. HOLMEN	1318.26	11/30/12
-80719	56201	JENNA JONES	439.21	11/30/12
-80718	18027	STEVEN D. KERZMANN	1829.26	11/30/12
-80717	56107	VICTORIA L. KREGER	680.07	11/30/12
-80716	18099	ERICA J. MYERS	815.76	11/30/12
-80715	18024	JONATHON RASMUSSEN	2522.94	11/30/12

-80714	18070	JEANNE M. SAGASER RASSIER	1615.71	11/30/12
-80713	56130	ANDREW A. SAILER	1348.88	11/30/12
-80712	18097	DUANE S. WINTER	64.15	11/30/12
-80711	56174	SAM M. AIDE	1578.70	11/30/12
-80710	56166	RYAN J. ALLEN	2015.46	11/30/12
-80709	19024	DAVID L. BELISLE	1261.22	11/30/12
-80708	56246	HUGH BENZEN	1120.72	11/30/12
-80707	19092	DUSTIN J. BERTSCH	1970.20	11/30/12
-80706	19028	MARK R. BITZ	2334.41	11/30/12
-80705	56097	ALAN C. BRATT	1964.11	11/30/12
-80704	56121	DUSTIN R. CELANDER	1341.95	11/30/12
-80703	19076	CORY G COLLINGS	2023.60	11/30/12
-80702	56113	MINDY SUE DEGENSTEIN	1010.10	11/30/12
-80701	56173	RODNEY H. DICKERSON	1578.70	11/30/12
-80700	19009	LINDA R. GRANBOIS	1108.79	11/30/12
-80699	56147	JACOB J. GREGORY	1387.17	11/30/12
-80698	19082	RANDY M. HAUGENOE	1893.02	11/30/12
-80697	56210	WILLIAM E. HOLLER	1544.94	11/30/12
-80696	56102	MICHAEL A. ISENHOWER JR	1772.67	11/30/12
-80695	19012	THOMAS L. LADWIG	1924.11	11/30/12
-80694	19011	JAMES L LOKKEN	2524.72	11/30/12
-80693	56082	TRAVIS J. MARTINSON	1341.95	11/30/12
-80692	56061	AMY D. NICKOLOFF	1656.16	11/30/12
-80691	19014	KENNETH B. OWENS	3026.73	11/30/12
-80690	19098	DAVID A. PETERSON	1667.31	11/30/12
-80689	56181	TREVOR J. ROBERTS	1619.36	11/30/12
-80688	56148	JONATHAN D. ROGGENKAMP	1405.21	11/30/12
-80687	13027	CRYSTAL A. SCHAUBEL	1762.24	11/30/12
-80686	56052	JAMESON J. O. SEIM	1613.30	11/30/12
-80685	56098	JAKE O. SNYDER	1613.30	11/30/12
-80684	19077	MICHAEL S. WILSON	1815.45	11/30/12
-80683	19100	RYAN C. ZIMMERMAN	1341.95	11/30/12
-80682	56157	BENJAMIN W. ABBEY	1684.09	11/30/12
-80681	20047	KELLY M. ABERLE	1274.75	11/30/12
-80680	56160	ALVIN R. CHRISTENSEN, JR	1886.71	11/30/12
-80679	56209	MARTIN L. COLGAN	1543.05	11/30/12
-80678	56257	JOAN CAMERON	1331.78	11/30/12
-80677	56220	TRUNG THANH LE	1282.37	11/30/12
-80676	21040	MONTE C. MEIERS	1962.06	11/30/12
-80675	21054	WAYNE A WIEDRICH	1709.17	11/30/12
-80674	22020	ROBERT D. KNAPPER	2882.32	11/30/12
-80673	56100	BILLY J. BAKER	1581.62	11/30/12
-80672	56214	MICHAEL J. BEARCE	1497.49	11/30/12
-80671	56128	VERNON L. HENDRICKSON	1422.95	11/30/12
-80670	56167	MATTHEW TUTAS	1760.12	11/30/12
-80669	24018	EFFIE J. BROWN	1715.92	11/30/12
-80668	24019	ROBERT D. COUGHLIN	988.94	11/30/12
-80667	24017	STEVEN W. JENSEN	1851.54	11/30/12
-80666	24013	THOMAS C. POTTER	1201.50	11/30/12
-80665	56104	DANIEL W. TUPA	2064.50	11/30/12
-80664	25110	KENNETH W. BERGSTROM	1712.09	11/30/12
-80663	12029	LORI A. LARSEN	873.71	11/30/12
-80662	56168	AARON G. MITCHELL	1246.03	11/30/12

-80661	56252	DIANE THOMPSON	423.34	11/30/12
-80660	56164	JACOB T BLOODGOOD	1764.56	11/30/12
-80659	56232	ELVIS DINZON	618.52	11/30/12
-80658	27076	DANNY R. GERGEN	1812.96	11/30/12
-80657	56091	JAMES A HAGA JR	2014.60	11/30/12
-80656	56241	DINA KINDELSPIRE	1367.98	11/30/12
-80655	56244	ROY LONG	1629.93	11/30/12
-80654	56175	ERIC C. OLSON	1375.36	11/30/12
-80653	56234	JOSEPH REIFENSTAHL	1203.36	11/30/12
-80652	56258	BRYAN THOMPSON	1009.71	11/30/12
-80651	56084	KENNETH R. BOYKIN	1653.85	11/30/12
-80650	56112	GARRISON CANTER	1934.83	11/30/12
-80649	56114	ANTHONY D. DUDAS	1429.56	11/30/12
-80648	56110	ADAM M. FREEMAN	1397.90	11/30/12
-80647	56086	STEVEN C. KJERGAARD	1747.14	11/30/12
-80646	56120	VICTORIA M. RUBLE	1832.91	11/30/12
-80645	56200	GINA MOTTL	1103.49	11/30/12
-80644	34103	CHRISTOPHER J. BROSTUEN	42.46	11/30/12
-80643	34017	KENT A. JARCIK	2153.38	11/30/12
-80642	56223	DONALD KRESS	1714.94	11/30/12
-80641	56075	DEEANN M. LONG	42.46	11/30/12
-80640	56239	RACHEL K. RESSLER	1356.76	11/30/12
-80639	34016	ELAINE B. SINNESS	999.59	11/30/12
-80638	35025	JOSILYN F BEAN	1322.96	11/30/12
-80637	56155	SCOTT R. MOLSTAD	2389.98	11/30/12
-80636	56079	BRENDA SEPTKA	1118.39	11/30/12
-80635	36006	NEIL W. BAKKEN	2034.75	11/30/12
-80634	56176	CHAUNCEY CARR, JR.	1380.04	11/30/12
-80633	56211	WAYNE E. BEARD	1084.09	11/30/12
-80632	56039	KERI L. BODA	782.18	11/30/12
-80631	56251	JAMIE ELLINGSON	813.86	11/30/12
-80630	56188	REBECCA R. MILLER	635.81	11/30/12
-80629	56111	ANDREA L. MITCHELL	830.68	11/30/12
-80628	56254	ASHLEY PERCOSKI	204.26	11/30/12
-80627	48013	DEBORAH A. SLAIS	1333.39	11/30/12
-80626	48034	YVONNE A. TOPP	491.59	11/30/12
-80625	52011	ANN M. KVANDE	1319.18	11/30/12
-80624	56165	CODI A. MOBERG	999.67	11/30/12
-80623	56041	BARBARA J. PETERSON	1026.65	11/30/12
-80622	52003	THOMAS C. ROLFSTAD	1510.57	11/30/12
-80621	52020	SHAWN WENKO	1561.33	11/30/12
-80620	56109	PAULETTE K. BAUER	803.37	11/30/12
-80619	53005	BOBBI JO CLARKE	1077.35	11/30/12
-80618	56222	VIVIAN KALMIK	391.74	11/30/12
-80617	53002	AMY A. KRUEGER	1465.04	11/30/12
-80616	56228	AISLINN BRIANNA LARSON	201.15	11/30/12
-80615	56213	ROBERT JASON HILLARD	1510.49	11/30/12
-80614	56080	BRAD E. SEPTKA	2713.10	11/30/12
-80613	56150	SAMANTHA R. YODER	1550.59	11/30/12
-80612	56002	Jeremy T. Bakken	14.15	11/30/12
-80611	56026	Scott Copenhaver	132.09	11/30/12
-80610	56011	Kelly Moody	47.17	11/30/12
-80609	56013	Josh S. Mosbrucker	150.96	11/30/12

-80608	56015 Dwight A. Richter	113.74	11/30/12
-80607	56058 Brenden L. Stevens	141.52	11/30/12
-80606	56179 Duane S. Winter	165.11	11/30/12
-80605	DEFERRED COMP NATIONWIDE RETIREMENT SO	15848.75	11/30/12
-80604	FIT U.S. TREASURY	89214.30	11/30/12
-80603	56217 ASHLEY M. SHUMAN	0.00	11/30/12
1664	1382 Lutheran Social Services	200000.00	11/28/12
53231	1713 NELSON INTERNATIONAL OF BISMARCK	175120.55	11/28/12
53232	999999 JORDAN POINDEXTER	300.00	11/28/12
53233	673 CLERK OF DISTRICT COURT	500.00	11/28/12
53234	673 CLERK OF DISTRICT COURT	500.00	11/28/12
53235	673 CLERK OF DISTRICT COURT	500.00	11/28/12
53236	999999 RAYMOND MONDRAGON	288.00	11/28/12
53237	999999 IAN HERNANDEZ	297.00	11/28/12
53238	12026 KAREN P. LARSON	925.55	11/30/12
53239	56256 LORETTA WENDTE	1074.13	11/30/12
53240	17016 TOM J. GLENN	1006.65	11/30/12
53241	56215 MARK W. ANDERSON	45.28	11/30/12
53242	56237 ADEN A CLARK	1022.65	11/30/12
53243	18096 TRACY C. KERZMANN	1056.32	11/30/12
53244	56260 JOHN SCHULTZ	1107.65	11/30/12
53245	18046 GARVIN SEMENKO	65.81	11/30/12
53246	18020 RICHARD SHEARER	31.13	11/30/12
53247	18048 DARWIN STEVENS	0.95	11/30/12
53248	18079 SCOTT S. TANNER	23.59	11/30/12
53249	18078 MICHAEL W. WALTERS	23.59	11/30/12
53250	56183 AMBER M. GILMORE	1733.77	11/30/12
53251	19095 WALTER H. HALL	1495.67	11/30/12
53252	56243 JACOB R. HENDRICKS	1445.71	11/30/12
53253	56182 AARON R. KAMPA	1286.67	11/30/12
53254	19056 CHARLES TANNER	1697.51	11/30/12
53255	26039 DIANE K. ALBRIGHTSON	1003.61	11/30/12
53256	21041 ROBERT E HANSON	2268.47	11/30/12
53257	22021 LES CHRISTENSEN	2525.72	11/30/12
53258	22014 GARY L. GLOVATSKY	1326.63	11/30/12
53259	23126 BRENT E. HANSON	2448.88	11/30/12
53260	23039 BRUCE A. JOHNSON	2521.13	11/30/12
53261	56171 MICHAEL G. MARDON	2201.99	11/30/12
53262	27096 RUSSELL E. MOMBERG	2157.34	11/30/12
53263	56189 AMANDA M. KAISER	1492.91	11/30/12
53264	25030 PEDAR A. ANDRE	1761.02	11/30/12
53265	27058 DAVID LEE BELL	2223.26	11/30/12
53266	56187 STEPHEN R. KOHLER	1124.68	11/30/12
53267	25106 RICHARD S. ODEGARD	1285.66	11/30/12
53268	56261 KARLEEN MONTANEZ	501.85	11/30/12
53269	27067 RICHARD D. BORUD	1445.37	11/30/12
53270	23136 JAMES B. ENGEN	2906.72	11/30/12
53271	27091 JOSEPH G. MONSON	1446.57	11/30/12
53272	56253 STEPHEN OLEGARIO	1008.41	11/30/12
53273	31051 GORDON L. SMESTAD	1508.85	11/30/12
53274	56099 MARK C. AMONSDON	1647.93	11/30/12
53275	56163 GORDON J. MCCULLOUGH	187.44	11/30/12
53276	25112 DUANE F. OVERBY	1258.07	11/30/12

53277	32006 WILLIAM M. MCQUISTON	1282.78	11/30/12
53278	34105 GLENN A. BOYEFF	42.46	11/30/12
53279	34106 GERALD L. FLECK	42.46	11/30/12
53280	56117 NICK J. HAUGEN	42.46	11/30/12
53281	37008 LAVERN GOHL	1455.72	11/30/12
53282	56180 DIANE C. HAGEN	537.39	11/30/12
53283	56190 GERONIMO E. AYALA	1046.67	11/30/12
53284	56144 CRYSTAL M. BONNER	395.25	11/30/12
53285	56199 CHRISTOPHER WILEY	272.67	11/30/12
53286	56066 ZACHARY G. CORCORAN	2259.38	11/30/12
53287	54065 PATRICIA K. FIORENZA	1733.02	11/30/12
53288	54086 BERNADETTE H. NEY	42.58	11/30/12
53289	56001 David W. Arnson	94.35	11/30/12
53290	56003 Randall H. Bjella	47.17	11/30/12
53291	56116 Tyler D. Carlstad	165.11	11/30/12
53292	56023 Mathew P. Ekblad	126.39	11/30/12
53293	56005 Cory J. Hanson	320.79	11/30/12
53294	56006 Randy D. Hanson	61.33	11/30/12
53295	56030 Martin J. Haug	101.08	11/30/12
53296	56007 Troy R. Heupel	127.37	11/30/12
53297	56205 Brandon Hoffman	134.82	11/30/12
53298	56034 Blaine C. Jeanotte	134.82	11/30/12
53299	56219 Jeremy V. Knapkewicz	117.94	11/30/12
53300	56238 Ryan Lee	70.76	11/30/12
53301	56032 Darin P. Luther	92.65	11/30/12
53302	56083 Traver D. Melby	94.35	11/30/12
53303	56012 Miles A. Mortenson	23.59	11/30/12
53304	56016 Kyle J. Rossland	37.74	11/30/12
53305	56019 Garvin D. Semenko	117.94	11/30/12
53306	56020 Darwin J. Stevens	321.26	11/30/12
53307	56022 Scott S. Tanner	276.12	11/30/12
53308	56027 Michael W. Walters	84.91	11/30/12
53309	AFLAC AMERICAN FAMILY LIFE ASS	229.51	11/29/12
53310	AMERICAN NATION AMERICAN NATIONAL LIFE I	240.56	11/29/12
53311	FIDELITY SECURI FIDELITY SECURITY LIFE I	157.62	11/29/12
53312	LINCOLN MUTUAL LINCOLN MUTUAL LIFE & CA	1123.41	11/29/12
53313	UNITED WAY UNITED WAY	82.00	11/29/12
53314	WYOMING CHILD S WYOMING CHILD SUPPORT EN	200.00	11/29/12
53315	56217 ASHLEY M. SHUMAN	29.84	11/30/12
53316	56163 GORDON J. MCCULLOUGH	1487.60	11/30/12
53317	461 TRACTOR SUPPLY CREDIT PLAN	28.96	11/29/12
53318	79 CITY OF WILLISTON	1000.00	11/29/12
53319	74 CITY AUDITOR'S FUND	428.81	11/29/12
53320	470 US POSTAL SERVICE	1189.18	11/30/12
53321	APARTMENT BH2 VALLEY RENTAL - BAKKEN H	2475.00	11/30/12
53322	APARTMENT BH6 VALLEY RENTAL - BAKKEN H	18890.00	11/30/12
53323	APARTMENT BH7 VALLEY RENTAL - BAKKEN H	22880.00	11/30/12
53324	APARTMENT BH8 VALLEY RENTAL - BAKKEN H	5950.00	11/30/12
53325	APARTMENT BH9 VALLEY RENTAL - BAKKEN H	18625.00	11/30/12
53326	1120 Williston Area Development Founda	215000.00	11/30/12
53327	489 VISA	1805.03	11/30/12
53328	1714 Schlumberger Tech Corp	85.80	11/30/12
53329	524 WILLISTON SCHOOL DIST #1	477.50	11/30/12

53330	999999	BROOK MAIER	70.00	11/30/12
53331	649	WAL-MART SUPERCENTER	3.00	11/30/12
53332	673	CLERK OF DISTRICT COURT	500.00	11/30/12
53333		USABLE USABLE	287.69	11/30/12
53334	243	MONTANA DAKOTA UTILITIES	20748.30	11/30/12
53335	ND HEALTH	ND PUBLIC EMPLOYEES RETI	103753.30	12/05/12
53336	999999	GLORIA WHITE	24.31	12/05/12
53337	35	BANK OF NORTH DAKOTA	53846.15	12/06/12
53338	1724	UNITED STATES TREASURY	1603.06	12/07/12
53339	2	ACE SPRINKLER SYSTEMS INC	19469.00	12/10/12
53340	1596	ACE TOWING	300.00	12/10/12
53341	632	ACKERMAN-ESTVOLD	137443.01	12/10/12
53342	3	ADVANCED ENGINEERING &	78447.77	12/10/12
53343	1230	AFFORDABLE TOWING	200.00	12/10/12
53344	999999	ALAN SOLBERG	25.00	12/10/12
53345	999998	ALVIN R. CHRISTENSEN, JR	80.00	12/10/12
53346	1391	AMERICAN ENGINEERING TESTING INC	4500.00	12/10/12
53347	718	AMERIPRIDE SERVICES	124.12	12/10/12
53348	30	ASTRO-CHEM LAB, INC.	510.00	12/10/12
53349	1717	AudioGo	28.95	12/10/12
53350	723	BADLANDS STEEL, INC	610.10	12/10/12
53351	33	BAKER & TAYLOR CO.	136.73	12/10/12
53352	34	BALCO UNIFORM CO., INC.	1242.74	12/10/12
53353	742	BASIN E T PROPERTIES, INC.	3137.15	12/10/12
53354	38	BASIN PRINTERS, INC.	361.00	12/10/12
53355	39	BASIN TIRE SERVICE, INC.	2887.94	12/10/12
53356	993	Bee Line Service	91.50	12/10/12
53357	999999	BEI LLC	84.71	12/10/12
53358	999998	BENJAMIN W. ABBEY	69.00	12/10/12
53359	1339	BOBCAT OF WILLISTON	10672.00	12/10/12
53360	52	BORDER STATES ELECTRIC	3132.29	12/10/12
53361	999998	BRAD D. BEKKEDAHL	277.50	12/10/12
53362	999999	BRENT OR LEANNE LUOMA	11.67	12/10/12
53363	59	BRODART CO.	6437.92	12/10/12
53364	1599	BROWN CONSTRUCTION INC	143337.38	12/10/12
53365	966	BYERLY COMPUTER SERVICES	75.00	12/10/12
53366	1054	C & D WATER SERVICES	21.50	12/10/12
53367	1719	CANNON CONSTRUCTION INC	712125.00	12/10/12
53368	69	CARQUEST AUTO PARTS STORES	2.37	12/10/12
53369	70	CENEX CREDIT CARD	71.22	12/10/12
53370	616	CENTER POINT LARGE PRINT	651.52	12/10/12
53371	710	CHANEY'S CAR & TRUCK REPAIR	1100.00	12/10/12
53372	999999	CHEYENNE DISTRIBUTING	210.00	12/10/12
53373	77	CITY OF WILLISTON	1411.65	12/10/12
53374	79	CITY OF WILLISTON	57734.02	12/10/12
53375	80	CITY OF WILLISTON	35.20	12/10/12
53376	81	CLAUSEN WELDING	297.50	12/10/12
53377	657	CONCRETE COATINGS	466.00	12/10/12
53378	1662	Connecting Point Computers Center	2649.50	12/10/12
53379	822	COUNTRY FLORAL	156.00	12/10/12
53380	89	CRAVEN-HAGAN CLINIC	205.00	12/10/12
53381	999999	CURTIS ANDERSON	100.00	12/10/12
53382	548	DAKOTA DIESEL	702.86	12/10/12

53383	999999	DARCY DICKSON	53.41	12/10/12
53384	1705	DEGENSTEIN'S AUTO PLUS	1900.00	12/10/12
53385	675	DEMARS FOODS	346.90	12/10/12
53386	999999	DERRICK OR JEANNE DEREGO	28.43	12/10/12
53387	1718	Dickinson Press	180.62	12/10/12
53388	119	EBEL INC.	1750.00	12/10/12
53389	549	ECONOMART	47.25	12/10/12
53390	121	EIDE BAILLY LLP	7000.00	12/10/12
53391	124	ELECTRIC & MAGNETO, INC.	1531.97	12/10/12
53392	1726	EMERGENCY COMMUNICATIONS NETWORK,	1778.50	12/10/12
53393	577	EMERGENCY MEDICAL PRODUCTS	217.14	12/10/12
53394	126	EMRY'S LOCKSMITHING	66.00	12/10/12
53395	650	ETHANOL PRODUCTS, LLC	3638.96	12/10/12
53396	130	FARGO WATER EQUIPMENT CO	2864.83	12/10/12
53397	569	FEDEX	336.40	12/10/12
53398	571	FEE INSURANCE AGENCY, INC	569.00	12/10/12
53399	1720	Fire Protectioin Publications	278.12	12/10/12
53400	134	FORT UNION SUPPLY & TRADE	379.57	12/10/12
53401	139	GAFFANEY'S	1603.28	12/10/12
53402	138	GALL'S, INC.	616.00	12/10/12
53403	144	GRAYMONT WESTERN CANADA	12727.81	12/10/12
53404	151	HAWKINS, INC.	7026.72	12/10/12
53405	550	HEDAHL'S PARTS PLUS	274.74	12/10/12
53406	161	HOME OF ECONOMY	227.52	12/10/12
53407	162	HORIZON RESOURCES	4440.07	12/10/12
53408	163	HOSE AND RUBBER SUPPLY	335.85	12/10/12
53409	164	HOTSY EQUIPMENT CO.	347.00	12/10/12
53410	1503	idSS	300.00	12/10/12
53411	672	IMSA	80.00	12/10/12
53412	4561	International Code Council, Inc.	150.00	12/10/12
53413	175	INTERSTATE ENGINEERING	27015.60	12/10/12
53414	176	INTERSTATE POWER SYSTEMS	3793.76	12/10/12
53415	999999	J & J HOMES, LLC	156.35	12/10/12
53416	770	J P COOKE CO	111.06	12/10/12
53417	1609	JMAC RESOURCES	77192.32	12/10/12
53418	191	JOE'S DIGGING SERVICE INC	7700.00	12/10/12
53419	196	KADRMAS LEE & JACKSON INC	57425.50	12/10/12
53420	999999	KELLY MEHUS	200.00	12/10/12
53421	999999	KEN OR LILA POMEROY	18.64	12/10/12
53422	1578	KLEVEN CONSTRUCTION	47906.19	12/10/12
53423	210	KOHLER COMMUNICATIONS	59.00	12/10/12
53424	212	KOTANA COMMUNICATIONS	5709.95	12/10/12
53425	1421	LASER DESIGNS ND	129.58	12/10/12
53426	999998	LORETTA WENDTE	50.00	12/10/12
53427	999998	LORI A. LARSEN	18.17	12/10/12
53428	611	MABLE'S TASTE OF HOME	676.75	12/10/12
53429	1345	MAGNEY CONSTRUCTION	579532.69	12/10/12
53430	1525	MARIA D WILLIAMS	3000.00	12/10/12
53431	999999	MARK MCPHERSON	50.00	12/10/12
53432	1059	Marquis Plaza & Suites	140.50	12/10/12
53433	999998	MARTIN L. COLGAN	79.00	12/10/12
53434	240	MATHISON COMPANY	65.49	12/10/12
53435	999999	MAVIS COPPE	200.00	12/10/12

53436	247	MERCY MEDICAL CENTER	321.83	12/10/12
53437	999999	MICHAEL KOFFLER	42.81	12/10/12
53438	250	MICROMARKETING ASSOCIATES	646.38	12/10/12
53439	1586	MIDWEST WILDLIFE SERVICES, LLC	5100.00	12/10/12
53440	254	MIKE'S WINDOW CLEANING SERVICE	294.00	12/10/12
53441	1095	MIKEY'S COUNTRY CANDY	450.38	12/10/12
53442	255	MILLY'S ALTERATIONS	51.00	12/10/12
53443	968	MINITEX	378.00	12/10/12
53444	261	MON-DAK HTG & PLG, INC.	585.16	12/10/12
53445	243	MONTANA DAKOTA UTILITIES	31802.28	12/10/12
53446	1175	MONTANA DAKOTA UTILITIES	1300.00	12/10/12
53447	1632	MORRISON MAIERLE INC	5187.33	12/10/12
53448	267	MOUNTRAIL-WILLIAMS REC	895.83	12/10/12
53449	270	MURPHY MOTORS, INC.	2677.32	12/10/12
53450	275	NAPA AUTO PARTS	1508.12	12/10/12
53451	295	ND HOSPITALITY ASSN	350.00	12/10/12
53452	297	ND ONE CALL	461.85	12/10/12
53453	310	ND STATE PLUMBING BOARD	75.00	12/10/12
53454	319	NELSON INTERNATIONAL	1548.16	12/10/12
53455	320	NEMONT	57.82	12/10/12
53456	584	NMN, INC.	5392.40	12/10/12
53457	713	NORTH DAKOTA WATER COALITION	1000.00	12/10/12
53458	1003	NORTH PRAIRIE SIGNATURE,LLP	799.00	12/10/12
53459	333	NORTHWEST SUPPLY CO.	339.90	12/10/12
53460	1635	OCLC, Inc.	434.20	12/10/12
53461	340	OHNSTAD TWICHELL PC	963.50	12/10/12
53462	344	ONE FULFILLMENT	325.00	12/10/12
53463	345	OPPORTUNITY FOUNDATION	1825.00	12/10/12
53464	999999	PAUL HAERTER	41.36	12/10/12
53465	351	PENWORTHY	819.53	12/10/12
53466	354	PETER H. FURUSETH	16312.50	12/10/12
53467	1721	Petroleum Extension Service	512.00	12/10/12
53468	246	PHYSIO-CONTROL, INC	95.50	12/10/12
53469	357	POLAR REFRIGERATION, INC.	3446.53	12/10/12
53470	359	PRAXAIR DISTRIBUTION INC	78.84	12/10/12
53471	714	PROBUILD	863.29	12/10/12
53472	1712	Professional Microsystems	6300.97	12/10/12
53473	819	PUBLIC SAFETY EQUIPMENT CO., LLC	233.11	12/10/12
53474	364	PURCHASE POWER	1300.00	12/10/12
53475	999999	PUSH-N-PULL DOZER SERVICE	50.00	12/10/12
53476	1485	RADIATION DETECTION CO	525.00	12/10/12
53477	1577	RANDALL TRAVEL MARKETING, INC	13286.31	12/10/12
53478	743	RAY COMPANY, INC	3060.94	12/10/12
53479	1690	Recorded Books, LLC	1397.94	12/10/12
53480	717	RICOH PRODUCTION PRINT SOLUTIONS,	366.92	12/10/12
53481	1091	ROBERT GIBB & SONS	323282.46	12/10/12
53482	999999	RODNEY KERZMAN	58.87	12/10/12
53483	405	RYAN MOTORS	65.21	12/10/12
53484	406	S & W HEALTHCARE CORP	113.16	12/10/12
53485	1274	Safeguard Business Systems	282.23	12/10/12
53486	1133	SANDERSON STEWART	136774.61	12/10/12
53487	416	SELID PLUMBING & HEATING INC	280.60	12/10/12
53488	789	SMART APPLE MEDIA	2782.63	12/10/12

53489	426 SOURIS RIVER TELECOMMUNICATIONS	137.59	12/10/12
53490	428 ST. PAUL STAMP WORKS, INC	114.80	12/10/12
53491	999999 STATE FARM	56.29	12/10/12
53492	817 STEIN'S, INC	120.10	12/10/12
53493	999999 STEVEN NATWICK	46.05	12/10/12
53494	1186 SYN-TECH SYSTEMS, INC.	852.00	12/10/12
53495	1722 TETON BOOSTER CLUB	5000.00	12/10/12
53496	454 THUNDERBIRD RANCH	787.05	12/10/12
53497	701 Tourism Alliance Partnership	1000.00	12/10/12
53498	460 TRACTOR & EQUIPMENT CO.	1566.46	12/10/12
53499	461 TRACTOR SUPPLY CREDIT PLAN	34.97	12/10/12
53500	1610 ULTEIG	22507.97	12/10/12
53501	999999 UMR/SALT LAKE	331.60	12/10/12
53502	484 VERIZON WIRELESS	1588.21	12/10/12
53503	487 VISA	3863.40	12/10/12
53504	1126 VOGEL LAW FIRM	1826.00	12/10/12
53505	501 WESTERN VET CLINIC	87.56	12/10/12
53506	532 WILLIAMS COUNTY HIGHWAY DEPT.	231.34	12/10/12
53507	533 WILLIAMS COUNTY TREASURER/RECORDE	334.30	12/10/12
53508	564 WILLIAMS RURAL WATER DISTRICT	587.75	12/10/12
53509	538 WILLIAMS RURAL WATER DISTRICT/RAA	43.68	12/10/12
53510	1716 Williams Scotsman, Inc.	2250.50	12/10/12
53511	509 WILLISTON AREA CHAMBER	1000.00	12/10/12
53512	1120 Williston Area Development Founda	1361.85	12/10/12
53513	517 WILLISTON FIRE & SAFETY	571.71	12/10/12
53514	518 WILLISTON HERALD	1147.06	12/10/12
53515	519 WILLISTON HOME & LUMBER	65.91	12/10/12
53516	1687 WILLISTON LANDSCAPE AND IRRIGATIO	310.00	12/10/12
53517	523 WILLISTON POLICE ASSN.	405.00	12/10/12
53518	525 WILLISTON TIRE CENTER	904.17	12/10/12
53519	526 WILLISTON TRUE VALUE	250.64	12/10/12
53520	530 WILLISTON/WILLIAMS COUNTY - LEC	495.00	12/10/12

Grand Total 3882361.68

- (2.) Application for Taxi License; Mr. Kab Taxi, Sheila Taranto Building Official
- C. (1.) Application for Master Plumbers License
 - a. Mark Jones – Star Service Inc.
- (2.) Application for Master Mechanics License
 - a. Barry Scott – Air Controls Billings
 - b. Stan Swenson – Shepherd Stainless, Inc.
 - c. Daniel Howard – Bozeman Plumbing & Heating
 - d. Joshua Prati – Sunrise Heating & Cooling LLC
- (3.) Application for Journeyman Mechanics License
 - a. Jesse Pritchard – Air Controls Billings
 - b. Dave Park – Air Controls Billings
 - c. Jeff Nelson – Air Controls Billings
 - d. Ryan Works – Shepherd Stainless, Inc.
- (4.) Application for Journeyman Plumbers License
 - a. William Dusing – Williams Plumbing
 - b. Drew Hanson – Star Service Mech
- (5.) Application for Fuel-gas piping license
 - a. Joshua Prati – Sunrise Heating & Cooling LLC
- D. City Planner

- E. Assessor
 - (1.) New Residence Exemption: Ling Wan Wang, LLC – Lot 7, Block 6, Westlawn Addition, City of Williston-22 x 22 Addition between house and exiting garage Years Exempt 2013-2014-2015
- F. Engineer

MOTION BY BEKKED AHL, SECONDED BY BOGAR, to approve the consent agenda as presented.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- 3. Bid Openings
 - A. Fire Department Squad Replacement

Chief Hanson brings this request for consideration from the Commissioners. He explained they had received one bid from Utilimaster in the amount of \$171,252.00 however they are requesting a full \$200,000.00 for any additional attachments they may need.

It was also discussed that Commissioner Cymbaluk would be in charge of proper disbursement of the remaining \$28,000.

MOTION BY CYMBALUK, SECONDED BY BOGAR, to approve the request submitted by Chief Hanson.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- 4. Public Hearings
 - A.) Proposed Zone Change from A: Agricultural to R-3: Lowrise, Multi-Family & Townhouse Residential for property located in NW1/4 NE1/4, Section 12, T154 N, R101W, City of Williston and Preliminary Plat for Pheasant Crossing Subdivision.(27+ ac.)- CDP 42nd Street Investors, LLC

Donald Kress with the Planning & Zoning Dept. brings this first public hearing before the Commissioners for approval. He explains that the application was received October 26, 2012 and proposes a zone change from A: Agricultural to R-3: Lowrise Multi-Family and Townhouse Residential Districts, for an approximately 26.9 acre property in the NW ¼ NE ¼ Section 12, Township 154 North, Range 101 West, and a preliminary plat for 96 residential lots, including detached single-family homes and twinhomes, plus three apartment lots with 144 total apartment units (six buildings of 24 units) and two detention basin lots. The overall project density is 8.9 dwelling units per acre (du/ac). The apartment density is 18 du/ac. The single-family density is 5.77 du/ac.

The project will take access from 42nd Street East to the north and University Avenue to the east, both of which are dedicated public streets. The interior roadways of the project continue existing, numbered streets, and will be 60-foot right-of-way, dedicated public streets, except the eastward continuation of 38th Avenue East, which the preliminary plat depicts as a 30-foot wide right of way.

A related entitlement, which is being considered as a separate project, is the vacation of the Mattison Subdivision that is adjacent to the west of the project site. Vacation of this

subdivision will provide additional right-of-way that is required for 7th Avenue East, a dedicated street within the project site that provides access to 42nd Street East.

The project engineer has received redlines from City and Williams County departments. He will revise the drawings required by these redlines after the City Commission hearing, in order to accommodate any further revisions that might be directed by the City Commission.

Mr. Kress also explained that the Planning and Zoning Commission held a public hearing on the rezone and preliminary plat as presented by Planning Department staff. At that meeting, public comment from several testifiers included concerns about drainage on the project site and the surrounding area. Specifically, they noted the lack of natural slope in this area and the need for stormwater piping. The city engineer described the future drainage plan for this area. He noted that the city doesn't control all of this area, as part of it is in the township. The city's plan includes trying to cut off as much stormwater flow from the north as possible and making developers responsible for the stormwater on their individual projects. The developer's representative outlined the drainage plan for the project site and design of the detention basins.

On another concern, the Commission asked for clarification of how the development of 38th Street East would be triggered in relation to the lots that face it. The developer's representative described the developer's efforts to work with the property owner to the south to get the full width right of way for 38th Street East. The developer will install curb, gutter, sidewalk, sewer, water, partial storm sewer, and enough asphalt for two lanes of traffic. The developer intends an arrangement with the property owner to the south in which that property owner will install the other four feet of asphalt, curb, and gutter. The developer's representative explained that the developer could agree to not build the lots that face 38th Street East until the developer's portion of that street has been improved and all access easements with the property owner to the south are in place. He also noted that the city might want to get involved as 38th Street East will be an important street in this area.

Mr. Kress said the Planning & Zoning staff recommends the following requirements be added to the standard development agreement:

- Screening by either vinyl fencing or landscaped hedge is required around the detention basins.
- Lots facing 38th Street East cannot be developed until the developer's portion of 38th Street East is improved with curb, gutter, sidewalk, sewer, water, partial storm sewer, and enough asphalt for two lanes of traffic and all access easements with the property owner to the south are in place.
- Future buildings shall not cross lot lines.
- Screening by either vinyl fencing or landscaping is required along 42nd Street East to screen the apartment development.

Mr. Kress gave the recommendations to the City Commission for approval of the Zone change from A: Agricultural to R-3: Lowrise, Multi-Family and Townhouse Residential and a preliminary plat to create preliminary plat for 96 residential lots, three apartment lots, and two detention basin lots on an approximately 26.9 acre property located in NW1/4 NE1/4, Section 12, T154 N, R101W, City of Williston, contingent upon (1) development agreement; (2) final plat requirements; (3) title opinion; and (4) addressing staff comments.

MOTION BY CYMBALUK, SECONDED BY KLUG, to approve the Zone Change as presented subject to any Plat approval

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

MOTION BY BOGAR, SECONDED BY BEKKEDAHL, to approve the Preliminary Plat with the contingencies as discussed regarding the screening and buffering on the development of 38th. Street & future buildings shall not cross lot lines from the Planning & Zoning. As well as the other recommendations given by the Planning & Zoning Dept.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- B.) Proposed Amendment to the Future Land Use Plan from Residential to Industrial and Zone Change from A: Agricultural to M-1: Light Industrial for various Lots in the Sunset and Whitlock Subdivisions and unplatted property in Section(s) 20, T154N, R101W, City of Williston. (West of 139th Avenue & North of 2&85) – City

Rachael Ressler with the Planning and Zoning Dept. discusses the request for a zone change for 14 lots west of 139th Avenue and east of Schlumberger from A: Agriculture to M-1: Light Industrial. She also explains that the Planning and Zoning Commission had recommended approval of an amendment to the future land use plan from Residential to Industrial. This future land use amendment should be included as part of the public hearing and of the motion.

Miss Ressler discussed the public comments from the Planning and Zoning Commission meeting and the concerns from the neighbors regarding street signage and use on 139th Ave.

Next Miss Ressler talked about the M-1: Light Industrial zoning for this area being consistent with the original Williams County zoning. The lots were platted as industrial lots while the future land use plan was being completed in 2010. When annexed in July of 2012, they reverted to an agricultural zoning. The re-zoning process would allow the lots to be in compliance with the city's M-1: Light Industrial zoning. All existing uses on the properties are consistent with this zoning.

Miss Ressler gave the recommendation from the Planning and Zoning Commission for approval of an amendment to the future land use plan from Residential to Industrial. And also to approve the zone change from A: Agriculture to M-1: Light Industrial for Lot 1, Block 1 and Lot 1, Block 2 of the Whitlock Subdivision; Lots 1, 2,3, and 4, Block 1, Lots 1 and 2, Block 3, and Lots 1R, 2R, and 2, Block 4 of the Sunset Subdivision; and N1/2 NE1/4 NE1/4, Section 20, T154N, R101W, City of Williston, North Dakota.

MOTION BY KLUG, SECONDED BY CYMBALUK, to approve the future land use plan from Residential to Industrial for the Lot's as listed as well as the unplatted property in Section(s) 20, T154N & R101W.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

MOTION BY BOGAR, SECONDED BY KLUG, to approve the zone change from A: Agriculture to M-1: Light Industrial for the Whitlock & Sunset Subdivisions.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- C.) Proposed Zone Change from A: Agricultural to R-1: Rural Residential for Lot(s) 1-4, Block 2 and Lot 7, Block 1, Sunset Subdivision, City of Williston. (North of Sunset Blvd & East of Schlumberger) – City

Rachael Ressler with the Planning and Zoning Dept. brings this next request to the Commissioners for discussion. She explains that this is for a zone change for five lots in the Sunset Subdivision, west of 139th Avenue and east of Schlumberger. The request is to change it from A: Agriculture to R-1A: Rural Residential

Miss Ressler also explained that the Sunset Subdivision was originally proposed as residential and was rezoned by the county as industrial. An R-1A: Rural Residential zoning for this area is consistent with the original Williams County zoning and the future land use plan for the City. When annexed in July of 2012, they reverted to an agricultural zoning. The re-zoning process would allow the lots to be in compliance with the city's R-1A: Rural Residential zoning. All existing uses on these properties are consistent with this zoning, or are vacant. Three of these five lots have houses on them.

MOTION BY BOGAR, SECONDED BY BEKKEDAHL, to approve the Zone Change from A: Agriculture to R-1A: Rural Residential for Lots 1- 4 of Block 2; Lot 7, Block 1 of Sunset Subdivision.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- D.) Proposed Zone Change from A: Agricultural to M-2: Heavy Industrial for various Lot(s)1-5, Morelli Subdivisions and Sublot (s) 5,7,8,9 and 14 and unplatted tract(s) in Section 21, T154N, R101W, City of Williston. (East of 139th Avenue & North of 2&85) – City

Rachael Ressler brings this proposed zone change to the Commissioners for discussion. She explained that on November 19, 2012, the Planning and Zoning Commission recommended approval of a zone change for 19 lots east of 139th Street from A: Agriculture to M-2: Heavy Industrial.

She explains that this change is consistent with the use of both the original Williams County zoning and the future land use plan. When annexed in July of 2012, the lots reverted to an agricultural zoning. The re-zoning process would allow the lots to be in compliance with the city's M-2: Heavy Industrial zoning. All existing uses on the properties are consistent with this zoning.

MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve the Zone Change for 19 lots East from A: Agricultural to M-2: Heavy Industrial as described for various Lot(s)1-5, Morelli Subdivisions and Sublot (s) 5,7,8,9 and 14 and unplatted tract(s) in Section 21, T154N, R101W.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & 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.) First Reading of Ordinance #960 an Ordinance Amending Section 25 G: Signs and Section 31: Definitions of Ordinance No. 613 of the City of Williston, also known as the Zoning Ordinance of the City of Williston, to update these sections in response to advances in sign technology, the growth of the City of Williston. And the goals of the updated comprehensive plan.

Donald Kress with the Planning and Zoning Dept. brings this request to the Commissioners to discuss the revised sign ordinance. He explains that it is to update the existing sign ordinance in response to advances in sign technology, the growth of the City of Williston, and the goals of the updated comprehensive plan.

Mr. Kress explained that they had previously met with the Planning and Zoning Commission on this Amendment and they had the following revisions to include:

- Signs painted on building walls. These fall either under the definition of “billboard” if they are advertising for an off-premises business, commodity, service, or entertainment, or a “wall sign” if they advertise an on-premises business, commodity, service, or entertainment
- Historic signs painted on building walls. These are signs for which the thing they’re advertising is no longer in business or available. Staff recommends that these signs either be restored or painted over within some reasonable time frame after this ordinance goes into effect.
- Existing dynamic messaging signs. Staff recommends that existing dynamic messaging signs be brought into compliance with the regulations on dynamic messaging signs in this proposed ordinance within some reasonable time after this ordinance goes into effect.

Mr. Kress went on to say that on November 19, 2012, the Planning and Zoning Commission held a public hearing on the draft revised sign ordinance as presented by the Planning Department staff. At that meeting, public comment was received from one testifier who works in the sign industry and had submitted a comment letter prior to the hearing. The Commission discussed the testifier’s points with him, particularly his points about spacing of billboards and distance of billboards from residential zones. Planning Department staff pointed out one of the goals of the revised sign ordinance is to reinforce the Future Land Use Plan goal of the 2nd Avenue West corridor being an attractive commercial corridor.

A representative from the North Dakota Department of Transportation presented that agency’s position on size and wording of signs along state rights of way. He noted that the NDDOT does not actually regulate the location of signs.

Staff recommends the following changes in the draft ordinance to your commission:

Messaging 4 (k) (page 4) to be revised as follows: Dynamic messaging signs are not permitted in the area designated as “Downtown Renaissance Zone” by the City Planning Department.

Emergency Locator Signs 2 (d) (page 5) to be revised as follows: Shall be a maximum of 64 square feet of sufficient size to be clearly visible from the address entrance driveway.

Emergency Locator Signs 2 (e) (page 5) to be revised as follows: Must be displayed facing the street near the address entrance in a manner that is clearly visible from the address entrance driveway into the property.

Billboards 4 (page 7) to add the following: k. The maximum area of a billboard shall not be increased through the special permitted use (SPU) process.

Effective Date 1 (page 9) to be revised as follows: The proposed effective date of this ordinance is January 1, 2013. This ordinance will apply to all sign permits approved after that date, and all sign permits for which an application has been filed as of that date, and all temporary signs in place as of that date.

Lastly Mr. Kress stated that these recommended changes are for the Commission's consideration; these changes do not appear in the draft ordinance. It is the recommendation from the Planning and Zoning Commission to approve the revised sign ordinance with the following amendments:

1. Extending time for compliance for existing dynamic messaging signs for 90 days after approval.
2. General 9 (j): to read "No sign attached to a building shall protrude above the point of a building with a flat roof, the eave line of a gambrel, gable, or the hip roof of the deck line of a mansard roof, except for roof signs."
3. Messaging 4 (h) and (k): (h) to read "Dynamic messaging signs within 150 feet of a residential zone that face the residential zone shall display a static message between the hours of 9:00 p.m. and 7:00 a.m." and (k) should be deleted.
4. Billboards 4 (f): Change the maximum area to 378 square feet, as this size (10' 6" X 36') is a sign industry standard size.

MOTION BY CYMBALUK, SECONDED BY KLUG, to approve the 1st. Reading of Ordinance #960 with the correction and amendments by staff.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

7. Petitions, Communications and Remonstrance's
 - A.) NDSU Population Study Presentation

Nancy Hodur with the Department of Agribusiness and Applied Economics North Dakota State University has prepared for the City of Williston a Population Estimate. She has compiled a report bringing information from different area to determine a Service Population to be 65.7%-75% of Williams County which is 33,547 – 38,296 with projected growth for the next 5 years to grow to 43,993 – 50,220.

This was for information purposes only no motion was needed.

8. Report of Commissioners
 - A. President of the Board
 - B. Vice-President; Finance Commissioner
 - C. Street and Improvement, Sanitation, Cemetery and Public Works Commissioner
 - D. Fire, Police, and Ambulance Commissioner
 - E. Water Works, Sewer, Airport, Building and Planning Commissioner
 - (1.) Planning Fee Study Update

Commissioner Bogar explains that he has been working with the Planning Dept. in regards to the Fee's and just wanted to bring it to the attention of the Commissioners that they will be doing a Study to update these Fee's.

9. Report of Department Heads
 - A. City Auditor
 - (1.) New Positions & Salary Changes

John Kautzman the City Auditor brings this item to the Commissioners. He explains that Randy Donnelly, the Internal Auditor has been working with the Salary Committee and has proposed changes for the 2013. These changes are for increases in pay for a variety of positions as well as for new positions.

MOTION BY CYMBALUK, SECONDED BY BOGAR, to approve the request as submitted by the Internal Auditor.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

(2.) Bad Debt Write Offs With BMS

Mr. Kautzman brings this next request to the Commissioners for consideration. He explains that they have utility accounts, ambulance and municipal court bad debts that they are requesting to write-off. The ambulance total is \$368,114.53, the Water Dept. is \$5,583.93 and the Court is \$60,370.51. Mr. Kautzman did say that they would continue to make attempts at collecting these funds with the help of a collection agency.

MOTION BY BEKKEDAHL, SECONDED BY BOGAR, to approve the 2012 bad debt write-offs as submitted by the City Auditor in the amount of \$434,079.00

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

(3.) Fireworks Display Request from Mercy Medical Center- Leslie Sullivan

Mr. Kautzman brings this request from Mercy Medical Center explaining that they will be hosting their annual Reflections of Love ceremony which will be held on Monday, December 17th beginning at 6:30 p.m. in the McKinnon Cafe at Mercy. A portion of the ceremony will include a fireworks display, which will be held at approximately 7:00 p.m. on the front lawn of Mercy Medical Center. The fireworks will be provided by Terry Gaudreau, again this year. They have already contacted Alan Hanson at the Fire Department who is fine with them hosting the display; provided they contact the adjacent residence to notify them of the fireworks display.

MOTION BY KLUG, SECONDED BY CYMBALUK, to approve the request.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

(4.) Harvest Hills Easement

Rick Leuthold with Sanderson Stewart brings this request to the Commissioners. He explains that Western Area Water Supply Authority previously had a 100 foot easement typically where they run their lines. That was put in place prior to any Harvest Hills platting around 32nd Ave. It is not centered on the roadway so where there is a 50ft or 100ft right-of-way it is offset where a typical road right-of-way would be located. What the plan is, is take the 100ft easement which encroaches on the lots and reduce it to 70ft, 30ft from the west side, coincidental with a 50ft right-of-way width and a 20ft utility and stormwater easement that runs along the backside of the lots. What is being requested is a restatement of the plotting.

MOTION BY BOGAR, SECONDED BY CYMBALUK, to approve the new easement document as described.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

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

(5.) SERKA Proposal

Ross Graves with SERKA Services presented the following information. There have been changes to the agreement that they have been working on and not everyone has had a chance to review the changes. They are asking to be annexed into the City rather than building a sewer water plant for the hotel. They are asking the City to monitor future developments from their installation of a new sewer main and water main and to see if the City may want to use it in the future. They are also interested in entering into an agreement as to working together with the City for Water, Sewer and Road improvement.

This is for informational purposes only as it will be placed on the agenda for the December 26th meeting.

- B. Attorney
- C. Director of Public Works/City Engineer
 - (1.) Pheasant Run & 26th. Street Intersection

Bob Hanson presented the following information: Ulteig Engineering is in the process of preparing a Project Concept Report for the construction of Pheasant Run Parkway from Sand Creek Drive to 26th Street. This Project Concept Report includes a Traffic Operations Study of various configurations of the Pheasant Run Parkway/26th Street intersection would provide the following Levels of Service:

Control	2013	2017	2033
2-Way Stop on Pheasant Run	F	F	F
4-Way Stop	D	F	F
Traffic Signals	B	D	F
Traffic Signal with Turn Lane	-	B	B
Single Lane Roundabout	A	B	C
Two Lane Roundabout	-	A	A

A Level of Service “A” is the best possible performance of a given Traffic Control system. A Level of Service “F” is the worst performance. As a means of comparison the recently installed 4-way stops on 11th Street are probably now operating in the LOS “D” to LOS “F” range during peak traffic hours.

Intersections are generally designed to provide a LOS of “C” or better at the end of their design period. Only a Traffic Signal or a Roundabout meet this criteria.

When the project was initiated four years ago we had envisioned a conventional intersection controlled by a 2-Way Stop on Pheasant Run and our project estimate of \$1,100,000 does not include the costs of Traffic Signals or a Roundabout.

This is a Federal Urban Aid Project which will fund about 80% or \$880,000 of our project estimate. The City will need to fund any costs over this cap.

Traffic Signals would cost \$250,000 to \$350,000. This option would bring the cost up from the 1.1 million estimate to 1.4 million.

A Single Lane Roundabout would cost about \$750,000 but would need to be expanded to a Two Lane Roundabout in the future. Steps to preserve right of way for a Two Lane Roundabout would be required immediately.

A Two Lane Roundabout would cost about \$850,000.

We are seeking direction from the Commission on where to focus our efforts as we finalize the Project Concept Report.

Discussions ensued regarding the growth of the area and what the most feasible option would be.

MOTION BY CYMALUK, to install a traffic light. Motion died because it was not seconded.

MOTION BY BOGAR, SECONDED BY KLUG, to move forward with a single lane Roundabout with the accusation of property for a two lane roundabout should it be required in the future.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

(2.) MDU Drainage Improvement

MDU has submitted plans to build a new office building complex along the south side of 2nd Street between 8th and 10th Avenue West. This is the site of MDU's old Power Plant.

The site now drains toward the Rail Road property which results in some flooding issues.

MDU had proposed to collect their storm water and infiltrate it into the ground near the intersection of 2nd Street and 8th Avenue West through what is essentially a large drain field.

8th Avenue West is the street that leads to Red River Supply. The street is subject to significant frost heaving each winter which results in massive frost boils each spring. Some years ago the original pavement was replaced with crushed asphalt to control the annual presence of groundwater and the last thing we need is to be introducing additional water into the ground we have rejected MDU's original drainage control system.

As an alternative, it would be possible to carry MDU's storm water through a new storm sewer that would be connected to our 6th Avenue West Storm Sewer. This storm sewer would resolve the MDU storm water problem and would also help control flooding along the rail road between 6th and 8th Avenue West.

Because this storm sewer would provide protection from water generated from areas outside of the MDU project appropriate to assess portions of the project costs to these areas.

We are seeking direction from the Commission as whether or not we should pursue the creation of a special assessment improvement district for the purpose of installing this storm sewer.

MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to create a special assessment for the purpose of installing a storm sewer at the referenced location.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

(3.) MDU / 8th. Ave. West Street Improvement

As a Building Permit condition, the City will be requiring MDU to hard surface 8th Avenue West from 2nd Street going south for about 100 feet to the approach into their office complex. With the new storm sewer in place we have the opportunity to reconstruct all of 8th Avenue West with an underdrain system that would control the frost heaving problem. If 8th Avenue West is to be reconstructed to a new water and sewer system should be installed to replace a small diameter water service line leading from 2nd Street to Red River Supply and a common water and sewer service line leading from 2nd Street through the remaining house at 111 8th Avenue West to Sax Electric.

Because these improvements would benefit properties beyond what MDU is being required to install it is probably appropriate to assess portions of the project costs to the benefitted properties.

We are seeking direction from the Commission as whether or not we should pursue the creation of a special assessment improvement district for the purpose of reconstructing 8th Avenue West.

MOTION BY CYMBALUK, SECONDED BY KLUG, to create a special assessment district for the reconstruction of 8th Avenue West.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

(4.) Wegeley Acres Drainage Study

We are recommending the acceptance of a proposal from Alliance Consulting to complete a Flood Plain Management Study for the drainage area between 26th and 42nd Street east of 2nd Avenue West and downstream to its discharge into the Corps of Engineer's drainage ditch behind their levee.

This study would redefine the 100 year Flood Plain Elevations in this drainage area, recommend drainage system improvements from the Wegeley Green Acres neighborhood through the Lone Willow and Delaney ½ Acres areas to 26th Street. Recommended structure sizes for the 26th Street and East Dakota Parkway ditch crossings and the sizing of the drainage ditch through the proposed Jonathan's Landing development would be included.

The estimated cost of this study is \$44,485.

MOTION BY BOGAR, SECONDED BY KLUG, to make an agreement with Alliance Consulting as presented.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

(5.) Landfill Master Plan Proposal

Landfill Mater Plan Proposals.

We have received the following proposals for the completion of a Landfill Mater Plan:

Firm	Location	Schedule	Estimated Cost
HDR	Bismarck	6 months +3 months to complete the hydro-geo report	\$169,000
Wenk	Fargo	6 months	\$153,700
AquaTerra	Kansas	6 months	\$141,000
Four Front	Not Responsive		

We are recommending the acceptance of the HDR proposal. This recommendation is made considering HDR's qualifications, the in depth nature of their proposal, the active interest they have expressed in the project.

MOTION BY CYMBALUK, SECONDED BY KLUG, to accept the proposal of HDR as recommended by Public Works.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

(6.) Army Corp. of Engineer Easement

Public Works received a request for the City to sign off on Consent to Cross US Government Easement No. DACW45-9-13-8020. The consent, when fully executed, will grant the City of Williston permission to construct buried water and sanitary sewer mains on Tract No. EE-2813E, Garrison Dam/Lake Sakakawea Project, North Dakota.

MOTION BY BOGAR, SECONDED BY CYMBALUK, to approve the request for the Mayor to sign the Consent to Cross as presented by Public Works.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- D. Fire Chief
- E. Chief of Police
- F. Building Official
- G. City Planner

(1.) Preliminary Plat for the Rearrangement of Mattison Subdivision and the vacating of lot lines and public rights of way, NW ¼ NW ¼ NE ¼ of Section 12, Township 154 North, Range 101 West, City of Williston. (Containing 4+ ac.) - Kinsey

Donald Kress presented the following information:

Preliminary Plat for the Rearrangement of Mattison Subdivision and the vacating of lot lines and public rights of way, NW ¼ NW ¼ NE ¼ of Section 12, Township 154 North, Range 101 West, City of Williston. (Containing 4+ ac.) – Kinsey

The application received October 26, 2012 proposes to partially vacate the Mattison Subdivision, a recorded plat of approximately 4.66 acres located in the NW ¼ NW ¼ NE ¼ of Section 12, Township 154 North, Range 101 West, City of Williston. Though this project is a vacation of a recorded plat, the plat is identified as “Lot 1R, Rearrangement of Lots 5 through 13 and Adjacent Vacated Streets and Alleys, Block 1” The plat has been designated this way at the request of the Williams County Assessor and Recorder, in order that they may more accurately track the history of this subdivision in their records.

The vacation will include nine of the 13 lots in Block 1 this subdivision, a dedicated street right of way, and a dedicated alley right of way. As the dedicated street and alley rights-of-way are within a plat being vacated, these rights of way do not have to be separately vacated.

After the plat has been vacated, Lots 1, 2, 3, and 4, Block 1 of the Mattison Subdivision, which are not part of the vacation, will have 10 feet added to the rear of the properties resulting from the vacation of the alley adjacent to the rear of these properties. The Williams County Assessor indicated this could be done internally at that office once the vacation plat is recorded.

Pursuant to the Williston Subdivision Ordinance, Section 8: Vacation of a Plat of Record, an application to vacate a plat of record must meet the following conditions:

1. The plat to be vacated is a legal plat of record.
2. Vacation of the subdivision will not interfere with development of, nor deny access via public thoroughfare to, adjoining properties or utility services or other improvements.
3. Vacation of the subdivision will not be contrary to the Williston Comprehensive Plan

To address these three points individually.

1. The Mattison Subdivision is a legal plat of record.
2. Vacation of the subdivision will not interfere with development of, nor deny access via public thoroughfare to, adjoining properties or utility services or other improvements. The lots proposed to be vacated have not been developed and are under a single ownership; the dedicated street and alley have not been constructed. The vacated portion of this subdivision will be a single large lot, Lot 1R, which will take access from 7th Avenue East within the adjacent Pheasant Crossing Subdivision project. Of the remaining lots in the Mattison Subdivision, Lots 1 through 4 of Block 1 of the Mattison Subdivision, which are developed with residences, take access from University Avenue. Block 2 of the Mattison Subdivision, consisting of one lot, will take access from 7th Avenue East within the adjacent Pheasant Crossing Subdivision project.
3. The vacation will not be contrary to the Williston Comprehensive Plan. The plat vacation simply removes existing lot lines and does not prevent any future development on this site, though none is proposed at this time.

A related entitlement, being considered as a separate project, is the Pheasant Crossing Subdivision adjacent to the east of the project site. Vacation of the Mattison Subdivision will provide additional right-of-way that is required for 7th Avenue East, a dedicated street within the Pheasant Crossing Subdivision project site that provides access to 42nd Street East.

Note that no zone change is proposed on this property; the existing zoning is R-1A: Rural Residential. No development is proposed at this time. Any future subdivision of the vacated portion of this plat (proposed Lot 1R) will have to go through the subdivision process.

The project engineer has received redlines from city and Williams County departments. He will revise the drawings required by these redlines after the City Commission hearing, in order to accommodate any further revisions that might be directed by the City Commission.

On November 19, 2012, the Planning and Zoning Commission held a public hearing on the proposed plat vacation as presented by Planning Department staff. Staff explained the plat vacation process. The developer's representative explained the history of this subdivision and why it was being vacated. There was no public comment at this hearing, nor any significant discussion among the Commissioners.

No development agreement is required for this plat.

The Planning and Zoning Commission recommends that the City Commission approves the partial vacation of the Mattison Subdivision as depicted on the preliminary plat for the Rearrangement of Mattison Subdivision and the vacating of lot lines and public rights of way, NW ¼ NW ¼ NE ¼ of Section 12, Township 154 North, Range 101 West, City of Williston, contingent upon (1) final plat requirements; (2) title opinion; and (3) addressing staff comments. The Commission approved the recommendation by a vote of 5-0, with two Commissioners absent.

MOTION BY CYMBALUK, SECONDED BY BOGAR, to approve the request as submitted by Planning and Zoning.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- (2.) Preliminary Plat for the Rearrangement of Lot 4, Block 4, Bakken Industrial Park Subdivision, City of Williston. (containing 11+ ac.) – Westmoreland Co., Inc.

On November 19, 2012, the Planning and Zoning Commission recommended approval of the Rearrangement of Lot 4, Block 4, Bakken Industrial Park Subdivision.

This application requests a rearrangement of Lot 4, Block 4 of the Bakken Industrial Park Subdivision. The lot is zoned M-2: Heavy Industrial. The original lot is 11.11 acres, and the rearrangement proposes 7 lots. Six of those lots would be .87 acres, and one would be 5.91 acres. These lots will take access off of Oil Ave and Energy Street. Engineering's comments include a need for a water and sewer plan, as well as installation of water and sewer lines to each lot.

Proposed uses on the six smaller lots include various contractors' shops. The larger lot is a proposed site for a FedEx facility.

The Planning and Zoning Commission's recommendations are for the City Commission to approve the preliminary plat for the Rearrangement of Lot 4, Block 4, Bakken Industrial Park Subdivision, contingent on a non-protest agreement for future street improvements, staff review, final plat requirements and all other documents.

Discussion on the size of the smaller lots, and whether or not any requirement for M-2 lots to be of a particular size ensued.

MOTION BY BOGAR, SECONDED BY BEKKEDAHL, to approve the preliminary plat for the Rearrangement of Lot 4, Block 4, Bakken Industrial Park Subdivision, contingent on a non-protest agreement for future street improvements, staff review, final plat requirements and all other documents.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

H. Economic Development

I. Airport

(1.) Request to go to bid on a Small SUV

The Airport is requesting to go to bid for January 7, 2013 on a small SUV. A small SUV is budgeted in for next year at \$25,000 and they are requesting to begin the bid process now to purchase it. The Airport will also be trading in its 2006 F250 during this unless Public Works or another City department would like it.

MOTION BY KLUG, SECONDED BY CYMBALUK, to approve the Airports request to go to bid on a small SUV.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

(2.) Advertising Lease Agreement with WSC

The Airport is present their standard lease agreement to enter into with Williston State College for a year term and \$3,000 on the curved wall located in the terminal. Airport recommends approval.

MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve the Lease Agreement with WSC.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

(3.) Lease Agreement with Avis, Hertz & Priceless Car Rental Companies.

This is for four year renewals of the current leases at with the three car rental companies at the Airport. This increases the Airport percentage of each transaction to 11%, which is the State average for car rental fees. It also allows for a caveat allowing for CFC's which are Customer Facility Charges. These are for projects that relate to the rental agencies such as a car return area.

MOTION BY BOGAR, SECONDED BY CYMBALUK, to approve the lease agreements as recommended by the Airport Manger.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- J. Assessor
- K. Convention and Visitor's Bureau
- 10. Appointments and Consultations with Officers
- 11. Unfinished Business
 - A. J1 Visa Program
 - An inspection was done and it should be ready to be presented at the next meeting.
 - B. Parks District – Landfill Issue

A document was presented which is a Landfill Agreement between the City of Williston (City) and Williston Parks and Recreation (Park) which allows the Parks to dispose of approximately 14,256 tons of waste from the site of the construction of the new Recreation Complex at the City of Williston Landfill, that the Park will provide Dozier equipment to shape the material to be disposed, the Park will coordinate the disposal of the material with the landfill foreman, that the cost of the disposal shall be \$20 per ton for an approximate total of \$285,120, that the landfill costs shall be paid over a period of five years and that the first payment of \$57,024 shall be determined by the Auditor.

MOTION BY CYMBALUK, SECONDED BY KLUG, to approve the Landfill Agreement between the City of Williston and Williston Parks and Recreation.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- C. RFP for Architectural Space Study
 - * Hold
- D. Shop24 Vending Machines
 - * Hold
- E. Love's Travel Stop
 - * Hold
- 12. New Business
 - A. An Assignment of Lease- Raven Oilfield Rentals USA, Inc. & G & B Rentals, LLC

MOTION BY BOGAR, SECONDED BY BEKKEDAHL, to approve the Assignment of Lease between Raven Oilfield Rentals USA, Inc. and G & B Rentals, LLC as presented.

AYE: Klug, Cymbaluk, Bogar, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- 13. Executive Session
 - A. Economic Development Issue

MOTION BY CYMBALUK, SECONDED BY BOGAR, to move into an Executive Session to consider an Economic Development issue pursuant to Section 44-04-19.1.

Approved by verbal vote.

CARRIED: 5-0

Pursuant to that Motion, we will discuss the Economic Development matter as authorized by law.

14. Adjourn

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

E. Ward Koeser, President
Board of City Commissioners

John Kautzman, City Auditor