

**OFFICIAL PROCEEDINGS
OF THE SPECIAL MEETING OF THE BOARD OF CITY COMMISSIONERS
JANUARY 31, 2013 6:00 P.M.
AUDITORIUM WILLISTON HIGH SCHOOL, WILLISTON, NORTH DAKOTA**

1. Roll Call of Commissioners

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

COMMISSIONERS ABSENT: None

OTHERS PRESENT: John Kautzman, Donald Kress, Rick Leuthold, James Lokken, Pete Furuseth, Alan Hanson, Monte Meiers, Rachel Ressler and Kent Jarcik

2. Public Hearing

A.) Protest Determination

Donald Kress presented the following information:

This hearing is to determine the sufficiency of protests for the Northern Annexation, staff will also present information on how City Zoning, extension on City services, infrastructure and property taxes will be implemented should the Commissioners choose to pass the Resolution for Annexation. There will be multiple presenters tonight to explain these topics. Those include myself, Rick Leuthold of Sanderson Stewart, Kent Jarcik, the City Planner, Monte Meiers, Director of Public Works and Engineering, Alan Hanson, Williston Fire Chief and Shawna Gooch Egge of the Williams County Tax Assessors Office unfortunately wasn't able to be here tonight.

The Northern Annexation area includes 520 property owners who own a total of 1017 parcels and it consists of 4888 acres, or 7.6 square miles. It includes areas already developed, vacant land that can be developed and land owned by the US Army Corp that cannot be developed.

Rick Leuthold presented the following:

Sanderson Stewart was hired as a consultant by the City of Williston to prepare and work with the boundary information and to collate that information as to the level of protests received. One of the main reasons for this annexation is to fill in around areas that have been annexed into the City using narrow corridors of land and to minimize jurisdictional conflicts. Also, this brings areas that have already been developed to urban or suburban densities into the City limits.

Tabulations were kept on all properties, their owners, property identification, legal description, parcel size and contact information. When protests were received by the City they were provided to Sanderson Stewart. Both Sanderson Stewart's office and the Auditor's staff tracked them and compiled concurrent lists including whether or not the protester had previously signed a non-protest of annexation waiver to determine the validity of the protest.

Sanderson Stewart then prepared a final tabulation of the information. This is a hearing to determine the sufficiency of protests so one of the things the Commissioners are looking for is a final tabulation of those areas.

The total area in the annexation boundary is 4888 acres of that once you eliminate the right-of-ways that are not owned parcels you have a net acres of 4835 acres in that area. There were 67 protests that represented 102 lots with a total acreage of 897.07 acres or a 18.56% of the total acreage. In addition we did an analysis with regards to the waivers. There are 27 properties that are recognized with having signed waivers in place and the acres that are associated with the signed waivers are 83.61 acres. So the total acres without signed waivers in place that are being considered are 813.46 acres which is a net protest area of 16.82%. This is below the 25% as identified in State statutes and therefore the Commission would be in a position to act upon the resolution of annexation as they see fit.

Kent Jarcik presented the following information:

As part of the truck route development review and study we looked to define an initial Tier I growth area in conjunction with the truck route.

Growth area was based on the already extended services that included the sewer line north to Bakken industrial Park and sewer line extension west out to Schlumberger.

In developing a service area City Engineering worked with AE2S to determine what a serviceable sewer area would be in conjunction with these stated extensions to accommodate future pipe sizing and sewer facilities expansion.

SRF assisted us with applying future housing density and acreage needed to accommodate residential and commercial land needed to go with the utilities extension and sewer service area.

In addition, the City and County are working together to focus urban density development toward the City and minimize urban density growth in the rural areas. This directive was part of the recent County Comprehensive plan.

The Tier I growth area was then based on this information and developed in conjunction with the land use information from SRF and sewer service information from AE2S and City Engineering. The Tier I growth area would accommodate a population of approximately 70,000. The intent is to provide a focus area of development for current growth to be evaluated over time as growth occurs for any needed expansion of the area.

This focused growth area allows us to concentrate development in the area of a single government jurisdiction to minimize cross jurisdiction confusion for subdivision and land use development as well as minimize boundary confusion for fire and emergency services. In addition, within a single jurisdictional boundary facilitates the process in expanding water, sewer and storm water needs.

Donald Kress presented the following information:

The one-mile extra-territorial jurisdiction is an area in which the City has zoning jurisdiction but which otherwise falls under the jurisdiction of Williams County. The portion of the annexation area that falls in this area has already been zoned by the City of Williston so the zoning in it will not change as a result of the annexation. All of the activities that are currently occurring in those areas will be able to continue as they are. Though the zoning will not change, they will be subject to all Williston City Ordinances after the annexation.

The one-mile does not get extended automatically by annexation. Adjustments of the one-mile will be done through negotiation between the City of Williston and Williams County after the annexation.

The areas not in the one-mile extra-territorial jurisdiction will be classified as Agricultural upon annexation, as required by the Williston zoning ordinance. For areas that are currently zoned as Agricultural, that designation will continue. For areas that are developed as residential, commercial, or industrial the Agricultural zoning designation is temporary. It is not intended that agricultural uses replace the existing residential, commercial or industrial uses. These other areas will be rezoned to the closest City zoning designation that is consistent with the City's comprehensive plan. Property owners can apply to be re-zoned; the City will also initiate some re-zones. All re-zones, whether initiated by property owners or the City, go through the same process of notification, review, and hearing by both the Williston Planning and Zoning Commission and the City Commission.

Some uses currently in Williams County are not allowed in the City and will be considered non-conforming uses. Generally, non-conforming uses may continue under the non-conforming rules of the Williston zoning ordinance; these uses can be maintained but not expanded.

Uses in the annexation area that are allowed by conditional use permit in Williams County will have their permits reviewed by the City upon expiration of those permits. The City will review these permits based on the City's requirements and regulations for these uses.

Mr. Monte Meiers presented the following information:

Mr. Meiers explained the general plan for the recent and future extension of road, water and sewer services. Also discussed was the water treatment facility project.

Chief Alan Hanson presented the following information:

Chief Hanson discussed how the annexed area will be served by Fire and Emergency Services. Ambulance Services are already contracted to serve up to Black Tail and down to Alexander. Fire Service is covered within the City and up to the Bakken Industrial Park. So in essence they already bypass that area and they do have Mutual Aid Agreements with the Rural Fire Departments and work very well with them. The Rural Fire Department will continue to operate. All of the vehicles are housed in the same location and they train together so they will work well together. A study is currently being conducted to look at the capabilities of Emergency Services and what needs to be done to expand. People in the annexed area could see a reduction in fire insurance rates because they will be served by the City Fire Department. Some of the disadvantages are that there are no fire hydrants in that area and some equipment improvements for water supply to the annexed area and finally some additional staffing needs.

Shawna Gooch Egge, the Director of Tax Equalization for Williams County, was unable to attend the meeting however Mr. Kress had prepared a slide regarding the changes in property tax which outlined the information provided in the Annexation Brochure that had been mailed to property owners. This information depicted the changes in City Tax versus Township taxes.

That concluded the staff presentations for the meeting; Mayor Koeser asked if the Commissioners had any questions for any of the staff members and none did.

Mayor Koeser introduced himself and the Commissioners, City Attorney and City Auditor. He explained that it was a public hearing and that audience members would have an opportunity to ask questions, he also explained that they were requesting audience members that have

questions to come forward to the front of the auditorium and speak from the lectern with the microphone so that their questions could be heard and that they give their name and if needed to please spell their name. He then opened the public hearing portion of the meeting.

Mr. Kenneth Willard was the first to speak. His question was regarding how the annexation and expansion of services was going to be paid for and that they didn't want special assessments and also stated that the City couldn't handle the population that they currently had.

Commissioner Bekkedahl responded about the taxes and explained that the City levies fewer taxes now than it did 16 years ago when he became the Finance Commissioner. He also explained that the City's portion of the tax bill was only 20% of the total of the tax bill and that the remainder of the tax bill went to the school districts and Williams County. Last year the City increased the amount levied for taxes three percent even though the valuations went up 53%. The School District and Williams County are separate Taxing Boards and they do what they need to in order to fund their budgets. They increased their levies by approximately 30%-40% range.

Most of the expansion is infrastructure and in order to expand into those areas the City must have control over those areas in order to expand both corridors and water and sewer.

How is the City going to pay for this, we are aggressively going after state funds for these projects. Williston receives about 1.5 million dollars a year back from state oil taxes, the state took in over 2.5 billion dollars in oil taxes. This is about .5%-.6% of all of the oil tax money as the most impacted city. We are hoping that that changes this year, there is a Bill in for consideration that would bring back about 30 million dollars a year in oil taxes to the City of Williston. We are hopeful that the Bill will pass. We had over 140 North Dakota legislators visit the City last summer and we tried to show them what is happening. There are only 147 legislators total so we got just about all of them here. When they left here they all said that they didn't know that it was this bad and that Williston was this impacted. So that is why we have some hopes for the Bill passing. None of us has in their mind that they are doing this annexation to get any more money from anyone else out there. This is being driven by the need for infrastructure development and orderly growth for the City.

Allen Clark asked the next questions regarding infrastructure; he wanted to know when they would be able to hook up to the City sewer and when the Williams Rural Water would be switched over to City service and he wanted to know what the police department was going to do regarding the increased area.

Mr. Meiers responded that it was difficult to give precise dates for all of this happening they are trying to develop the sewer and water areas that do not have mains nearby. He indicated that this would be driven by resident requests. The hook-up fees would be dependent on where homes or buildings are located and access to the mains. The City would bring the water to the property edge and the owner would be responsible for taking it through their property. The City will also have to negotiate with Williams Rural Water to take over their water lines and that will be a process.

Commissioner Bekkedahl also commented that they were using monies received from Oil Impact Grants which had to be used towards infrastructure improvements to expand the industry and residential base to accommodate the industry to install the mains. So there were no special assessments for those projects. There is however a hook-up fee to bring the line onto the property.

Chief Lokken was called on to respond to the police question. Chief responded that they have already added additional staff over the last year and even more additional officers this year and

that they have additional money in the budget to hire three more additional police officers in June of this year.

The next questions were from Jerry Grev regarding propane use, shooting firearms, farm animals, fireworks and that there is only one way in or out and will there be another road so that they do not have to fight the traffic in and out of the area.

Chief Hanson spoke about propane and stated that if there were no other services available they could remain on propane.

Commissioner Bekkedahl responded to the issue of access. He explained that the reason the small area of Pherrin Township was included was so that the City had control over both sides of the roadway to improve corridor development to that area.

Mr. Kress also spoke and explained that each existing development will be re-zoned as close to possible as to its current zoning.

Debra Hegney asked about specific ordinances one being regarding the use of barbed wire fencing and also spoke to the difficulty of researching ordinance on the City's website. Ms. Hagney also was concerned about all of the ordinances and being subjected to the changes in them.

Mr. Kress explained that the Planning and Zoning Department only dealt with Planning and Zoning Ordinances.

Mr. Jarcik also explained should the Commission decide to proceed with the annexation that they were looking at having an outside consultant help evaluate the zoning and the land ordinances and that some of them were going to be changed on a case by case basis.

Commissioner Bekkedahl commented that it was not anyone's attempt to totally change the lifestyle of the property owners in the annexation area. If we have issues regarding ordinances that are not appropriate to your area we will look at that and use a common sense approach.

Ms. Hegney commented that the land that she was talking about was flood land.

Mayor Koeser read a couple of question, the first was how soon after the annexation would the annexed area owners see City taxes on their property tax bill? The answer is in December.

The second question that was read was: Will my property tax values increase with annexation? Commission Bekkedahl answered by stating that the value of properties are set by state law and the assessors have all of the requirements for valuing property.

Jerry Tilly from Nemont Telephone. He spoke to ask that the commissioners keep in mind that telephone is an essential service and that they remind that to the developers who may develop in the annexation area.

The Mayor read another question that had been asked: What is the financial impact of the annexation on the City's overall budget?

Mr. Kautzman responded to the question that it was at this time very much an unknown total. There will need to be staff added to many departments, but the commissioners will not blindly approve increases in spending without finding a way to increase revenue without raising property taxes.

Bob Horab was the next member of the audience to speak. He asked for an answer on fireworks and shooting guns on personal property, he also wanted to know about garbage service and wanted to understand the process and why the protests were due prior to the informational meeting and his final question was about the waivers of non-protest and their validity.

Commissioner Bekkedahl responded to the firework and firearms issue that they didn't allow discharge of firearms in the City because of the density of population. Most of the issues are driven by complaints, such as if there was a neighbor complaint that you were shooting towards their property or lighting off fireworks all of the time and disturbing their peace then those would be responded to.

There was a study done regarding increasing infrastructure for garbage services such as how many more trucks and personnel were needed. The intent is that as fast as the City can they take on the new service areas if the annexation is approved. Obviously there needs to be time to get additional equipment.

Regarding the hearing after the protest deadline, this is not something that the City does every day so the City relied on North Dakota State Statute. The statute dictates the timing and that is what we followed.

Regarding the waivers of non-protest, those were only prepared within the one-mile extra-territorial jurisdiction, so if you were outside of that area it was not required to receive Williams Rural Water. The City Commission many years ago had three options; one was to approve all requests for water with no restrictions placed on them, or deny all requests within the one-mile extra-territorial jurisdiction, or do what we have done which is allow Williams Rural Water to service those properties with the agreement that if or when the City grew into those areas that the City would take over the service. And it has required immense amounts of negotiation between Williams Rural Water and the City on how to do it. Each one of those non-waiver protests stated that they wanted good water. The intent was that they wanted good water, they signed the waiver and we have provided them with good water.

The Mayor presented a response from Ken Callahan from MDU regarding the propane question presented earlier. MDU does intend to extend gas services into the area and will convert all customers that want to convert from propane to natural gas. He encourages anyone with questions or concerns to call him at 701-770-5030.

Lynne Raymond asked how many people actually picked up their certified letters since they were sent out the week before Christmas.

All but 64 letters were picked up at the post office, of that 64, 5 people picked their letters up from City Hall. 59 were re-mailed via regular first class mail and of those, only three were returned as undeliverable because of no mail receptacle.

The City's intention was not to cause any inconvenience to anyone, only to assure that every property owner received notification.

Tom Powers commented that he disagreed with the process of having this informational meeting after the protest deadline, the informational brochure arrive the day before the protest deadline, and having the letters sent out during Christmas time. He felt that if the informational meeting had been done prior to the protest deadline that it would have alleviated some of the division and anxiety over the annexation. His other comment was regarding the accessibility of the ordinances on the website. He was concerned that a lot of the ordinances were not meant for the more rural areas, such as operating snowmobiles on private property or using four-

wheelers on their property to feed their horses. He also named a few other ordinances, but his main concern was making the ordinances more accessible online.

Commissioner Bekkedahl and John Kautzman both responded, the ordinances have just been updated and the updates will be available on the website as soon as possible, they are not updated annually because of the expense. Commissioner Bekkedahl also responded to the question of the ordinance regarding water wells and he stated that he went to staff about this and was told that as long as you did not expand your capabilities you could replace your well if it goes down.

Norma Minter-Miller noted that according to the informational brochure, if you were not on rural water you would not save any money with the annexation and would in fact see a rise in property taxes because of the higher mill levy rates.

Commissioner Bekkedahl responded that you would see an increase in your taxes, but that he did not believe that it would be doubling or tripling their tax bill as people were assuming.

She had an additional concern about an ordinance that she believed stated that she would have to do improvements prior to being able to sell the property or prior to it being inherited. However, it was determined that she is within the one-mile extra-territorial jurisdiction and that her zoning would not change.

Mrs. Minter-Miller also had a question about garbage pick-up. She stated that the large round garbage cans were too big for her street and that people would knock them over driving down the street. She dealt with enough picking up garbage from her property as a result of the apartments across the street from her.

Mr. Meiers was called on to respond. He explained that the solution they were working on was smaller containers that had to be taken out to the street. Commercial will be on a case by case basis dependent upon their needs.

Mayor Koeser read an additional question as to whether or not garbage service will be mandatory after annexation.

Mr. Meiers responded that if there is a route set up it there is a minimum mandatory charge on commercial property. If you are talking residential, since the residential rate is only \$7 a month it would obviously be more cost effective to utilize that service since you would not be able to go to the dump for less than that. Mr. Kautzman also replied that water, sewer and garbage is a combined bill, so if you are receiving the other services you will be billed the \$7 a month for residential garbage.

Terry Starkey spoke next. He lives off of 46th St. West and when the subdivision was put in he received water and sewer ingresses without requesting them and wants to know if he is going to be billed for them. He also spoke of his property taxes for the last three years and how much they have increased and wanted to know if his property taxes were going to double or triple next year.

Commissioner Bekkedahl asked Mr. Starkey if he could review his tax statement and talk to him about a little later, he agreed.

Terry Njos was the next person who spoke. He spoke of two annexation meetings last spring that he believed the annexation was voted down at and how Chief had said at that time that he did not have the staff to add those areas at that time. He wanted to know how adding two additional officers was going to help service such a significant addition to the City.

His second question related to the Corps land and he felt that those acres should not have been part of the equation on percentages because the 385 acres distorted the numbers. He believes that the annexation is being shoved down everyone's throat.

Mr. Leuthold spoke about the meetings last spring. There were four different areas that were being looked at for annexation. The City had requested that Sanderson Stewart put on neighborhood meetings. Those were informal presentations explaining what annexation meant. To get the property owners input, which was then taken back to the Commissioners and out of those four areas only one area was annexed. The other areas were put on hold in order to determine how best to deal with those areas. Those were not formal votes from property owners; there never was a public hearing in front of the City except for what is now known as The Meadows Subdivision.

Mr. Kress spoke with regards to the Army Corps of Engineers property stating that his office had been in contact with the Corps and that they did send a letter stating that they would not oppose the annexation, even though they do have the right to protest an annexation.

Also, removing the Corps property from the equation would have changed the numbers for the protest percentages to the following: Removing the acres would have reduced the acreage of the annexation area to 4440.44 acres, making the protest percentage 20.20% and then subtracting the properties in which a non-protest waiver had been signed making the net protest area 18.45%.

Mike Juma was the next person who spoke. His questions were regarding fireworks, sidewalks and street lights. He wanted to know if they do not request sidewalks or street lights then will the City still install them and charge them special assessments for them. He also wanted to know what the City gained from the annexation.

Mr. Meiers responded that he didn't see the City doing any improvements unless there was something that the City needed to complete for infrastructure, such as drainage or sewer lines, because of the developments to the North of them. They will not put in sidewalks or street lights unless the residents petition for it.

Commissioner Bekkedahl stated that the drainage issues are one of the biggest problems that he sees with that area. We are trying to get a comprehensive plan and comprehensive state funding to deal with those drainage issues. It makes it easier for us to deal with it if you are in the City limits; if you are not in the City limits then it is more difficult.

Dan Kalil Williams County Commission Chairman and Williston Township officer spoke next. He stated that he was there representing Williston Township and said that the Township was neither for or against the annexation because they felt it was not up to them to decide for the people of the Township whether or not the annexation should proceed. He spoke of the drainage problems in the Delaney and Wegley Subdivisions.

Joni Olson spoke next. She believes that the annexation area is overly aggressive. She has questions regarding the cost of the approach for this annexation and the cost of services for taking in such a large area at once. She wanted to know how many people would be added to the City with the annexation including the man camps. She wanted to know if there were enough police officers and fire personnel to cover the additional area, and wanted to know about the situation with garbage and how long it would take to get new equipment and wanted to know why they couldn't contract that out.

Commissioner Bekkedahl stated that if Mr. Meiers believed they needed to contract out the garbage services he would as he always has tell the commission that. The police department has added to their staff and they will continue to do what is necessary to take care of providing essential services to the annexed area. They also have had great cooperation with the Williams County Sheriff and he believes that they will continue to have that cooperation. Commissioner Bekkedahl stated that he did not have population numbers for the annexation area, and that from his perspective is all being developed for continuity of infrastructure and orderly development of infrastructure.

Mrs. Olson also asked why it was 4800 acres and not just 2000 acres to start. Commissioner Bekkedahl again explained that it is for system continuity. That most of the areas have annexed areas either near them or on one side or the other and that in order to use grant monies to maintain continuity of services it was necessary to include all of the areas. They also have had discussions with the Townships and they requested that there are no more island annexations and that they be continuous block annexations. Their concern is the fragmented service areas.

Commission Cymbaluk also commented on the police department personnel question and stated that the budget for this year in addition to the three officers also included two dispatch, one detective and one administrative person.

Mrs. Olson also asked about the population for the area.

Commissioner Bekkedahl stated that according to the study completed by NDSU for the City of Williston and the neighboring five Townships, which is considered to be the Williston service area, estimated the population to be 38,500 which included the man camps, hotels and temporary housing.

Debra Hagney had additional comments regarding previous speakers' questions and stated that the ordinance that Norma Minter-Miller had referenced stated that if an area was to be sold to another party or heirs in which zoning had been grandfathered in, that it has to be brought up to code as to the current zoning. She also commented on the 1A and 1E zoning stating that according to what she read that it also stated that "and if City services are not available" but she states that there are City services available across the street does that mean that she will not be able to be zoned agricultural. She does not want to hook up to City services, but because they are there will she be required to hook up to them?

Mr. Meiers responded that they will not require her to hook up to City services and that she will not be charged for them, but if she does decide to hook-up to services then there will probably be a hook-up fee.

Commissioner Bekkedahl stated that Mrs. Minter-Miller's property is within the one-mile extra-territorial jurisdiction and that it will keep its current zoning unless the property owner requests that it be changed.

Mr. Kress responded that the zoning stays with the property, it does not change with sale. He also responded that she will continue to be zoned as agriculture where her property is located. Mr. Jarcik has also requested that the zoning ordinances be updated so they are working on that as well.

Mr. Tim Klevin was the next audience member to speak. He wanted to thank the commissioners for the work that they do. He also stated that he did not want to be annexed into the City, but that he understood why it was taking place. He asked about the Corps of Engineers property because he hunts that property.

Mr. Kress did comment on the issue of hunting on Corps land and he stated that he talked to Mr. Jeff Keller, who is the Corps of Engineers manager of that land. Mr. Keller states that they even though they will be in the City limits that the land will still remain federal land and under their jurisdiction and that they will continue to allow any activities that are currently taking place on Corps land to continue to take place after annexation.

Denise Horab was next. She stated that she does not want to be annexed, but she also understands that no matter what decision the Commission makes regarding the annexation that it will be wrong. She also stated that she appreciated what the Commissioners do.

Gary Vorgert spoke next. There are several oil wells in this area, how is that going to be handled.

Mr. Kress stated that mineral extraction (oil wells) is permitted in the Agricultural and M2 Heavy Industrial Zones. There are permit requirements, but they are allowed.

Bob Horab spoke next, wanted to comment on the fact that the commission created the problem with the annexation and having to square up the City by allowing the outlying annexations or strip annexations.

Rod Westrum was one of the land owners who opposed the annexation by 70th St. He stated that a non-protest waiver for a sewer easement kept his protest from counting for that annexation. He believes that it was underhanded how that all happened and he was under the impression that he would be able to connect to that main, but no one told him it was going to be a 17" horse main. That was the only reason he signed the easement, was because he needed to replace his sewer. Since that time he replaced his \$12,000 septic system. He also questions the inclusion of the Corps land in the annexation when they have no responsibility for special assessments.

Don Luebke spoke next. His question was regarding the brochure and the estimated taxes and whether or not it was what they were currently paying or what they would be paying.

Mr. Kautzman explained that the information in the brochure was a Mill Levy comparison and that it shows the comparison between the Townships and the City and the savings by switching to City services.

Mr. Luebke stated that he didn't see any savings unless you were currently on Williams Rural Water, but even then when you added special assessments that were sure to come there would be no savings.

Mayor Koeser stated that figuring out special assessments and what may be needed in order to figure out what the special assessments was difficult because different areas needed different improvements.

Mr. Luebke wanted to know if no one wants the City services installed then they won't be put in, does that mean it could be years before services are available?

Mayor Koeser agreed that it was possible for it to be years before City services were installed in certain areas.

Jerome Sieler was the last audience member to address the Commissioners. He wanted to know about the dust issue caused by all of the non-paved roads and asked how that would be taken care of.

Mayor Koeser said that it is an issue that he knows is important and that it will have to be addressed. The City has not had very many gravel roads in the past so this is a new issue for the City.

This closes the public hearing portion of the meeting.

Mayor Koeser asked if the Commissioners had any discussions or questions, since there are none, the Commissioners may now make any comments they have.

Commissioner Cymbaluk stated that he would like to believe that “this is not something that the City is trying to ram down anyone’s throat. We are trying to grow the City to the best of our ability. The island annexations are a death trap and are not a good system. We are trying to grow it responsibly and look toward the future. In his opinion this is the best way. Do I agree with everyone out here, some of the comments made are very valid and I agree with some of them. We know that we are going to have to have policy and ordinance changes but if we are going to grow this City responsibly and make it better this in my opinion is the best that we can do. Is this going to make everyone happy, of not even close, he understands that. But we are in this together. We are asking for your trust to get this done the best way we can with the resources we have. We have a tough battle on our hands; this is a long term deal. This isn’t going to happen overnight, this isn’t going to happen in a year, this annexation and all of this land that it contains could take many many years. But at least it allows us to plan in a more functional manor and that is what we are trying to accomplish. For people that have horses, we aren’t trying to take that away from you, we are going to the best that we can to make the zoning work for you and your needs. We are not coming in here to bully you or push you around. We are trying to make Williston a better place to be, that is our goal.”

Commissioner Klug stated that he has also lived in Williston all of his life and went through the last oil boom that busted, “but I bought into this that it is the real deal. And to me to service the City of Williston and to plan and grow responsibly this is why I am in favor of this annexation. He stated that Commissioner Bekkedahl wasn’t speaking for the rest of the Commission earlier when he said common sense, but he was speaking for me at that time. I believe that the majority of what the Commission does is based on common sense and we are sure trying and if this annexation goes through we will continue to try to meet all of your needs.”

Commissioner Bogar stated that he would second the comments made by Commissioners Klug and Cymbaluk that “what we try to do as a City Commission, what I have tried to do as since I have been on the City Commission is to look at growth in the appropriate way and try to build a better community, not just for tomorrow, but for the next ten years to the next fifty years. And by doing that, sometimes requires us to make some scarifies and hard decisions. We did do some strip annexations based on the fact that we needed to see some development early on with the understanding that we were going to have to come back and develop that and that is part of this process is that we crossed that first bridge of development and now we need to fill that in and building it up from the City core to these commercial and industrial type developments. And have reasonable and appropriate developments so we have a community that we can all be proud of, that it’s a place that we can get from one side of town to the other in five minutes again instead of the twenty-five minutes that it takes now. It’s a place where we feel like we know our neighbors and everyone is proud to be part of this community. We can see the development and the other jobs outside of the oil industry such as retail and restaurants. We can see this community as not just oil industry driven, but driven by the people.”

Commissioner Bekkedahl stated that a lot has been said tonight and that he took a lot of notes. “I do appreciate that a lot of people did much more research in some of these areas than I would have done. It’s because you live there and are going to have to deal with these things. I do take it to heart that if there are things that you think we are imposing upon you that that has

not been our intent. If we can make reasonable changes to whatever codes that we have out there that the Commission is going to look at those things. We aren't going to just say that this is a bad thing for you and it's going to stay that way. I hope you take that to heart as well. The tactic that I have taken on this all along and this has been about seven years in the process for me is that we need to grow this City responsibly and to do that we need to have infrastructure growth with the City. The infrastructure growth is all that is driving this for me. One of the situations that we are in with this growth patterns is change for all of us and it has been painful. This has been my family home for over 100 years and I am one of the ones still here. A lot of people my age have bolted out of this place and it is unfortunate to have to say that publicly because I want them to be here and I want them to love this community as much as I still do. When we have a commission meeting and there is an eighty year old woman that comes up and says that she has lived her whole life here, raised her family here, but she has now been priced out of her apartment and she has to move to Fargo where she knows nobody. Do you know how trying that is having no rent control in North Dakota and that the legislature will not authorize it and we have to just sit there and say we are doing the best that we can. So my take on that is the only way we make this community affordable for everybody is to have orderly growth and unfortunately it means more construction and more building and more apartments and more houses. You don't bring rents down when the demand continuously exceeds the supply. So for me this is all infrastructure development and this is more housing. I know unfortunately people don't want us to grow and they don't want to see it happen, but we are here. The industry wants to be here and the State is granting the oil permits. They are going to be here. We can either work with that system and do the best we can to adapt or we can just get run over by it. I remember a conversation in 2005 with a person from Alberta Canada and he said the industry is a great thing but trust me it will destroy your community if you let it. That is just the way that it works. It's not their intent, but their job is to get it out of the ground and they will do whatever they have to in order to get that done. So we are all in some tough situations here. Again, my intent has nothing to do with population numbers or trying to get more money for the City. My interest is for more orderly development to bring down the costs for our people that are suffering under the burdens that they have as well. Hopefully we will all do this right and say we made a better place."

Mayor Koeser spoke last and said that he didn't want to come across like he was trying to copy Dr. Martin Luther King, but "I've had this job for eighteen and a half years and from the beginning many of you have heard me say that I have a dream. My dream is that Williston the best little city in America. Are we there, no we aren't. Are we closer to being there than we were eighteen years ago, I believe we are. To be the best little city it requires a lot of different things, it requires a quality of life that attracts people young and old alike, it means that you have to have housing for the people that want to come to your community. We have good jobs, we have high paying jobs, we have the lowest unemployment rate in the nation, the fastest growing community, a younger community, a more diverse community. There are a lot of things that are going well, but we realize to get to that place, and I don't know if we will get there in my lifetimes, but at some particular point in time if we continue to have people that want to make this the best community we will get a lot closer than we are today. I have not talked to the other commissioners, but we all kind of dreaded tonight. We knew that people were going to come here and that they are concerned and frustrated. They live in the county because they don't want to live in the City in many cases and for us to say ok, we are going to annex you now. It's almost a hurtful word for people, we as commissioners are not doing this with any ill intent to make life difficult for anyone. We simply believe that this is a process that we have to go through if we are going to become that community has enough housing so that the elderly person can rent an apartment for \$700 a month again. We will see what happens in a moment, I am going to be putting before the commission a resolution that we will need to pass if we are going to do this we will see what they do. I just echo the words of all of them that we are trying to do it with the right intent."

1. Resolution **13-017** Northern Annexation

MOTION BY CYMBALUK, SECONDED BY KLUG, to approve Resolution 13-017.

AYE: Bekkedahl, Klug, Cymbaluk, Bogar & Koeser

NAY: None

ABSENT AND NOT VOTING: None.

CARRIED: 5-0

3. Adjourn

E. Ward Koeser, President
Board of City Commissioners

John Kautzman, City Auditor