

**OFFICIAL PROCEEDINGS
BOARD OF CITY COMMISSIONERS
September 10, 2013 6:00 P.M.
CITY HALL WILLISTON, NORTH DAKOTA**

1. Roll Call of Commissioners

COMMISSIONERS PRESENT: Howard Klug, Tate Cymbaluk, Chris Brostuen, Brad Bekkedahl, and Ward Koeser.

COMMISSIONERS ABSENT: None

OTHERS PRESENT: John Kautzman, Monte Meiers, Donald Kress, Pete Furuseth, Bill Tracy, James Lokken, Alan Hanson

President Koeser presented a quorum; There are two minor changes to the agenda that he would like the Board to consider:

First to move the 2014 Budget Hearing to the beginning of the meeting and the other would be on the third page, 11 A. – Storm Water Ordinance 972 should be the Second Read, not the Third Read.

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

4. A. 2014 Budget Hearing:

President Koeser introduced the Finance Commissioner, Commissioner Bekkedahl, and asked that he explain what the hearing is about.

Commissioner Bekkedahl stated that what this is about is the same that it is every year, a hearing to explain and establish the budget for the next fiscal year. He explained that the budget meetings were held last week in chambers, which is when they bring in the department heads and or employees and Commissioners and they take the budget recommendation that had been submitted and the budget notice that were sent out were based upon those preliminary estimates for the budget. That is not the budget that is before the Commission tonight, the budget before the Commission tonight has been pared down and reduced from the budget request. We believe that to comply with the State law what we have to do is give you the valuation notices based on your valuation increases and the preliminary budget in order to meet the timelines for the State submission.

When you see the notice in the newspaper or received a notice, that doesn't mean that your taxes are going up 15.5% which I know everyone from the newspaper editorial assumes. Unfortunately the process of the budget hearings happens after that process.

The three things that I think this budget does before us today accounts for the new growth in the annexation as well as the new construction which is just coming into the tax base right now. When you see building permits in the City in the last three years, which if you go back two years it's about 200 million dollars, you go back another year and its 300 million and we are at 400 million for last year. Those building permit/construction numbers are actually buildings being

built within the City and they don't come onto the tax rolls the minute they are permitted. The State has a process where the assessors' office will determine the value of those properties on February 2nd of every year. If those properties are not capable of being occupied or completed they are typically not put on the tax roll. So we are just now seeing the new taxes coming from the new growth that began about three years ago and as that continues we will see more tax revenue from that. What that tax revenue does is to obviously help run the City as we have grown but it also helps to increase the tax base so everybody's piece of the pie theoretically should get to be a little bit less on the tax bill and that is what we are attempting to do with this budget.

The other place we are getting funding from this year is State Revenues. Our State Revenue sharing is actually going up because it is based on State Sales Tax revenues and everyone knows that State Sales Tax revenues have been soaring the last two years. With that formula, we get a fixed amount based on population. We are seeing more money in that category. Instead of seeing about a million dollars per year, we will see about a million and a half. It is not a huge number when you have a 2 million dollar spending budget, but it is more money. And the other area is the oil and gas production taxes. As a Hub City, the legislation that was passed last session grants Williston about 30 million dollars per year in direct funding from the oil and gas production tax. That number used to be about 2.5 million dollars per year, so there is a significant increase there. The fine line that we walk with that funding is that the Governor and legislatures have always wanted us to use that money for growth. In other words, we have impacts and we should be spending it in those areas and we have elected to use that in adding more corridors or streets, water and sewer lines, waste water treatment plant expansion and water treatment plant expansion.

I will be making the case with this budget that we go back to the State Budget Section which I am required to do annually and tell them how we use the money, to justify our spending, that we are going to take some of that money from the State and use it for operating expenses for our new growth. In other words if we are adding new employees we are going to take that for employee costs and explain that we need that just for operating. If we don't use that money for operating then it comes from the taxpayers and that is the case we are going to make. It is not fair for our taxpayers in our City to pay for these expansions to keep the industry running and humming along. In the long run it is probably good for our City but in the short run we should not be burdening our citizens with that. The other issue that this budget contains is about 105 million dollars of the budget is actually bonded dollars for construction projects to try and get a head of the growth that we are seeing. That money is guaranteed in two ways, one bond issue is guaranteed by the 60 million dollars we will see over the next two years of State Oil Production money and the other bond issue is secured by 40 million dollars in current and future City Sales tax infrastructure income which averages about 12 million dollars a year.

What we have tried not to do is place that guarantee of burden back on the citizens. You will hear that same theme when we talk about developments. We will bring that infrastructure to the edge of their property as long as we agree to it but they have to put all of the cost in, they put in their own roads and streets, curb and gutter, sewer and water, lights and storm water all gets put in at their expense. That is a result of the seventies and eighties oil boom busts where the City special assessed those projects and special assessments fell back on us to pay.

Commissioner Bekkedahl showed some slides showing the levy comparison by years and the amount that were levied in mills. The City has always budgeted city expenditures in dollars, not in mills. A mill is one one thousandth of a dollar.

As the Mill value increases the City decreases the number of Mills so that more tax burden is not placed on the City taxpayers. The tax increases from the last fifteen years has been about 2% per year. The last two years (2013 and 2014) have significant increases in the funding from the tax base, the difference is that the new growth areas including new construction are where the majority of the increase is coming from. We have taken the recommended increase from 15.5% down to 5%. Commissioner Bekkedahl expressed that he would prefer it closer to 2% but the numbers just won't work with the growth that the City is seeing. This includes additional City employees. In 2009 there were 96 City employees, this year there is over 200 and an additional 30 employees for 2014. You will also see in this budget continuing increases in employee cost. It is important that everyone realizes that the tax bill that you receive from the County is for three taxing entities, it is for the County government tax bill, it is for the School District tax bill and it is for the City tax bill. The City tax bill portion from last year is 19.5% the other 81% of the tax bill is not controlled by the City.

Williston is the lowest major city in the state for tax per capita right now.

Commissioner Bekkedahl showed a slide using his home as an example that explained the breakdown of the property taxes.

Most people will see a reduction in their City portion of tax again for two reasons, first because of new growth that is coming in and putting more dollars into the tax base so everyone shares a little less into that pie and the second reason is the last legislative session passed a 12% local property tax reduction. The research that Commissioner Bekkedahl has done on the reduction is that once the City sends the information onto the County Auditor where it is compiled, she will then forward it on to the State, when the State receives it, it will then reimburse back 12% of that total to the County for disbursement back to us. That 12% directly offsets your property tax bill for the City of Williston. The 5% increase that we are voting on tonight along with the 12% reimbursement from the State means that most people should see a decrease. The caveat on this is that during the valuation process that the State mandates we work under if you have an extremely large valuation based on the valuation that the State mandates we work under you may see an increase in your property taxes. Or if you have a commercial structure which unfortunately under the valuation process were held extremely low are just now seeing increase under the valuation formula. They went up substantially last year and again this year.

Commissioner Bekkedahl wanted to also thank the staff and employees for working on the budget and the Commissioners for working with everyone on the budget hearings. A lot of information is learned by listening to the needs of the departments but it makes it an extremely long process to try and make the numbers work.

President Koeser asked if there were any comments from the Commissioners prior to opening the public hearing.

Commissioner Cymbaluk commented that he also checked his personal tax records and his total bill is \$3,354. The City portion is \$691, if in fact the budget is approved tonight at 5% his City portion will go up \$34.57, on a monthly basis that is \$2.88 per month and if that is the cost of having more policemen in this town, being that is the only way we can fund it is from the General Fund then he believes then he thinks they are heading in the right direction.

Commissioner Klug stated that he believes that Commissioner Bekkedahl explained the process, and that Commissioner Klug stated that he will be available if anyone has any further questions later.

Commissioner Brostuen stated that as a new Commissioner just coming to the other side of the table from being a citizen in the community, is a catch 22 position. I can understand the citizens desire to control government and control taxes but at the same time very rarely do I talk to anybody in the City that says that the City of Williston needs to do less. It is usually it needs to do more of one thing or the other. At this period of time the City can't help but grown and with that the budget grows. The City does a good job and I think going forward that the City will continue to do so.

President Koeser stated that the one area that he has received the most comments on is police protection, everyone wants to be safe, myself included. This last year we added a number of police officers and next year we are scheduled to add seven more. Three of them at the first of the year and four potentially in July if the need is still there we would go forward with hiring them.

President Koeser explained the process of the public hearing and opened it to the public.

First to speak was Jerry Shaw he had a question for Commissioner Bekkedahl and wanted to know about his statement that his taxes were going to go down. He stated that this spring he received a notice from the assessor's office that the value of their houses skyrocketed and now the City wants an increase in the Mill Levy. But "somehow our taxes are going to go down."

Commissioner Bekkedahl stated that the easiest answer is shown in the chart that that shows that decreasing the number of mills when the values of the mills go up. Bismarck writes the rules, but in the formula that we follow what we do is take the number of dollars that we had levied last year (which is about 2.5 million) then we figure out the number of mills. Last year the mill value was \$47,000 per mill and this year the mill value is calculated at \$90,000 per mill. Last year the number of mills we levied was 48.85, you multiple that by 47,230 and you get 2.5 million dollars. The notices that we had to send out were required to be sent, not because of the tax issue, but because of the valuation issue, because the notices are declared against your valuation. So if you had an increase in valuation of 10% or \$3,000 whichever one was more you received that letter. In the budget worksheet what they require us to do is take that 48.85 mills from last year which brought us 2.5 million times the value of the mill for this year, which is \$90,062 and then that is now the number of dollars you would get if you didn't decrease your mills. But the Commission did not want to take that big increase in tax dollars, we want to spend to spend 3.4 million dollars in general fund, which is more than the 2.5 million from last year. That is why the notice stated it would be an increase of 15.5%, because the calculation is tied to last year's calculation. In reality what the City is going to levy is closer to 38.64 mills.

Mr. Shaw stated that in his experience the when the City installed services such as water and sewer that the people receiving the services ended up paying for them through special assessments, and that he doesn't believe that is the reason the City is increasing their budget. He believes that the problem lies with the Northern Annexation and claims that someone didn't do their homework prior to the annexation and that it was a mistake because the City was not prepared. And now the City has to give them services and buy more trucks and hire more people because of the annexation. He stated that his garbage used to be picked up once per week and now it is being picked up once per two weeks and he believes that is because they have to go up north to pick up garbage. He wanted to know if the garbage rates were going to be cut to compensate for only having half the service he previously had.

Commissioner Bekkedahl stated he didn't know that answer because he hasn't heard anything about the schedule being changed for the garbage.

Mr. Shaw stated that he wished the news media would inform people about the County and the School Budget Hearings, because the only one that is mentioned is the City Budget Hearing. He understands that the City gets 90% of the grief because the City meeting is easier to attend. He also stated that he doesn't believe that any oil company should be given tax breaks because the people who end up paying it are the citizens of Williston.

Commissioner Bekkedahl stated that in the sixteen years that he has been here, Williston has never granted abatement to an oil company for a tax break. He did clarify that at their last meeting abatement was granted to a senior housing development project and Mr. Shaw stated that was a different story.

Mr. Shaw also questioned why Williston's budget was 195 million and Minot's budget is 205 million. He stated that Minot is three times the size of Williston.

Commissioner Bekkedahl stated that 105 million of the budget is for construction projects, which is for one-time expenses to expand corridors roads and water and sewer extensions that we need and that is using the State monies to back up the bond issue, but we have to list it in the budget and it makes our budget look larger.

Next to speak was Cy Cummins and he asked if The Meadows housing development was still going through. He stated that was the reasoning behind the annexation and since the road construction has started he has had about fifteen days that he hasn't had water because they broke a line and it was claimed that it was because WRW didn't use tracer wire. Mayor Koeser told him that he could talk to Public Works about it. He stated that they are working diligently on getting that road done but they are putting culverts in that go downhill and he is downhill and once it gets there, there is nowhere for it to go. Mayor Koeser explained that this hearing needed to concentrate on budget issues.

Next to speak was Alan Clark he is part of the Northern Annexation and he has a couple of concerns with the properties taxes. He stated that the biggest complaint with all of the people in here is the failure to communicate with the public. He stated that if the City was going to only raise taxes by 5% he applauds the City because he understands that it is very difficult to do. He would like to know when his garbage is going to get started because he is already paying for it. He also stated that it would be nice if once the City was done subsidizing the new construction areas that the Northern Annexation area was treated as part of the City and that they had real roads and other amenities that the other areas of the City have and that the people that live out there cannot afford \$35,000-\$40,000 for special assessments.

Commissioner Bekkedahl explained that the corridor expansions are for managing traffic and that within the next couple of years they hope that they will be able to get to the point that he would like them to be, but right now, we just don't have the money coming in to do it.

Next was Terry H. he has a couple of concerns as to how the City money is being used. There is a lot of conflicting information as to what revenue is being generated and where expenses are being spent. He would like the web site to be updated.

Commissioner Bekkedahl stated that would be ideal but that also takes personnel and time. We are working on having a public information officer to keep all of that information up to date, but it takes enormous amounts of time.

Terry stated that it sounds more like an excuse and Commissioner Bekkedahl stated that he is not trying to make excuses and he takes this job very seriously.

Rex Byerly spoke next. A question for Commissioner Bekkedahl: you stated that we have not given any abatement in the time that you have been here, did the newspaper have it wrong that you gave abatement to Menard's?

Commissioner Bekkedahl clarified that he said there had been no abatements to oil companies.

Mr. Byerly asked if that meant that abatements had been given to housing developments and apartments.

Commissioner Bekkedahl stated that he would go over that if he wanted. He stated that since things started heating up and we did not have the motel capacity to support the industry buildup seven or eight years ago, the City at that time had some property out by the airport that was prime development for hotels. We put that up on a public build process to put hotels on that property. As an incentive because we had not had a new hotel built in this town for over twenty-five years we did put a tax abatement on one piece of property for hotel property, in an attempt to stimulate further growth in that industry. We probably could have waited another five or six years and we wouldn't have had to do that. That was the last abatement that we have used for a hotel property that I am aware of. We also had not had a new apartment building built in this community for almost thirty years. The second time we used the abatement was when we worked with a developer out of Valley City who has many projects across the State and we put in place a property sale to him and we gave him an abatement on one 36 unit apartment building and that was constructed. Since the time we did the process for one hotel property to try to stimulate that industry we have gone from around six hundred rooms to about 2,000 rooms in hotel capacity with one abatement. I don't know how many apartments we built last year around 1,000 and there are over 1,000 being constructed right now. So those abatements were simulative effects that we attempted to do to get ahead of this thing and we have not done any more beyond that.

The third area that came about was retail development and we have all of these people screaming for retail development and that is where the Menard's retail area to the developer came to play. We decided we would do it for one big box facility and everyone else is on your own.

A comment from the public was made that that was to the detriment of existing businesses. You take a look at a True Value or Williston Home Center that was here and kept Williston afloat for all of those years and then you invite someone like that that is a direct competitor to them, if it would have been to Kohl's or something like that where there weren't any direct competitors that would have been one thing, but to basically undercut these existing businesses. I won't argue about the apartments even though the speaker doesn't understand why we would be doing that in this day and age. He also doesn't know why it was the responsibility for the citizens of Williston to put a roof over everyone that comes here's head. He stated that the responsible companies like Halliburton came and tried to make arrangements for their workers to some degree, but the Menard's one really bother a lot of people.

Commissioner Bekkedahl stated that “we all know that Menard’s was the key tenant that the developers were trying to get there” the City’s agreement was with the developers in order to get a big box store in there and ultimately it turned out that it is Menard’s. Commissioner Bekkedahl stated that his hope is that it again stimulates growth and that it helps bring other retail in like Target or Kohl’s. That was their attempt. He stated that we hope that it will be as successful as it was with the hotels and apartments because he believes those are benefits to the community. A large part of the tax base that is being built up here is apartments and motels as well.

Greg Collins spoke next and stated that he was part of the Northern Annexation and he said that he was told he would have to pay \$30,000 - \$35,000, over the next so many years, to have water and sewer lines put in and now it sounds like the City is saying that they are paying for it.

Commissioner Bekkedahl explained that the expansions are being paid for by the City with the State impact monies and that areas that are strictly beneficial to the property owners will probably be a special assessment.

Mr. Collins stated that he saw a neighbor’s tax increase bill (valuation increase) from \$115,000 to \$338,000 and 15% on the mill levy and you are saying that the taxes are going to go down.

Commissioner Bekkedahl stated in that extreme condition they may see an increase, but he would have to look at those on a case by case basis. The valuation process is a State dictated process and the County does the valuations.

Mr. Collins stated that the City is going to get three times the taxes on that one property and they are still asking for more.

Commissioner Bekkedahl stated that the Mills are being lowered, not increased. He explained again that the notice that was received was required to be sent out prior to the budget hearings with the departments. The notice stated that the increase was 15.5% which was the preliminary budget but after the meetings the proposed final budget was lowered to a 5% increase.

John Kasmer spoke next and he said that as he understands it, the City collects 48 mills right now and that is being decreased by 10 so that you collect 38 and that the valuation is going from \$40,000 to \$90,000. He stated that he applauds the City for that. If every one of us here who has a business or even a household and you have only gone up that certain percent to live in this town right now you are doing pretty good. It costs us a lot more to operate a business and to run things than the increase that the City is asking for. We all want fire protection and police protection and our street cleans, we are going to have to pay for those things. In a boom area we are lucky that the City isn’t asking for double or we need to ask the State for a lot more because our expenditures for making a town of this size grow to almost double is going to be expensive. The City is only 20% of the tax bill and they are holding the line pretty tightly, if we could get the County and the School Districts to do the same that would be great.

Mayor Koeser stated that he spent a lot of time with the Governor’s office this week talking about this and his frustration came when he told them that the City asked for a whole lot more than was given them and although we are getting more than we ever have before and we appreciate that, but we said we needed \$200,000,000 and you gave us \$60,000,000 so what that did was force us to find other ways to come up with the money. What happens is we have our public hearing for the budget and we listen to those who are frustrated who have high taxes and you are sitting in Bismarck and all of your funds are in excess, you have extra money and

limited the amount that you gave us and not just for Williston, but for Watford City in particular who has had tremendous impacts and I said this is wrong and whether I accomplished anything or not I don't know, but I got it off my chest. We are not asking for money to do fun things, we are asking for money to hire policeman that we need to keep our people safe, we need to hire ambulance drivers, firemen to drive that equipment to have a building inspector with all of this growth because we want to have safe buildings, we don't want buildings just thrown up and they just didn't fund it. We have local legislature's here and they worked hard to try to make this happen and we thought we were in pretty good shape until the end of the session until it got all blown apart when it got put back together. I'm not here to make excuses, but this is what I told them, we are the ones who bear this. You don't all go down to Bismarck to the Capital at one time and sit in front of the Governor's office and complain, you come here and that is the way it should be, its local government and that is why we are in these positions. But had Bismarck given the City even half of what it asked for we would be in way better shape.

Commissioner Bekkedahl stated that to point out, the local legislatures as well as all of the western legislators for North Dakota stepped up and had a really good bill for really good funding for all of us in the last session and it did really well in the legislature. They got their colleagues to go along with us and really step up to give us the needed money that we had in that bill. The difficulty came at the end of the session when the legislative leadership, not our legislatures, took the Bill and tore it apart and put it back together in a way that still gives us substantially more money and we are not unappreciative of it, it just puts us in a position where it still isn't enough.

Mayor Koeser stated that one of the things that we need to keep in the back of our mind is the Census Bureau in their infinite wisdom determined that this is the fastest growing micropolitan city in the country and there are a lot of those cities in the country. What does that mean, well, if that was a business to grow it 18% in two years is wonderful. As a city you cannot deal with it that fast.

Dan Shupe spoke next and wanted to know why this meeting wasn't held in a bigger location so that everyone could fit into the room and so that questions didn't have to be asked twice because the people outside can't hear it.

Commissioner Bekkedahl stated that moving the meeting was discussed, but because of technology and the recording of the meeting to be able to do the minutes moving to a different location would have been difficult. The other issue is that our City Chambers aren't big enough for any of our meetings anymore, which is why they are at 6:00 in the evening instead of 7:30.

It is a priority for us that the residents of the city are here at the meeting, but Commissioner Bekkedahl states that he is not sure that it is a priority for us to build a new City Hall yet. We have to get a water treatment plant going, we need to get a waste water treatment plant going, there a lot of important projects relating to infrastructure that are a priority.

Caroline W. had a question about school district divisions. Commissioner Bekkedahl explained that it determined by State Law. The way that it works is that the City is growing into District 8's area and they keep that area until sufficient property owners in that annexed area petition to move to District 1 and then it goes through a hearing process at the State and it may or may not be granted. Some of Harvest Hills is District 1 and some of it is District 8 and he doesn't know where the line is. Sand Creek Town Center it is believed is in District 8. The City met with the School Superintendent about three years ago to explain to her and a couple of her board members as to the process they would need to go through to get those areas into District 1. But

it is the School District's responsibility to do that. It's a very old law on the books that doesn't function very well, but the City Board has no jurisdiction over the school district boundaries.

Patrick Wagner wanted to say that he has concerns that the window of growth is being put on the locals. His question goes to wanting to know how they are to get their monies worth. He lives downtown and he believes that it is turning into an industry run City.

Mayor Koeser explained that the heavy equipment that is sitting around the city is not owned by the City, it is owned by the contractors that win the bid for that project.

Jerome Etzel had a question about abatements. Mayor Koeser explained that what happens is that on February 2nd of each year the tax assessor goes out and looks at the properties and she then values the property and if it is not complete it isn't worth much because it isn't generating taxes. Even if it is completed on June 1st, it still doesn't go on the tax role until February 2nd of the next year. That is where the lag comes into effect. What Mr. Etzel wanted to know is who is paying for the entire infrastructure before they are on the tax role. Mayor Koeser explained that the companies are responsible for bring the utilities to their property, the City doesn't pay for that. The City deals with the main infrastructure going to a region and the developer is required to pay for the roads, water, sewer and street lights for the area. Sometimes it is a fine line because if they build next to a main line they get a benefit rather than someone who builds farther away from a main line who has to bring the services farther. Mayor Koeser wanted to remind everyone one more time that the City is only 20% of the property taxes and that the other 80% is determined by the County and School District. Commissioner Klug stated that one other comment on the infrastructure is that the City can't assess impact fees but that one thing that they have done is taken a look at what the improvements the City does is go back and say that your share of this sewer line is going to be so much. After the developers have put in their utilities and roads is charge a fee on a per acre basis to hook into the City services. Commissioner Bekkedahl stated that with this boom unlike the last one, the City is not putting special assessments on the properties for developers. They are paying for the services at the time of the development. And if you are fronting a major street like 42nd you pay with a new development you pay at front footage basis for the trunk lines that we have put to your place. So they are paying for that as well. The difference is on the Bond issue that we are doing is not tied to special assessments it is tied to State money we are receiving and sales taxes infrastructure dollars.

Christine E. spoke next and was curious about the 32nd project and wants to know who is paying for all of the screw ups. She is talking about the road that comes from there and goes from two lanes to one. Commissioner Bekkedahl stated that he wasn't sure that you could call it a screw up, but that he will explain what is going on there. Williston Basin Interstate Pipeline, which is basically MDU resources, has high pressure gas lines that come into the City directly in that area and they go to a pump station just down the road from there. That line also goes through most of the City on the west and north side of town. When the City granted the easements for that line, many many years ago before there was any growth or development. The easements were blanket easements that basically if anything ever crosses there lines the City has to pay to remove or rebuild or fix or do anything to that line. So where you are at Williston Basin Interstate Pipeline came up and said look we won't let you put any roads over this line unless you pay us \$300,000 because we need to move the line. The Basin Interstate Pipeline stopped all work on the area until we either pay them the money or agree to pay them the money. We are currently in negotiations with them to take care of the situation so that the project can resume.

Mike S. and he lives on 1st Ave West and states that he was not able to use his street from the last weekend of May until October. His question was whether the contracts were awarded last year or this year. Monte Meiers stated that Knife River was awarded the contract for some of the project. It was a disappointment because they had to do some replacement work.

He also had a question about how the people in the City pay for the people in the County who use the City infrastructure as well and he would like a better accounting of what the money is being used for. Commissioner Klug stated that when the County and School Board have their budget hearings that the same questions should be asked of them.

Kim Oyloe talked about losing the locals because of the cost of living and said that her value of her house has doubled and her property tax is almost as much as her mortgage. She stated that she did go to the School Board budget hearing before and that her and her father were the only ones there. She stated that you have to go to all of the Budget hearings. She talked about how her 18 year old wanted to move, but that he can't afford to get an apartment here. She was at the North Dakota Republican Convention and they were talking about a reduction in property taxes but her property taxes never went down. She urges everyone to attend the County and School Board meetings as well.

Jim Sullivan stated that he has had his arguments with the City, but wants to say that they do an outstanding job. His question is with the increase of 5% is that in dollars? It was stated that yes it was. He also wanted to know if it was increasing the reserve at all. The answer was no, that the General Fund was in deficit of about \$2.5 million.

Alin Shupe stated that the oil companies are buying houses and paying property taxes but that they are stuffing it full with eight or nine people and at least that many vehicles which causes parking issues. There are a lot of license plates from out of state and he stated that when North Dakotans go to Montana they are pulled immediately. And wants to know about the people with out of state plates who aren't paying vehicle taxes what can be done about that and the parking issues. Commissioner Bekkedahl stated that Nick with Planning and Zoning has been very aggressive in taking care of the compliance issues. There has been a statute on the books in Williston for a number of years that states that no more than four unrelated people can live in a single family household. He also stated that if you go to www.willistonnd.com you can anonymously lodge a complaint with problems of parking, man camp situations and that sort. The licensing issues is a state issue. Taylor, who is the city prosecuting attorney stated they have prosecuting people with improper registration.

It was asked if the City could increase parking fines and that he has a problem with parking on Pheasant Run and the speaker stated that he knows that a lot of the police force lives in housing near there and that maybe they are willing to give their neighbors tickets. There is also a problem with people blatantly parking in front of fire hydrants with no repercussions. Commissioner Bekkedahl stated that there is also a compliance officer in the WPD to work on those types of problems. Taylor Olson replied that for anything that has a corresponding state statute the City cannot increase the fine amount higher than the state maximum penalty. It was asked how much would a charge be for extra people in houses. The answer was that it is a Class B Misdemeanor and the fine is \$1,500 per day that the violation occurs. Commissioner Klug stated that there are good companies that comply with the laws and there are companies that don't. We need the citizens to complain in order to fix the situation.

Melissa Straight stated that it was mentioned that the City was going to hire police officers and asked about the fire department and whether another fire house would be built as well. Mayor

Koeser stated that there was a study done to determine where the City needed to increase coverage and that is in the works but it is not in this budget. It will probably be in the next budget.

Tom Ryan spoke about the out of state license plates he recommended that if you go to the school and watch the license plates of the parents dropping the kids off at school and if they are dropping kids off at school, they probably live here. He also stated that there needs to be a traffic control light at University and 26th Street. That is an intersection that needs to be patrolled. He also asked about semi-trucks and them driving where it states no trucks. Chief stated that there have been hundreds of tickets for truck route violations given out.

Jennie Stockman stated that she has lived here 35 years and has never had her taxes go down and she doesn't know how they will go down. Commissioner Bekkedahl stated that he said that the City portion is what he is hoping will be reduced. She also stated that the locals are leaving because they can't afford it. Commissioner Bekkedahl again stated that our budget is about \$200 million but that about \$105 million of that is for one time construction projects, so the budget is at about \$80-\$90 million dollars and that is a huge number and he doesn't want it to be that high either, but that you also have to remember that our property tax levy has gone from 2.5 million to 3.4 million of which almost \$900,000 is from new growth, not from the long term residents. Commissioner Bekkedahl also reminded people that the legislature did increase the Homestead Tax Exemption for elderly. They have increased the amount of assets that you can have. It used to be that if you had over \$75,000 in assets that you no longer qualified for the exemption, but they raised that so to qualify for the Homestead Tax Exemption you must be 65 years old or permanently disabled. The limits used to be that you could only take in the lower \$20,000 and not have more than \$75,000 in assets. If you owned your own home in Williston most of them are way above that so the asset limit was raised to \$500,000. And they raised the limits on how much you could take in for the year to \$42,000 on the high end. With this exemption the state will either help pay for your property taxes or pay for all of your property taxes.

Ralph Hanson asked if there was anything that the City could do about the lights on 11th Street and 2nd Ave West. He stated that in order to get through the light sometimes you have to wait for three lights to make it through the intersection. Is there any way that the left hand turns on 11th Street could get a turning light? Monte Meiers stated that there has been a contract awarded for putting in a dedicated left turn signal there and hopefully it will get taken care of this year.

This question was a question for the City Attorney and Chief Lokken, his automobile insurance went up 40% and it was explained to him by his insurance agent that it was because of the number of uninsured drivers and accidents in Williams County. What can be done to rectify the situation? Chief responded that he didn't know anything about insurance rates, but that if someone is driving with liability insurance they go to jail. Taylor Olson stated that was no longer the case. Ms. Olson also stated that you should talk to your state legislators about that.

Commissioner Bekkedahl stated that either his sister or him pay their mother's insurance and they noticed that it had increased significantly. He was unaware that was the reason for it.

Kim Oyloe wanted to put something into perspective, the City budget is 20% of their taxes, so that means that 2 ½ times the City budget is the School District budget? Commissioner Bekkedahl responded it was based on mills, the City is 48 mills which is a little less than 20%, the school is 122 mills which is 50% and the County is 76 mills which is about 30%. When you get your tax bill and say it is \$1,000; you should expect to see that the City portion to be a little

under \$200. Mayor Koeser added that out of the City budget, only about \$3.4 million comes from property taxes and the rest of the budget comes from other revenue sources. The School District doesn't get City Sales Tax like we do, we do not use it for operations, it is used for infrastructure. She responded that they have in the past and Commissioner Bekkedahl stated that is true, they have in the past but they do not now and the same is true of the County.

Leah Wells spoke next. She is from the North Annexation area, the area that she lives opted out the first time that the annexation went through because they felt that the development area had what they needed. However, the powers that be overruled them and they were annexed in without a lot of say so from their area. They are set between a rock and a hard place. As part of the county over the last 10 years their taxes tripled and now that they are annexed into the City they are worried that as seniors, who do not qualify for the Homestead exemption because they are a couple of thousand dollars over the limit they may have no choice but to leave the County. They find the increase in taxes does not help the seniors who are on fixed incomes with no additional resources; they don't want to go back to work, so they may have to sell their house and leave the County.

Don Leubke spoke next. He wanted to mention that he was at the last Planning and Zoning meeting and it was concerning going into R1 zoning for his area. He stated there was one thing that concerned him about the R1 zoning and them allowing mobile homes and modular homes up in the Highland Heights area. They told him that would have to hire an attorney and go through a large process. He doesn't think that single wide mobile homes should be allowed up there next to new homes. Mayor Koeser responded that they would look into it, but that it really doesn't apply to the budget hearing and so they are going to move on.

He also stated that he would like to mention one area, the intersection of Million Dollar Way and it is very dirty and needs work. Mayor Koeser stated that it may sound like an excuse, but they are undermanned and that is one of the things this budget will do is increase the manpower. Mr. Leubke stated that someone could go around and make lists about all of the things that need to be fixed and that no one cares about the trash and the weeds. Mayor Koeser interjected that he did care and that he cared very much and that they do stuff about it. Mayor Koeser stated that he could call Monte and ask him about how often he calls him and says can we do something about this area or that area and that we aren't where we want to be yet, no, he responded, we are short staffed, shorthanded and short on funds, but that we are going to continue to work on it, he stated that Mr. Leubke has made his point and with that a break was called.

The meeting was reopened.

Mr. Shupe spoke again and stated he would bet 10 to 1 that if the City proposed a sales tax increase for emergency services that the people would approve it. He also stated that the citizens understand the need for increased police, fire and ambulance. A lot of people were in an uproar about the Rec Center but they would support a raise in sales tax for the City because everyone agrees that there need to be more police especially.

A call was made for any additional input.

A second call was made for any additional input.

A third and final call was made for public input.

No response was made and the public hearing portion of the budget meeting was close.

Mayor Koeser stated that they have before them Resolution 13-126 and that they have a couple of options, they can approve the resolution, modify it or table it. The resolution proposes appropriations of \$196,157,222 and a levy total is \$3,480,034. A lot of work goes into this simple document with just a couple of pages.

MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to approve the Resolution 13-126 as presented.

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

Commissioner Cymbaluk stated that he wanted to thank Commissioner Bekkedahl for the time and energy that he has put into the budget. He also wanted to thank John for his time and energy as well. They take a lot of bullets, the Commission runs the City as best that it can with the resources that they have. No one likes taxes, but they are inevitable. To allocate \$3.5 million versus the \$200 plus million and to minimize that so that the burden isn't too high is a difficult job and he wanted to tell Commissioner Bekkedahl that he did a great job. Mayor Koeser and Commissioner Klug stated that Commissioner Cymbaluk speaks for the all of them. Commissioner Bekkedahl stated that it goes to the whole commission. Staff puts enormous amounts of time into the budget preparation and it comes down to the hard work of the employees and staff to be honest. Commissioner Bekkedahl stated that he appreciates the kind words but that it comes down to the hard of the staff and employees.

Commissioner Klug stated that there were written comments that each commissioner had received as well.

Mayor Koeser went on to state to Mr. Leubke that clean-up is near and dear to his heart and that he feels guilty calling Monte as often as he does because he knows that he is understaffed and that Williston will never be the little town of 12,500 people again. But he thinks that they can become a premier city that everyone can be proud of. We are starting to see it in restaurants and we need to see it in retail as well. Once in a while he hears that the City Fathers don't want to see development so they keep it out, but that is the farthest from the truth. That is something that the Commission does want, but we want it done in an orderly fashion. He stated that he is proud of living here now and when he hears of people leaving because they can't afford it tears at his heart.

2. Consent Agenda

A. Reading and Approval of Minutes for:

(1.) Regular Meeting Dated: August 27th, 2013

B. Auditor

(1.) Accounts, Claims and Bills

Combined Check Register

For checks between: 08/27/13 - 09/09/13

Payroll

Check #	Check Type	Vendor/Employee/Payee Number/Name	Check Amount	Period	Date Issued
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-77260	Pay	P	56169 KATHERINE E. BERWICK	1263.16	813	09/06/13
-77259	Pay	P	56297 BRENDA D'ANGELO	854.55	813	09/06/13
-77258	Pay	P	12020 RANDY M DONNELLY	1538.71	813	09/06/13
-77257	Pay	P	56348 TYLER EMERSON	690.37	813	09/06/13
-77256	Pay	P	12017 JOHN L. KAUTZMAN	2701.13	813	09/06/13
-77255	Pay	P	56240 KAREN D. KUEHL	1057.75	813	09/06/13
-77254	Pay	P	56300 NICOLE LUMPKINS	832.17	813	09/06/13
-77253	Pay	P	56255 CHELSEA S CAVANAUGH	682.08	813	09/06/13
-77252	Pay	P	13026 KEVIN W. CRAFT	1073.41	813	09/06/13
-77251	Pay	P	56195 JACKIE L. HATCH	802.85	813	09/06/13
-77250	Pay	P	56274 MEGAN NYGARD	625.24	813	09/06/13
-77249	Pay	P	56323 LINDSEY REPP	357.55	813	09/06/13
-77248	Pay	P	56225 SUSAN E. SCHNEIDER	1082.08	813	09/06/13
-77247	Pay	P	13025 JOLEEN S. TINKER	1281.34	813	09/06/13
-77246	Pay	P	56344 CARRIE ZELLMER	1032.84	813	09/06/13
-77245	Pay	P	56215 MARK W. ANDERSON	1146.84	813	09/06/13
-77244	Pay	P	56087 CODY M. BAKKEN	1107.96	813	09/06/13
-77243	Pay	P	18021 ROBERT J. BENTH	250.77	813	09/06/13
-77242	Pay	P	56292 CAMERON BRADLEY	1711.17	813	09/06/13
-77241	Pay	P	18022 SHARYL J. BUSCH	1920.77	813	09/06/13
-77240	Pay	P	56162 JOSHUA A. BUTLER	1186.71	813	09/06/13
-77239	Pay	P	56237 ADEN A CLARK	694.67	813	09/06/13
-77238	Pay	P	18028 DAVID C. DONNER	1838.23	813	09/06/13
-77237	Pay	P	56127 RICHARD S. FISHER	23.55	813	09/06/13
-77236	Pay	P	18001 ALAN K. HANSON	2198.40	813	09/06/13
-77235	Pay	P	18100 TANA L. HINRICKSEN	24.78	813	09/06/13
-77234	Pay	P	56321 NICOLAS JOHNSON	6.01	813	09/06/13
-77233	Pay	P	18027 STEVEN D. KERZMANN	1732.06	813	09/06/13
-77232	Pay	P	18096 TRACY C. KERZMANN	1142.74	813	09/06/13
-77231	Pay	P	56107 VICTORIA L. KREGER	863.38	813	09/06/13
-77230	Pay	P	18099 ERICA J. MYERS	743.83	813	09/06/13
-77229	Pay	P	18024 JONATHON RASMUSSEN	2030.53	813	09/06/13
-77228	Pay	P	18070 JEANNE M. SAGASER RASSIER	1656.26	813	09/06/13
-77227	Pay	P	56130 ANDREW A. SAILER	1627.64	813	09/06/13
-77226	Pay	P	18020 RICHARD SHEARER	30.93	813	09/06/13
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-77224	Pay	P	56174 SAM M. AIDE	1140.62	813	09/06/13
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-77213	Pay	P	56278 DANIEL DERY	1052.99	813	09/06/13
-77212	Pay	P	56173 RODNEY H. DICKERSON	1213.24	813	09/06/13

-77211	Pay	P	56354 RYAN EGERMAN	70.21	813	09/06/13
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-77208	Pay	P	19009 LINDA R. GRANBOIS	1139.27	813	09/06/13
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-77205	Pay	P	19082 RANDY M. HAUGENOE	1544.68	813	09/06/13
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-77203	Pay	P	56285 TYLER HOFF	1131.32	813	09/06/13
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-77189	Pay	P	56098 JAKE O. SNYDER	1327.47	813	09/06/13
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-77178	Pay	P	56220 TRUNG THANH LE	1353.41	813	09/06/13
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-77164	Pay	P	56320 PHILIP ARENDS	1393.23	813	09/06/13
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-77152	Pay	P	56164 JACOB T BLOODGOOD	423.02	813	09/06/13
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-77136	Pay	P	56122 WESTON E. SMESTAD	700.93	813	09/06/13
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-77131	Pay	P	56223 DONALD KRESS	1402.07	813	09/06/13
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-77129	Pay	P	34016 ELAINE B. SINNESS	831.11	813	09/06/13
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-77127	Pay	P	35025 JOSILYN F BEAN	1141.34	813	09/06/13
-77126	Pay	P	56267 SUZANNE GAUT	119.97	813	09/06/13
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-77123	Pay	P	56079 BRENDA SEPTKA	1316.49	813	09/06/13
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-77116	Pay	P	48102 KAYLA J. HELL	643.92	813	09/06/13
-77115	Pay	P	56111 ANDREA L. MITCHELL	147.33	813	09/06/13
-77114	Pay	P	56341 KACEY PETERSON	217.84	813	09/06/13

-77113	Pay	P	48013 DEBORAH A. SLAIS	1243.63	813	09/06/13
-77112	Pay	P	48034 YVONNE A. TOPP	530.40	813	09/06/13
-77111	Pay	P	52011 ANN M. KVANDE	1527.65	813	09/06/13
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-77109	Pay	P	56041 BARBARA J. PETERSON	1097.56	813	09/06/13
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-77107	Pay	P	52020 SHAWN WENKO	1672.57	813	09/06/13
-77106	Pay	P	53005 BOBBI JO CLARKE	1149.97	813	09/06/13
-77105	Pay	P	56222 VIVIAN KALMIK	734.19	813	09/06/13
-77104	Pay	P	53002 AMY A. KRUEGER	1621.93	813	09/06/13
-77103	Pay	P	56271 SABRINA A RAMEY	1113.62	813	09/06/13
-77102	Pay	P	56310 JENNIFER STRIETZEL	833.82	813	09/06/13
-77101	Pay	P	56213 ROBERT JASON HILLARD	1208.64	813	09/06/13
-77100	Pay	P	56234 JOSEPH REIFENSTAHL	1240.47	813	09/06/13
-77099	Pay	P	56080 BRAD E. SEPTKA	2536.42	813	09/06/13
-77098	Pay	P	56150 SAMANTHA R. YODER	949.77	813	09/06/13
-77097	Pay	P	56025 Michael S. Conlin	146.69	813	09/06/13
-77096	Pay	P	56026 Scott Copenhaver	248.88	813	09/06/13
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-77094	Pay	P	56013 Josh S. Mosbrucker	51.72	813	09/06/13
-77093	Pay	P	56015 Dwight A. Richter	51.72	813	09/06/13
-77092	Pay	P	56058 Brenden L. Stevens	232.73	813	09/06/13
-77091	Pay	P	56179 Duane S. Winter	385.62	813	09/06/13
-77090	Pay	P	DEFERRED COMP NATIONWIDE RETIREMENT SO	16197.51	813	09/06/13
-77089	Pay	P	ND CHILD SUPPOR ND CHILD SUPPORT ENFORCE	1626.00	813	09/06/13
-77088	Pay	P	FIT U.S. TREASURY	116392.43	813	09/06/13
58512	Pay	P	LINCOLN MUTUAL LINCOLN MUTUAL LIFE & CA	1291.80	813	08/27/13
58513	Clm	SC	1724 UNITED STATES TREASURY	86.06	813	08/27/13
58514	Pay	P	AVESIS AVESIS	303.98	813	08/28/13
58515	Clm	SC	19 AMERICAN STATE BANK	1577925.00	813	08/28/13
58516	Clm	SC	1933 SLEEP INN & SUITES	226.00	813	08/29/13
58517	Clm	SC	673 CLERK OF DISTRICT COURT	500.00	813	08/29/13
58518	Clm	SC	673 CLERK OF DISTRICT COURT	200.00	813	08/29/13
58519	Clm	SC	999999 DYLAN MAYO	179.00	813	08/29/13
58520	Clm	SC	999999 MICHAEL SOWLE	100.00	813	08/29/13
58521	Clm	SC	999999 GEOFFREY LUCAS	1125.00	813	08/29/13
58522	Clm	SC	999999 ANDREW NICHOLS	150.00	813	08/29/13
58523	Clm	SC	1899 CITY OF WILLISTON	141342.21	813	08/29/13
58524	Clm	SC	1934 KERMIT AND NINA HEEN	41242.13	813	08/29/13
58525	Clm	SC	1935 GREGORY AND DEANNE HEEN	8783.00	813	08/29/13
58526	Clm	SC	1936 KENNETH AND DIANNE HEEN	8783.00	813	08/29/13
58527	Clm	SC	1937 LARRY AND LINDA HEEN	8783.00	813	08/29/13
58528	Clm	SC	1938 JAMES AND SHARON WILSON	8783.00	813	08/29/13
58529	Clm	SC	521 WILLISTON PARK DISTRICT	1407009.04	813	08/29/13
58530	Clm	SC	470 US POSTAL SERVICE	1304.32	813	08/29/13
58531	Clm	SC	1939 Dakota Commercial - WSC	6824.30	813	08/29/13
58532	Clm	SC	470 US POSTAL SERVICE	2135.19	813	08/29/13
58533	Pay	P	APARTMENT BH10 VALLEY RENTAL - BAKKEN H	34530.00	813	08/30/13

58534	Pay	P	APARTMENT BH2 H	VALLEY RENTAL - BAKKEN	2820.00	813	08/30/13
58535	Pay	P	APARTMENT BH5 H	VALLEY RENTAL - BAKKEN	20070.00	813	08/30/13
58536	Pay	P	APARTMENT BH7 H	VALLEY RENTAL - BAKKEN	24300.00	813	08/30/13
58537	Pay	P	APARTMENT BH8 H	VALLEY RENTAL - BAKKEN	5460.00	813	08/30/13
58538	Pay	P	APARTMENT BH9 H	VALLEY RENTAL - BAKKEN	24300.00	813	08/30/13
58539	Pay	P	ND HEALTH RETI	ND PUBLIC EMPLOYEES	132281.00	813	08/30/13
58540	Pay	P	MEDICAL SPENDIN	DISCOVERY BENEFITS	3020.04	813	08/30/13
58541	Clm	SC	999999	KEVIN HARP	500.00	913	09/03/13
58542	Clm	SC	999999	ASHLEY LAUDE	200.00	913	09/03/13
58543	Clm	SC	999999	GREGORY BRADFORD	10.00	913	09/03/13
58544	Clm	SC	649	WAL-MART SUPERCENTER	81.00	913	09/03/13
58545	Clm	SC	999999	SHON TUTEN	150.00	913	09/03/13
58546	Clm	SC	999999	OSA ALOHANEKE	200.00	913	09/03/13
58547	Clm	SC	999999	WILLIAM DAVIS	500.00	913	09/03/13
58548	Clm	SC	1167	STRATA CORPORATION	141342.21	913	09/03/13
58549	Clm	SC	1665	EAST & WEST EXCAVATING LLC	140060.00	913	09/03/13
58550	Clm	SC	1047	OLD ARMORY	60000.00	913	09/04/13
58551	Pay	P	12026	KAREN P. LARSON	1061.69	813	09/06/13
58552	Pay	P	56295	CHERIE SMITH	604.16	813	09/06/13
58553	Pay	P	17016	THOMAS J. GLENN	1048.71	813	09/06/13
58554	Pay	P	18094	MICHAEL CASLER	598.70	813	09/06/13
58555	Pay	P	56325	DAVID GORDON	1148.48	813	09/06/13
58556	Pay	P	56337	DARIN JOHNSON	906.23	813	09/06/13
58557	Pay	P	56269	CLAY KAUTZER	1375.24	813	09/06/13
58558	Pay	P	18023	DANIEL J RAYMOND	331.02	813	09/06/13
58559	Pay	P	56290	BRADLEY SCHERER	1723.39	813	09/06/13
58560	Pay	P	18046	GARVIN SEMENKO	12.46	813	09/06/13
58561	Pay	P	18048	DARWIN STEVENS	23.55	813	09/06/13
58562	Pay	P	19095	WALTER H. HALL	1886.36	813	09/06/13
58563	Pay	P	56243	JACOB R. HENDRICKS	908.20	813	09/06/13
58564	Pay	P	56279	ALEC RAISBECK	1001.42	813	09/06/13
58565	Pay	P	21041	ROBERT E HANSON	2354.82	813	09/06/13
58566	Pay	P	22021	LES CHRISTENSEN	1671.99	813	09/06/13
58567	Pay	P	22014	GARY L. GLOVATSKY	1398.54	813	09/06/13
58568	Pay	P	23126	BRENT E. HANSON	1900.20	813	09/06/13
58569	Pay	P	23039	BRUCE A. JOHNSON	1087.25	813	09/06/13
58570	Pay	P	56288	CHRISTOPHER MALONE	807.90	813	09/06/13
58571	Pay	P	27096	RUSSELL E. MOMBERG	1426.54	813	09/06/13
58572	Pay	P	56049	MICHEAL A. PETERS, JR.	886.56	813	09/06/13
58573	Pay	P	56050	MICHEAL A. PETERS, SR.	760.35	813	09/06/13
58574	Pay	P	56189	AMANDA M. KAISER	878.79	813	09/06/13
58575	Pay	P	25030	PEDAR A. ANDRE	1090.71	813	09/06/13
58576	Pay	P	27058	DAVID LEE BELL	2229.28	813	09/06/13
58577	Pay	P	56187	STEPHEN R. KOHLER	611.86	813	09/06/13
58578	Pay	P	25106	RICHARD S. ODEGARD	1279.98	813	09/06/13
58579	Pay	P	56357	JEREMY WALHAUG	282.23	813	09/06/13
58580	Pay	P	27067	RICHARD D. BORUD	1398.39	813	09/06/13
58581	Pay	P	56202	GUNNAR CORCORAN	1078.33	813	09/06/13

58582	Pay	P	23136 JAMES B. ENGEN	2346.77	813	09/06/13
58583	Pay	P	56355 TIMOTHY JEWELL	347.34	813	09/06/13
58584	Pay	P	27091 JOSEPH G. MONSON	1199.61	813	09/06/13
58585	Pay	P	56303 TROY OSTER	611.94	813	09/06/13
58586	Pay	P	56350 DENTON HURAVITCH	128.39	813	09/06/13
58587	Pay	P	56346 DONNIE PORTER	709.24	813	09/06/13
58588	Pay	P	31051 GORDON L. SMESTAD	1662.14	813	09/06/13
58589	Pay	P	56099 MARK C. AMONDSON	707.71	813	09/06/13
58590	Pay	P	32006 WILLIAM M. MCQUISTON	1239.15	813	09/06/13
58591	Pay	P	56253 STEPHEN OLEGARIO	117.59	813	09/06/13
58592	Pay	P	37008 LAVERN GOHL	1529.28	813	09/06/13
58593	Pay	P	56180 DIANE C. HAGEN	423.16	813	09/06/13
58594	Pay	P	56276 ELTON LARSON	69.26	813	09/06/13
58595	Pay	P	56333 STEVEN MCGAUGHEY	470.75	813	09/06/13
58596	Pay	P	56298 SAWYER ZENT	172.57	813	09/06/13
58597	Pay	P	56066 ZACHARY G. CORCORAN	1445.37	813	09/06/13
58598	Pay	P	54065 PATRICIA K. FIORENZA	1729.70	813	09/06/13
58599	Pay	P	56224 MATTHEW J. KOHLER	71.57	813	09/06/13
58600	Pay	P	56001 David W. Arnson	206.86	813	09/06/13
58601	Pay	P	56028 David Benth	77.57	813	09/06/13
58602	Pay	P	56003 Randall H. Bjella	340.36	813	09/06/13
58603	Pay	P	56116 Tyler D. Carlstad	202.76	813	09/06/13
58604	Pay	P	56085 Kyle D. Christensen	77.57	813	09/06/13
58605	Pay	P	56339 James Dixon	284.43	813	09/06/13
58606	Pay	P	56023 Mathew P. Ekblad	204.90	813	09/06/13
58607	Pay	P	56005 Cory J. Hanson	744.47	813	09/06/13
58608	Pay	P	56030 Martin J. Haug	169.34	813	09/06/13
58609	Pay	P	56007 Troy R. Heupel	155.14	813	09/06/13
58610	Pay	P	56205 Brandon Hoffman	191.96	813	09/06/13
58611	Pay	P	56034 Blaine C. Jeanotte	431.20	813	09/06/13
58612	Pay	P	56219 Jeremy V Knapkewicz	439.59	813	09/06/13
58613	Pay	P	56291 James Laqua	387.87	813	09/06/13
58614	Pay	P	56238 Ryan Lee	129.29	813	09/06/13
58615	Pay	P	56009 Billy J. Lynn	103.44	813	09/06/13
58616	Pay	P	56281 Joshua Mahlum	310.30	813	09/06/13
58617	Pay	P	56083 Traver D. Melby	25.85	813	09/06/13
58618	Pay	P	56012 Miles A. Mortenson	100.74	813	09/06/13
58619	Pay	P	56016 Kyle J. Rossland	169.82	813	09/06/13
58620	Pay	P	56019 Garvin D. Semenko	25.85	813	09/06/13
58621	Pay	P	56338 Steve Simard	387.87	813	09/06/13
58622	Pay	P	56020 Darwin J. Stevens	822.15	813	09/06/13
58623	Pay	P	56022 Scott S. Tanner	203.57	813	09/06/13
58624	Pay	P	56027 Michael W. Walters	262.06	813	09/06/13
58625	Clm	SC	999998 WILLIAM TRACY III	70.00	913	09/05/13
58626	Pay	P	56283 RACHEL SAWICKI	448.40	813	09/06/13
58627	Pay	P	56287 SHARNELL NIX	466.49	813	09/06/13
58628	Pay	P	56100 BILLY J. BAKER	1021.92	813	09/06/13
58629	Pay	P	56176 CHAUNCEY CARR, JR.	996.15	813	09/06/13
58630	Clm	SC	999998 PATRICIA K. FIORENZA	40.00	913	09/05/13

58631	Clm	SC	999998 DAVID LEE BELL	40.00	913	09/05/13
58632	Pay	P	DCI CREDIT DCI CREDIT SERVICES INC	223.60	813	09/06/13
58633	Pay	P	DEL CHILD SUPPO DCSE	135.00	813	09/06/13
58634	Pay	P	MN CHILD SUPPOR MINNESOTA CHILD SUPPORT	348.50	813	09/06/13
58635	Pay	P	MT CSED FT MONTANA CSED	21.62	813	09/06/13
58636	Pay	P	NC CHILD SUPPOR NC CHILD SUPPORT	205.00	813	09/06/13
58637	Clm	SC	999999 KYLE AMES	750.00	913	09/06/13
58638	Clm	SC	999999 RONALD THOMAS	200.00	913	09/06/13
58639	Clm	SC	999999 DAVID FLINNER	200.00	913	09/06/13
58640	Clm	SC	999999 EDWARD WEPASNICK	200.00	913	09/06/13
58641	Clm	SC	999999 STEPHEN ABBOTT	100.00	913	09/06/13
58642	Clm	SC	673 CLERK OF DISTRICT COURT	500.00	913	09/06/13
58643	Clm	SC	673 CLERK OF DISTRICT COURT	500.00	913	09/06/13
58644	Clm	SC	673 CLERK OF DISTRICT COURT	500.00	913	09/06/13
58645	Clm	SC	673 CLERK OF DISTRICT COURT	500.00	913	09/06/13
58646	Clm	SC	513 WILLISTON COMMUNITY LIBRARY	11844.92	913	09/06/13
58647	Clm	SC	999999 6 AVE 902, LLC	4.95	913	09/09/13
58648	Clm	SC	632 ACKERMAN-ESTVOLD	56413.43	913	09/09/13
58649	Clm	SC	1643 AERO SPRAYING SERVICE INC.	3601.87	913	09/09/13
58650	Clm	SC	999998 ALEC RAISBECK	25.00	913	09/09/13
58651	Clm	SC	1768 ALLIANCE CONSULTING LC	102361.28	913	09/09/13
58652	Clm	SC	1946 Alpha Card	1345.00	913	09/09/13
58653	Clm	SC	718 AMERIPRIDE LINEN AND APPAREL SERV	277.29	913	09/09/13
58654	Clm	SC	23 AMY KRUEGER	43.84	913	09/09/13
58655	Clm	SC	1910 ANDERSON & WOOD CONSTRUCTION CO I	335612.18	913	09/09/13
58656	Clm	SC	999999 ASHLEY SNYDER	50.00	913	09/09/13
58657	Clm	SC	30 ASTRO-CHEM LAB, INC.	340.00	913	09/09/13
58658	Clm	SC	33 BAKER & TAYLOR CO.	819.70	913	09/09/13
58659	Clm	SC	34 BALCO UNIFORM CO., INC.	8475.11	913	09/09/13
58660	Clm	SC	961 BARBOT ENTERPRISES	19500.00	913	09/09/13
58661	Clm	SC	38 BASIN PRINTERS, INC.	1129.00	913	09/09/13
58662	Clm	SC	41 BERRY DAKOTA	166.00	913	09/09/13
58663	Clm	SC	256 BIG SKY BATTERY/MINUTE LUBE	359.85	913	09/09/13
58664	Clm	SC	1339 BOBCAT OF WILLISTON	525.36	913	09/09/13
58665	Clm	SC	828 BODO'S TV & APPLIANCE CENTER	1679.90	913	09/09/13
58666	Clm	SC	52 BORDER STATES ELECTRIC	893.51	913	09/09/13
58667	Clm	SC	54 BOUND TREE MEDICAL	2541.84	913	09/09/13
58668	Clm	SC	662 BOX-N-SHIP	15.83	913	09/09/13
58669	Clm	SC	1926 BRAUN INTERTEC CORPORATION	26455.00	913	09/09/13
58670	Clm	SC	999999 BULLDOG SERVICES LLP	35.41	913	09/09/13
58671	Clm	SC	966 BYERLY COMPUTER SERVICES	105.00	913	09/09/13
58672	Clm	SC	1054 C & D WATER SERVICES	29.00	913	09/09/13
58673	Clm	SC	1309 C & L'S CHARIOT	307.50	913	09/09/13
58674	Clm	SC	1455 CALIFORNIA CONTRACTORS SUPPLIES I	767.04	913	09/09/13
58675	Clm	SC	67 CAR TUNZ	269.90	913	09/09/13
58676	Clm	SC	69 CARQUEST AUTO PARTS STORES	476.43	913	09/09/13
58677	Clm	SC	204 CCR-WILLISTON III, LLC	810.00	913	09/09/13
58678	Clm	SC	1516 CENTURYLINK	650.00	913	09/09/13

58679	Clm	SC	1332 Charles Wilder	1300.00	913	09/09/13
58680	Clm	SC	999999 CHET THOMPSON	33.52	913	09/09/13
58681	Clm	SC	999999 CHRIS SALVESON	39.14	913	09/09/13
58682	Clm	SC	999999 CHRISTINE HALLAND	18.33	913	09/09/13
58683	Clm	SC	77 CITY OF WILLISTON	3901.90	913	09/09/13
58684	Clm	SC	79 CITY OF WILLISTON	86090.17	913	09/09/13
58685	Clm	SC	909 Coast To Coast Office Machine	1539.03	913	09/09/13
58686	Clm	SC	971 COCA-COLA OF WILLISTON	88.40	913	09/09/13
58687	Clm	SC	871 COMFORT SUITES	276.00	913	09/09/13
58688	Clm	SC	1662 Connecting Point Computers Center	396.80	913	09/09/13
58689	Clm	SC	567 CRAIG'S SMALL ENGINE REPAIR	598.39	913	09/09/13
58690	Clm	SC	1945 CUSTOM CONVEYOR CORPORATION	1834.69	913	09/09/13
58691	Clm	SC	548 DAKOTA DIESEL	962.89	913	09/09/13
58692	Clm	SC	93 DAKOTA SUPPLY GROUP	6820.64	913	09/09/13
58693	Clm	SC	1869 Dani Clarke	750.00	913	09/09/13
58694	Clm	SC	999998 DANIEL DERY	25.00	913	09/09/13
58695	Clm	SC	100 DAWA SOLUTIONS GROUP	150.00	913	09/09/13
58696	Clm	SC	988 Dell Marketing L.P.	832.72	913	09/09/13
58697	Clm	SC	568 DPC INDUSTRIES, INC	6804.38	913	09/09/13
58698	Clm	SC	1665 EAST & WEST EXCAVATING LLC	5090.00	913	09/09/13
58699	Clm	SC	124 ELECTRIC & MAGNETO, INC.	298.00	913	09/09/13
58700	Clm	SC	1621 ERLA INC	736.36	913	09/09/13
58701	Clm	SC	1942 EVERSON FUNERAL HOME	1138.88	913	09/09/13
58702	Clm	SC	127 F&F SPRINKLER SYSTEMS	274.42	913	09/09/13
58703	Clm	SC	668 FASTENAL COMPANY	4.64	913	09/09/13
58704	Clm	SC	569 FEDEX	37.57	913	09/09/13
58705	Clm	SC	857 Follett Software Company	223.57	913	09/09/13
58706	Clm	SC	134 FORT UNION SUPPLY & TRADE	642.32	913	09/09/13
58707	Clm	SC	1496 FOUND IT NOW	147.01	913	09/09/13
58708	Clm	SC	873 FRONTIER PRECISION, INC.	144.00	913	09/09/13
58709	Clm	SC	354 FURUSETH LAW FIRM, PC	20130.00	913	09/09/13
58710	Clm	SC	139 GAFFANEY'S	397.99	913	09/09/13
58711	Clm	SC	1118 GARD SPECIALISTS	67.40	913	09/09/13
58712	Clm	SC	144 GRAYMONT WESTERN CANADA	12013.58	913	09/09/13
58713	Clm	SC	1941 GREEN ACRES SOD FARM	170.00	913	09/09/13
58714	Clm	SC	999999 HALLIBURTON ENERGY SERVICES	30.80	913	09/09/13
58715	Clm	SC	148 HANDY ANDY'S NURSERY	139.00	913	09/09/13
58716	Clm	SC	151 HAWKINS, INC.	18593.22	913	09/09/13
58717	Clm	SC	153 HEIMAN FIRE EQUIPMENT, INC.	2147.56	913	09/09/13
58718	Clm	SC	161 HOME OF ECONOMY	397.64	913	09/09/13
58719	Clm	SC	162 HORIZON RESOURCES	9331.69	913	09/09/13
58720	Clm	SC	163 HOSE AND RUBBER SUPPLY	663.01	913	09/09/13
58721	Clm	SC	164 HOTSY EQUIPMENT CO.	395.00	913	09/09/13
58722	Clm	SC	1377 Howard Klug	37.45	913	09/09/13
58723	Clm	SC	999998 HUGH E BENZEN	25.00	913	09/09/13
58724	Clm	SC	1503 IDSS	50.00	913	09/09/13
58725	Clm	SC	176 INTERSTATE POWER SYSTEMS	6489.63	913	09/09/13
58726	Clm	SC	596 ITC	449.00	913	09/09/13
58727	Clm	SC	999998 JACOB R. HENDRICKS	25.00	913	09/09/13

58728	Clm	SC	999998 JAKE O. SNYDER	25.00	913	09/09/13
58729	Clm	SC	999998 JASON BARTEN	25.00	913	09/09/13
58730	Clm	SC	999999 JAY DEE ATEN	25.30	913	09/09/13
58731	Clm	SC	1949 JEFF BRYSON	1540.44	913	09/09/13
58732	Clm	SC	999999 JOHN CONRAN	34.45	913	09/09/13
58733	Clm	SC	999999 JOHN VAN DEN BERGE	29.61	913	09/09/13
58734	Clm	SC	999998 KAREN P. LARSON	136.99	913	09/09/13
58735	Clm	SC	1299 KNIFE RIVER-NORTH CENTRAL	1487.25	913	09/09/13
58736	Clm	SC	210 KOHLER COMMUNICATIONS	461.20	913	09/09/13
58737	Clm	SC	956 L & K ELECTRIC	11911.18	913	09/09/13
58738	Clm	SC	999999 LAURIE MORTIS	52.31	913	09/09/13
58739	Clm	SC	221 LEE'S TELEPHONE SERVICE	97.50	913	09/09/13
58740	Clm	SC	591 LEXIS NEXIS	547.74	913	09/09/13
58741	Clm	SC	233 LYLE SIGNS INC.	532.23	913	09/09/13
58742	Clm	SC	999998 MARK C. AMONDSON	247.09	913	09/09/13
58743	Clm	SC	1948 Marquette Commercial Finance	3969.80	913	09/09/13
58744	Clm	SC	999998 MARTIN L. COLGAN	90.00	913	09/09/13
58745	Clm	SC	1943 Marty Riggan	237.00	913	09/09/13
58746	Clm	SC	242 MCKENZIE COUNTY FARMER	52.00	913	09/09/13
58747	Clm	SC	999999 MELISSA SANDERS	35.28	913	09/09/13
58748	Clm	SC	250 MICROMARKETING ASSOCIATES	117.01	913	09/09/13
58749	Clm	SC	254 MIKE'S WINDOW CLEANING SERVICE	160.00	913	09/09/13
58750	Clm	SC	1095 MIKEY'S COUNTRY CANDY	129.96	913	09/09/13
58751	Clm	SC	999999 MILES GERBIG	10.31	913	09/09/13
58752	Clm	SC	255 MILLY'S ALTERATIONS	84.00	913	09/09/13
58753	Clm	SC	260 MODERN MACHINE WORKS	151.00	913	09/09/13
58754	Clm	SC	261 MON-DAK HTG & PLG, INC.	191.00	913	09/09/13
58755	Clm	SC	243 MONTANA DAKOTA UTILITIES	45394.71	913	09/09/13
58756	Clm	SC	1175 MONTANA DAKOTA UTILITIES	1430.20	913	09/09/13
58757	Clm	SC	1632 MORRISON MAIERLE INC	70435.67	913	09/09/13
58758	Clm	SC	267 MOUNTRAIL-WILLIAMS REC	928.83	913	09/09/13
58759	Clm	SC	270 MURPHY MOTORS, INC.	4741.96	913	09/09/13
58760	Clm	SC	1792 MUTH ELECTRIC	15402.82	913	09/09/13
58761	Clm	SC	271 MVTL/MINNESOTA VALLEY	584.00	913	09/09/13
58762	Clm	SC	275 NAPA AUTO PARTS	6031.69	913	09/09/13
58763	Clm	SC	281 ND ASSN. OF OIL & GAS	4000.00	913	09/09/13
58764	Clm	SC	285 ND CHAPTER OF A.P.C.O.	975.00	913	09/09/13
58765	Clm	SC	297 ND ONE CALL	706.75	913	09/09/13
58766	Clm	SC	314 ND WORKFORCE SAFETY & INS	332.81	913	09/09/13
58767	Clm	SC	1947 NEESE INC	666.58	913	09/09/13
58768	Clm	SC	1944 NFPA	362.70	913	09/09/13
58769	Clm	SC	999999 NICOLE GRIFFIN	40.73	913	09/09/13
58770	Clm	SC	584 NMN, INC.	1315.40	913	09/09/13
58771	Clm	SC	1003 NORTH PRAIRIE SIGNATURE,LLP	634.00	913	09/09/13
58772	Clm	SC	1927 NORTH STAR ENERGY & CONSTRUCTION	31281.60	913	09/09/13
58773	Clm	SC	333 NORTHWEST SUPPLY CO.	84.85	913	09/09/13
58774	Clm	SC	340 OHNSTAD TWICHELL PC	392.00	913	09/09/13
58775	Clm	SC	1698 OK Distributing Co. Inc.	75.34	913	09/09/13
58776	Clm	SC	1250 OK TIRE STORE	59.90	913	09/09/13

58777	Clm	SC	343 OLYMPIC SALES, INC.	24578.00	913	09/09/13
58778	Clm	SC	344 ONE FULFILLMENT	330.00	913	09/09/13
58779	Clm	SC	772 PARACLETE PRESS, INC	72.94	913	09/09/13
58780	Clm	SC	1270 PASTIME PRINTS	720.00	913	09/09/13
58781	Clm	SC	351 PENWORTHY	867.51	913	09/09/13
58782	Clm	SC	356 PITNEY BOWES, INC.	280.50	913	09/09/13
58783	Clm	SC	1051 POET ETHANOL PRODUCTS, LLC	11549.99	913	09/09/13
58784	Clm	SC	357 POLAR REFRIGERATION, INC.	1858.32	913	09/09/13
58785	Clm	SC	359 PRAXAIR DISTRIBUTION INC	83.60	913	09/09/13
58786	Clm	SC	641 PREBLE MEDICAL SERVICES, INC	53.00	913	09/09/13
58787	Clm	SC	788 PRO CARE	3297.00	913	09/09/13
58788	Clm	SC	1951 PUBLIC AGENCY TRAINING COUNCIL	475.00	913	09/09/13
58789	Clm	SC	365 QUALITY BOOKS, INC.	21.96	913	09/09/13
58790	Clm	SC	367 QUILL CORPORATION	633.61	913	09/09/13
58791	Clm	SC	1882 RAM SPV II, LLC	2600.00	913	09/09/13
58792	Clm	SC	1394 RDO EQUIPMENT CO	31828.00	913	09/09/13
58793	Clm	SC	999999 REBECCA POWELL	17.50	913	09/09/13
58794	Clm	SC	380 REEVES COMPANY, INC.	118.83	913	09/09/13
58795	Clm	SC	390 RICHARD A. JOHNSON	500.00	913	09/09/13
58796	Clm	SC	1091 ROBERT GIBB & SONS	47323.91	913	09/09/13
58797	Clm	SC	999999 ROBERT NOLAN	0.20	913	09/09/13
58798	Clm	SC	405 RYAN MOTORS	1012.93	913	09/09/13
58799	Clm	SC	999998 SABRINA A RAMEY	500.00	913	09/09/13
58800	Clm	SC	1950 SAGE Publications, Inc.	108.07	913	09/09/13
58801	Clm	SC	1133 SANDERSON STEWART	192822.69	913	09/09/13
58802	Clm	SC	409 SANITATION PRODUCTS	149.29	913	09/09/13
58803	Clm	SC	669 SHIRT WORX	113.00	913	09/09/13
58804	Clm	SC	426 SOURIS RIVER TELECOMMUNICATIONS	195.52	913	09/09/13
58805	Clm	SC	999998 STACEY EISSINGER	25.00	913	09/09/13
58806	Clm	SC	999998 STEVEN C. KJERGAARD	434.75	913	09/09/13
58807	Clm	SC	1952 SWIFT COUNTY SHERIFF'S OFFICE	3707.80	913	09/09/13
58808	Clm	SC	1387 Target Roofing, INC	18791.00	913	09/09/13
58809	Clm	SC	999999 TED BURKLE	8.66	913	09/09/13
58810	Clm	SC	1896 The UPS Store 6375	77.50	913	09/09/13
58811	Clm	SC	460 TRACTOR & EQUIPMENT CO.	914.37	913	09/09/13
58812	Clm	SC	461 TRACTOR SUPPLY CREDIT PLAN	310.92	913	09/09/13
58813	Clm	SC	999998 TREVOR J. ROBERTS	25.00	913	09/09/13
58814	Clm	SC	464 TRI-COUNTY GLASS	4440.00	913	09/09/13
58815	Clm	SC	463 TRIANGLE ELECTRIC	1252.80	913	09/09/13
58816	Clm	SC	999998 TYLER HOFF	25.00	913	09/09/13
58817	Clm	SC	484 VERIZON WIRELESS	703.10	913	09/09/13
58818	Clm	SC	999999 VERLON DALIN	23.00	913	09/09/13
58819	Clm	SC	999999 VERLON DALIN	4.25	913	09/09/13
58820	Clm	SC	485 VESSCO, INC.	3228.01	913	09/09/13
58821	Clm	SC	1194 VIDACARE	2201.09	913	09/09/13
58822	Clm	SC	487 VISA	5944.18	913	09/09/13
58823	Clm	SC	1866 Vivid Ink and Toner	868.55	913	09/09/13
58824	Clm	SC	1249 WASTE NOT RECYCLING LLC	6501.60	913	09/09/13
58825	Clm	SC	503 WESTLIE MOTOR CO.	82.50	913	09/09/13

58826	Clm	SC	532 WILLIAMS COUNTY HIGHWAY DEPT.	2089.64	913	09/09/13
58827	Clm	SC	533 WILLIAMS COUNTY TREASURER/RECORDE	383.00	913	09/09/13
58828	Clm	SC	564 WILLIAMS RURAL WATER DISTRICT	731.97	913	09/09/13
58829	Clm	SC	1716 Williams Scotsman, Inc.	2833.50	913	09/09/13
58830	Clm	SC	516 WILLISTON CVB	2676.04	913	09/09/13
58831	Clm	SC	518 WILLISTON HERALD	4249.52	913	09/09/13
58832	Clm	SC	519 WILLISTON HOME & LUMBER	167.84	913	09/09/13
58833	Clm	SC	522 WILLISTON PD PETTY CASH	73.96	913	09/09/13
58834	Clm	SC	526 WILLISTON TRUE VALUE	443.90	913	09/09/13
58835	Clm	SC	530 WILLISTON/WILLIAMS COUNTY - LEC	641.70	913	09/09/13
58836	Clm	SC	999999 YVONNE SAVIDGE	17.60	913	09/09/13

Grand Total	# of Checks:	498	5554159.05	Total Claims
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- (2.) Application for a Local Permit or Charity Local Permit
 - (A.) Local Raffle Permit- Williston High School
- (3.) Special Permit to Sell Alcoholic Beverages
 - (a.) Edgar M Boyd- 10/26/13- Band
 - (b.) Edgar M Boyd- 11/9/13- 100th Anniversary
- (4.) Application for Auctioneers License
 - (a.) Levern Seal- Renewal
- (5.) Application for Pesticide Applicator's Permit
- C. Building Official
 - (1.) Master Mechanical
 - (a.) Jeff Pender- R&J Technical
 - (b.) Richard Anderson- Robert Gibbs & Sons, Inc.
 - (2.) Master Plumber
 - (a.) Stanley Garrett- Garrett Plumbing
 - (3.) Fuel & Gas Installer
 - (a.) Jeff Pender- R&J Technical
 - (4.) Journeyman Mechanical
 - (a.) Kerry Kurowski- J-Berd Mechanical Contractors, Inc.
- D. City Planner
 - (1.) Review WRW Application- JFE Construction/Bercier/Legacy Builders
- E. Assessor
 - (1.) Abatement
 - (2.) Exemptions

MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to approve the consent agenda of September 10, 2013

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Kooser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- 3. Bid Openings
 - A. Equipment/Pickups

Dave Tuan presented the information for the bid opening for five pieces of equipment including three pick-up trucks, a diesel articulated wheel loader and a tandem axle dump/sand truck. All bids received were less than the 2013 budgeted amounts. We are requesting approval to accept the low bids for all five pieces of equipment.

MOTION BY KLUG, SECONDED BY CYMBALUK, to approve the bids as present for all five items

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

4. Public Hearings
 - A. 2014 Budget Hearing

Moved to beginning of meeting

- B. Application for City Alcohol Beverage License- The Bakken Club

John Kautzman presented the following information. The Alcohol Committee met on this issue a couple of weeks ago and the recommendation was to approve the request, however, he would like to caveat that there also was a recommendation that the Ordinance be amended by the attorney's office to plug a hole so to speak to make sure that they do not have every organization coming out of the woodwork to say that they are creating a club and then thinking that they can then get a club type alcohol license. Present wording would suggest that that is a possibility. Recommendation was that possibly it be amended to state that they have some type of national affiliate tie-in. But the way that the present ordinance is currently written is it does not necessarily restrict other people from forming a club and approaching the City for an alcohol/liquor license. If the attorney's office does work on this ordinance, it would still need to come in front of the Board for approval.

Commissioner Bekkedahl asked if the requirement could include that there be a charitable aspect to the club as well.

Mayor Koeser asked Mr. Kautzman to clarify for the public where this club would be located.

Mr. Kautzman responded that it would be located that it was next to the new donut shop on main, 413 Main Street. It is not as if they are opening their doors to anyone that wants to walk in and buy a beer, it is a private club that you must be a member of to enter.

Mayor Koeser opened the public hearing, there was no response, a second call was made for a public hearing and a third call was made for a public input. There was no input and the hearing was closed.

MOTION BY KLUG, SECONDED BY CYMBALUK to approve the license as presented and the second part of the motion is that the Commission will not entertain any other licenses of this type until there is a review and revision of the Ordinance and it is voted on

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- C. Proposed Zone Change from C-2: General Commercial to M-1: Light Industrial for an unplatted parcel in the NE1/4 of SE1/4 of Section 22, T154N,R101W - City of Williston (containing 1.7 acres) – Magrum

Rachel Ressler presented the following information:

This application requested by Greg Magrum and Kathy McCausland is for a rezone from C2: General Commercial to M-1: Light Industrial for an unplatted parcel northwest of Gate Ave and 2nd St. W containing 1.7 acres. The purpose of this zone change would be to create a water depot in the location.

The Planning staff discussed with the applicant prior to application submittal the inability of the Planning Department to support the application for three reasons: first that the Comprehensive Plan for the City of Williston indicates that a commercial corridor should be created along the 1804 corridor west of the downtown, along 2nd Street West. Rezoning a commercial property to an industrial property along this corridor contradicts the Comprehensive Plan. Second, the property size is 1.7 acres. It is also not contiguous with any M-1 or even M-2: Heavy Industrial property. It therefore does not meet the zoning code requirements of industrial districts of at least 20 acres minimum size. Third, the purpose of the zone change is to create a water depot. It is illegal to drill and sell water from private wells in the City.

The applicant chose to submit the application regardless of Planning Department advice.

At ad hoc and the August 19, 2013 Planning Commission meeting, committee members discussed the three above reasons that the property should not be rezoned. In addition, the committee discussed the need for new access points if the property is turned into a water depot. Those access points would not be permitted or approved by the City or the NDDOT as the City does not want any more access points onto 2nd St. West and the DOT does not allow accesses onto highway on-ramps.

The recommendation to the City Commission from the Planning and Zoning Commission is denial of the zone change.

Mayor Koeser asked if either of the applicants were present tonight. There was no response.

Mayor Koeser opened the public hearing, Mr. Shupe stated that he doesn't want any more traffic on that road.

A second call was made for public input, a third call was made for public input and hearing none the hearing was closed.

MOTION BY CYMBALUK, SECONDED BY KLUG, to deny the request as presented

AYE: Klug, Cymbaluk, Brostuen, 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 an unplatted parcel in the SE1/4 of Section 13, T155N,R101W - City of Williston (containing 46.5 acres) – Granite Peak

Donald Kress presented the following information:

The applicant, Granite Peak North Dakota LLC, is in the process of submitting a subdivision plat for this property. Staff requests that your Commission table this zone change until the subdivision plat “catches up” to it in a future meeting, as the zone change cannot become effective until this property is platted.

The public hearing was opened, a call for public input was made, a second call for public input was made, a third and final call was made for public input. No input was received the hearing was closed.

Commissioner Klug asked what the time frame would be on this item. Mr. Kress responded that the Commission would probably see it in early November.

MOTION BY KLUG, SECONDED BY CYMBALUK, to remove the item from the Agenda until it was resubmitted at the proper time

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- E. Proposed Zone Change from A: Agricultural to C-2: General Commercial for various Lot(s) and Block(s) in Lake Park, Hi-Land Heights 2nd and 3rd Subdivisions, Kringen Subdivision, Outlot (s) 2-7, SE1/4SE1/4, Unplatted 240'x258' lot in E1/2SE1/4 in Section 26, T155NR101W, and unplatted 165'x367' tract in N1/2 in Section 25, T155N, R101W, City of Williston.- Staff

Donald Kress presented the following information and indicated that he was going to make one presentation for Public Hearings E, F, G and H and then the Commission could open the hearings and vote as they see fit.

Approximately 4,888 acres were annexed to the city of Williston on January 31, 2013 as part of the Northern Annexation. While some of the area annexed was already within the one-mile extra-territorial jurisdiction of the city and was, thus, already zoned by the city, a significant portion of the annexed area was under the jurisdiction of Williams County, and was zoned in compliance with the Williams County Zoning Ordinance. When this area was annexed into the city, the zoning became A: Agricultural, pursuant to Section 5(5) of the Williston Zoning Ordinance. Generally, for properties within the annexed area that have already been developed, the A: Agricultural zoning designation is temporary, and is to be replaced with the city zone that most closely fits the existing development and land uses on each property. As the city had initiated the annexation, the city has undertaken the rezoning of those properties. Note that the intent of this rezone is to

assign city zoning designations, appropriate to the existing lot sizes and land uses of individual properties, to these properties. This rezone does not prevent any future development of these properties.

Properties proposed to be zoned C-2 are:

- Lots 1, 2, 3, 4 Block 1 Lake Park Subdivision;
- Lots 1, 2 Block 1 Hi-Land Heights 2nd Subdivision;
- Lots 1 and 3 Block 4 , Lot 2 Block 1, Lot 1 EX DD PT, Block 1, TR in L 1 Hi-Land Heights 3rd Subdivision;
- Lot 2 Block 1 Kringen Subdivision;
- Outlots 2, 3, 4, 5, 6, and 7 SE1/4 SE1/4 Sec. 26 T155N R101W;
- 240' X 258' E1/2 E1/2 SE1/4 Sec. 26 T155N R101W;

Note that one property, 165' X 367' TRACT IN N1/2 NW1/4 NW1/4 SW1/4, Sec. 25 T155N R101W, has been removed from the list of properties scheduled to be rezoned at this hearing. This property will be addressed in a subsequent rezoning.

The public hearing was opened, a call for public input was made, a second call was made and third and final call was made with no public input. The Public Hearing was closed.

MOTION BY BROSTUEN, SECONDED BY CYMBALUK, to approve the proposed zone change from A: Agricultural to M-2: Heavy Industrial with the removal of the property as indicated above by Mr. Kress that will be presented later.

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- F. Proposed Zone Change from A: Agricultural to P: Parks and Open Space for Sublot 5 and Sublot 1 in Section 36, T155N, R101W, Unplatted 215'x 202.6' Tract in N1/2 in Section 26, T155N, R101W, Lot 1 in Section 1, T154,101W, and unplatted parcel in the SW in Section 36, T155,R101W, City of Williston.- Staff

Donald Kress presented the following information:

P: Parks and Open Space: Areas that are owned by the U.S. Army Corps of Engineers, Museum, Golf Course, and Williams Rural Water. Properties proposed to be rezoned P are:

- SUBLLOT 5 IN NW1/4 NW1/4 SW1/4 WEST OF FRONTAGE, Sec. 36 T155N R101W;
- 215' X 202.6' TRACT IN N1/2 NE1/4 NE1/4 SE1/4, Sec. 26 T155N R101W;
- SUBLLOT 1 IN N1/2 NE1/4 SW1/4 Sec. 36 T155N R101W;
- L 1 (40.06), Sec. 1, T154N, R101W;
- SW EX DD PTS, Sec. 36, T155N, R101W

The rezoning of the residential areas is based primarily on lot size and actual land use.

The public hearing was opened, a call for public input was made, a second call was made and third and final call was made with no public input. The Public Hearing was closed.

Commissioner Bekkedahl had a question for Mr. Kress regarding the zoning for Spring Lake Park. Mr. Kress replied that a portion of Spring Lake Park is within the one-mile extra territorial jurisdiction so that was already zoned and anything outside of that would be rezoned. This includes the portions of Spring Lake Park that were not already zoned.

MOTION BY CYMBALUK, SECONDED BY BEKKEDAH, to approve the proposed zone change from A: Agricultural to P: Parks and Open Spaces as presented

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- G. Proposed Zone Change from A: Agricultural to R-1: Single Family Residential for Lot(s) 1,1R, 2, 2R, 3-9, Miller Subdivision, Section 1, T155,R101W, City of Williston.- Staff

Donald Kress presented the following information:

R-1: Single Family Residential (for lot sizes generally of 8,000 to 21,000 square feet): Miller's First Subdivision, an existing residential subdivision located in Section 26, Missouri Ridge Township.

Properties proposed to be rezoned R-1 are:

- Lots 1, 1R, 2, 2R, 3, 4, 6, 7, 8, 9 Miller Subdivision Section 1, T155N, R101W

Regarding the proposed zone change from A: Agricultural to R-1: Single Family Residential, one property owner asked about the status of his property, which contains a steel building used as a shop but not a residence. Staff state that the lot this shop was located on was in the Miller Subdivision, which was intended as a residential subdivision and that the shop would be considered a nonconforming use. Staff stated that the property owner could sell his property with the non-conforming use but that the buyer could not expand more than allowed by zoning ordinance limitation on nonconforming uses. The lot could not be sold as a commercial use, but as a non-conforming use in an R-1 zone. The Commission asked the property owner if he would want to build a house on this lot in the future. The property owner said he had no room or intention to do so. There was no other public comment.

The public hearing was opened.

Patrick McGerry from R&R Professional Services had asked about SRF Consultations prior recommendation that everything along that corridor be zoned to C2 and therefore now these are being zoned R1 now and that is in contradiction to the previous information.

Mr. Kress interjected that the goal is to eventually have all of the properties lining Highway 2 be commercial. However, because of the Annexation we are not zoning these properties to future development; we are zoning them to what they are now. The area is clearly a residential subdivision and to rezone them to C2 and make them all non-conforming would not be good planning practice. As Commissioner Bekkedahl stated during the Annexation Hearing, we need to use a common sense approach.

A second call for public input was made, a third and final call for public input was made and the hearing was closed

MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve the proposed zone change from A: Agricultural to R-1: Single Family Residential as presented

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

H. Proposed Zone Change from A: Agricultural to R-1A: Rural Residential for Lot 3, Block 1, Hi-Land Heights 2nd Subdivision, City of Williston.- Staff

Donald Kress presented the following information:

R-1A: Rural Residential (for lot sizes generally 21,000 square feet or greater): One lot in Hi-Land Heights 2nd Subdivision. The remainder of the residential lots in this subdivision has been rezoned to R-1A. The property proposed to be rezone R-1A is:

- Lot 3 Block 1, Hi-Land Heights 2nd Subdivision

Commissioner Klug asked what the process was for recording the non-conforming of a property. When a neighbor makes a complaint how would someone know that the property was approved for non-conforming uses. Mr. Kress indicated that the Minutes would reflect and Planning Memo's reflect the approval of non-conforming properties.

The public hearing was opened and a call for public input was made, a second call was made for public input.

Mr. Luebke asked where the property was located and Mr. Kress pointed out on the map in the Commission Room where the property was.

A third call was made for public input.

Terry Metzler asked if these properties are non-conforming and don't pass the City's muster and should basically be condemned is that when they are required to make it conform. In other words, if they have a shed and it is falling down, would they be allowed to tear down the shed and rebuild a new bigger one?

There were multiple responses of "no".

Mr. Kress also explained that in the Zoning Ordinance there are rules for non-conformity.

The hearing was closed.

MOTION BY BROSTUEN, SECONDED BY CYMBALUK, to approve the proposed zone change from A: Agricultural to R-1A: Rural Residential for Lot 3, Block 1, Hi-Land Heights 2nd Subdivision

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None
CARRIED: 5-0

- I. Proposed Amendment to Ordinance No. 613 also known as "The Zoning Ordinance of the City of Williston, amending Section 20.L: Relating to Requirements for Wall Signs in C-2: General Commercial (Ordinance No. 971)

Rachel Ressler presented the following information:

This application is to amend Section 20.L: Sign Limitations of Ordinance 613 of the City of Williston, also known as the Zoning Ordinance of the City of Williston, relating to requirements for wall signs in the C-2:General Commercial District.

Currently, the ordinance reads that wall signage not exceeding 20 % of the façade to which it is attached is allowed, but at least 60 square feet of signage is allowed, up to 200 square feet.

This ordinance is not designed to handle signage requests from the types of buildings applying for signs today. In order to update the ordinance, the Planning Department feels that a more proportional ordinance is necessary.

To that end, this updated ordinance clarifies that the amount of square feet of signage can be broken up into more than one sign, and does not put a hard limit on wall signage on stores with over 100 feet of building frontage.

Number 5 of the section now reads: Wall signs may be erected with a sign face not exceeding 2 square feet per 1 foot of building frontage of the façade to which the sign will be attached. If there is less than 100 feet of building frontage, wall signage not exceeding 20% of the façade to which it is attached is allowed; however, this is not to exceed 200 square feet of wall signage. Signs shall not extend above the top of the wall or façade to which they are attached.

The Planning and Zoning Board recommends to the City Commission approval of Ordinance 971, Amending Section 20.L: relating to walls signs in the C-2: General Commercial District

The public hearing was opened.

Chip Devlin stated that he is adding on to his building now and the sign that he is putting up isn't much bigger than the one he had before and he is being told that it is too big.

Commissioner Bekkedahl asked if it would fit within these new guidelines and his response was no.

Ms. Ressler commented that the new sign does fit into the dimensions of the proposed change to the ordinance.

Commissioner Klug asked if the picture that Mr. Devlin had of the new sign was considered a "wall sign". Ms. Ressler stated that yes, it was. Commissioner Klug then asked if the new Halloween place and the vinyl sign that they had was considered a "wall sign". Ms. Ressler stated that it would be considered a "temporary sign". The

Commission asked how a temporary sign differed from a wall sign. Staff responded that temporary signs are allowed and are typically transitional.

A second call for public input was made, a third and final call was made for temporary input none was made and the public hearing was closed.

MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve to approve the first read of Ordinance 971 Proposed Amendment to Ordinance No. 613 also known as “The Zoning Ordinance of the City of Williston, amending Section 20.L: Relating to Requirements for Wall Signs in C-2: General Commercial as presented

AYE: Klug, Cymbaluk, Brostuen, 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. Ordinance 974 (Mobile Commercial Business)

Nick Vasuthasawat presented the following information.

Mr. Vasuthasawat began by giving each Commissioner a copy of a letter that he received from Marquis Aurbach Coffing a firm representing Dr. Alexander and his mobile medical clinic. The firm requested that the Commission table this item. Nick stated that he reached out to that party and informed them that that wasn't the case and tonight was just going to be discussion regarding the moratorium.

The City of Williston Zoning Ordinance was adopted in June 1983 under Ordinance No. 352. The Zoning Ordinance was written as a permissible code and uses not specifically listed in the expressed Zoning Districts are presumed not permitted. The Planning and Zoning Department has received numerous inquiries in the past for similar mobile businesses and have consistently denied requests. Section 8 thru 24 of the Zoning Ordinance describes the permitted uses, permitted accessory uses and structures, special permitted uses, and temporary uses allowed with respect to its designated Zoning District.

An Ad Hoc meeting was held on August 16th, 2013 to discuss the progression of the mobile business industry and the nuances evolving thereof. Present at this meeting consisted of City Commissioner Brent Bogar, Planning & Zoning Director Kent Jarcik, Principal Planner Donald Kress, and Code Compliance Coordinator Nick Vasuthasawat. From this meeting, it was determined that City is now experiencing a need to consider and further discuss guidelines for various mobile commercial businesses.

To address this, Staff has prepared the first reading of Ordinance No. 974 to consider a temporary six month moratorium on mobile commercial businesses. The purpose of this moratorium is to prohibit all future operations of mobile commercial businesses until guidelines have been established to properly address this issue. Furthermore, this allows the City of Williston to ensure the public safety, health, and general welfare is protected during this transitional period.

Uses deemed as transient merchants as regulated in Chapter 18 of the City of Williston Code of Ordinances can continue to operate and will not be effected by the adoption of this new ordinance so long as the intention of these businesses remain temporary in nature. Currently the ordinance for transient merchants do not define the maximum allowable term, length, or reapplying period for these temporary businesses however has been determined as policy within the City Auditor's Office to not exceed two weeks to one month timeframe.

Nick wanted to note that the City is aware of two mobile businesses that being the Mobile Chiropractor who is here at this meeting and Bakken Mobile Veterinary Clinic neither of these businesses or either approved or denied however may continue to operate during the remainder of this moratorium.

Staff recommends the City Commission approve the 1st reading of Ordinance No. 974 to prohibit all future operations of mobile commercial businesses during the remainder of this six month Moratorium period. Furthermore, staff recommends all future discussions related to mobile commercial businesses be addressed by the existing Ad Hoc Committee Members and brought back before the City Commission for their final review.

Mayor Koeser wanted to confirm that the two that are currently exist will be allowed to continue to operate during this moratorium and that was confirmed.

Commissioner Klug asked why they will be allowed to continue to operate.

Mr. Vasuthasawat stated that there was nothing in place to address this issue. Mr. Jarcik stated that it was discussed at the Ad Hoc meeting that there are more and more pressure regarding this issue, the Ad Hoc Committee has approved the two existing business to continue, it is ultimately up to the City Commission as to whether or not to agree that they can continue to operate during the moratorium or not.

Mr. Steven Alexander spoke and stated that he has been a practicing Chiropractor for thirteen years in Las Vegas, Nevada. He came here in 2010 at the behest of his patients who had relocated here for work. Stallion Rigging flew him up to see his patients. He investigated the City for two years and has invested \$250,000 to build a state of the art mobile chiropractic clinic. He is spending approximately \$5,000 - \$6,000 a month on hotel fees along with the gasoline and food while he is here. He believed it was important for him to be here because there is an opportunity in American history in this energy boom to bring chiropractic to the forefront in health care, not because he failed somewhere else, and not because he wasn't gainfully employed somewhere else. He has been quite successful. He came here because there was a Health Care gap. People are stranded and have no vehicles or work such hours that they are unable to get to see a regular chiropractor. He goes to multiple corporations to work with their employees. He has over 2,000 patients in the last 12 months. He is not taking anything away from any chiropractor in this City. The people that cannot get to a regular appointment need healthcare like everyone else. There is one guy in town open until 8:00 pm two days a week and no one is open on the weekends. He is a provider for multiple insurance companies.

He received a letter from Mr. Jarcik via email and he went on and on for three or four paragraphs talking about barbeque tents and burrito shacks. He is a healthcare provider; he is a doctor and a very proud chiropractor.

He came to bring a solution to the problem. The State of North Dakota funded a mobile dental clinic and spent \$194,000 to build a Ronald McDonald Dental Clinic. He hasn't asked the government or the tax payers to pay for \$1, he funded it his-self.

He feels he has been identified by the Planning and Zoning Department where the first question was "could you remove your phone number off of your rig". And then "can you take down some of your banners." Is UPS being asked to take down their banners?

He asked Nick a question after he prefaced it with "when I speak to you I am speaking to the City of Williston." He asked what about the men who have no transportation to town to get to the chiropractor and Nick's response according to Dr. Alexander was that that's not our problem.

His attorney sent Nick a request to allow him to keep working while this moratorium is being decided. He would like to rescind this request from his attorney, because the equity that he is discussing with the commission today is human equity. How does he deliver care to a patient when in six months "you cut my throat" and you kick "me out." Continuity of care is what he does. There are forty men for Halliburton that he picked up as patients in Dickinson and now they have been relocated to Tioga to the Black and Gold Hotel. He goes to Tioga once a week to see his patients. He goes the 100 miles round trip for sometimes three or four people. He does not accept cash; he doesn't take patients off of the street. The other chiropractors will only accept cash, not health insurance. He brought a representative from JMAC and a patient to talk to the commission.

He would just like to have a thumbs up or thumbs down.

Steven Chriton who is a patient of Dr. Alexander's and he stated that he has a very professional setup. He has been to chiropractors in different places and other mobile businesses but this is the state-of-the-art outfit. It has been a blessing to use Dr. Alexander's services and his facility and he is always happy to see him in Tioga and he would be really disappointed if the City would make it impossible to for him to operate. He wanted to know what the difference is between a mobile commercial business and a contractor. Will contractors also be treated the same way?

Joe Busch spoke next from JMAC. He has happy and healthy employees who use Dr. Alexander and he has also used the mobile vet as well. Dr. Alexander is at the JMAC facility at least once a week. These two gentlemen are providing a very good service and they are being lumped in with burger joints and taco trucks.

Dr. Vince Stenson also spoke, he is the mobile vet. When he began his business and he asked the City if there is any requirement and was told no. He is a member of the Chamber of Commerce. He also knows that there are similar businesses operating in Minot and Bismarck.

Commissioner Cymbaluk stated that he wanted to interpret the situation. They can operate for six months and the goal within that six months is to put a plan together that is workable for everyone. Commissioner Cymbaluk stated that he didn't think the intent was to kick anybody under the bus. And he really doesn't like when you kick the staff under the bus because these guys have a very difficult job.

Commission Bekkedahl stated that it was important to point out that nobody is singling anybody out here. A little bit of history, this community has been tried very deeply in the last five years with what has been happening. There may have been some knee jerk reactions in the past when the community didn't want something we may have been too quick to get rid of it. It wasn't us that said we didn't want mobile vendors, it was our constituents they didn't want them. Both of you are in a position where we never had thoughts of how that would work. When the commission said no more mobile vendors, staff followed those instructions. That being said you may have a niche here that is very helpful to the community that would work, but it is going to take us some time work that out. He believes what staff is saying and he applauds them for it is we will put in the moratorium but allow you to continue to work and we will figure it out where it works for everyone. He believes that is an acceptable way to deal with it.

Dr. Alexander stated that the first voicemail he received from the Compliance Officer three weeks ago was "cease and desist". It wasn't until he brought his attorney into contact with the City that this got to this point.

Commissioner Bekkedahl stated that that they acted that way because that was what the commission directed them to do. They are amendable to looking at whether or not certain mobile vending should be allowed. Commissioner Bekkedahl asked for time for the City to figure it all out.

Dr. Stenson stated that when he called the City prior to starting the mobile vet clinic he was told that as long as he wasn't selling food, there was no permit needed from the City.

Commissioner Klug stated that he was sorry but that when the animosity thing came up today the credibility bothers him a little bit. He also stated that the commission has not once denied a chiropractor that came in here looking for STAR Fund help to invest in our community, not once. "We have put a lot of money into people's pockets to help them establish in our community. In your case sir if you are a mobile chiropractor and you want to park at the Airport International Inn, is that your main base of operation or do you actually get up and move every day?"

Dr. Alexander replied that he moves every day.

Commissioner Klug also stated that he wasn't overly happy with Dr. Alexander stating that there was an animosity from anyone in this community. Commissioner Klug asked Dr. Alexander what type of license plates he had on his RV. Dr. Alexander replied that he has Nevada license plates. Commissioner Klug confirmed that Dr. Alexander has Nevada license plates on a vehicle that is doing commercial business in the State of North Dakota. Dr. Alexander confirmed that was correct. Commissioner Klug stated that was all the questions that he had for Dr. Alexander. Dr. Alexander continued to try to speak and Commissioner Klug stated again that was all of the questions that he had for Dr. Alexander.

Mayor Koeser stated that they needed to move on and Dr. Alexander stated that "you have a complete City to run and I understand that." Mayor Koeser told Dr. Alexander that he may be seated. Dr. Alexander stated that is animosity sir.

Mayor Koeser explained that what the Commission had in front of them was an Ordinance to put a temporary moratorium on mobile business. The two parties, Dr. Alexander and the Mobile Vet would not be affected them at this particular point. During that six months a committee will be put together to see how to best handle this in the future and to decide if there is a difference between someone selling barbeque ribs and someone fixing your ribs. He stated there probably is a difference. He went on to state that we are building a lot of frustration and discontent when I don't think this will be the end result. But we will put knowledgeable people together and look at it and come up with some answers. If the Commissioner were to approve the first read Mayor Koeser stated that it wasn't their intent to cause hardship or put anyone out of business it simply says that we are going to be discussing it.

MOTION BY CYMBALUK, SECONDED BY KLUG, to approve to approve the first read of Ordinance 974 relating to Mobile Commercial Businesses as presented

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

Commissioner Cymbaluk also stated that if a committee is to be formed he would be more than happy to be appointed to the committee.

B. Smoking Ordinance- Second Reading

Mayor Koeser explained that this is the ordinance that brings us into line as the State statute.

MOTION BY BROSTUEN, SECONDED BY BEKKEDAHL, to approve to approve the second reading of Ordinance 975 relating to Smoking restrictions as presented

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

7. Petitions, Communications and Remonstrance's

A. Cal Kluein- Theodore Roosevelt Expressway Road update

Cal Kluein was present to give a summary update on the Theodore Roosevelt Expressway. He stated that he believes they are making some progress and has made some great relationships with our congressional delegation and the ten-state alliance. They have recently redeveloped their brochure. They are looking at this as a corridor that can generate economic development for the entire region. They are trying to focus on good, strong, safe transportation. There are some issues when talking about the things happening south of Williston with the bridge. There is a hold-up with some environmental issues and they are working on that. There is a resolution that they are getting ready to get going. There is some concern about wildlife crossing a four lane road.

Mayor Koeser asked if he was looking for any action on the Resolution that he presented.

Mr. Kluein stated that they are not quite ready to proceed with the resolution nationally, but they are almost there.

Mayor Koeser stated for the public record that it is a the resolution supporting the North Dakota Department of Transportation to proceed with plans to four-lane US Highway 85 from Watford City and Belfield. It is currently being done from Williston to Watford City and this will continue it from there.

Mayor Koeser stated they would accept the resolution and act on it at the next meeting.

8. Report of Commissioners
 - A. President of the Board
 - B. Vice-President; Finance Commissioner
 - (1.) **Band Review**

This information was presented by Commissioner Bekkedahl.

Commissioner Bekkedahl stated that we levy \$4,000 per year for Bands, \$2,000 going to the City Band for their performances and \$2,000 a year going to the Drum and Bugle Corp for their performances outside the City. There is a balance that has not been requested for last year or the prior year. The appropriate action is for the Commission to grant permission for the Auditor to release the funds.

MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to authorize the Auditor permission to release the funds in the Band account to the City Band and the Drum and Bugle Corp

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- C. Street and Improvement, Sanitation, Cemetery and Public Works Commissioner
 - (1.) Rec Center Garbage Request

Commissioner Klug presented the following:

Some time ago the new facility that is being built ran into some problems with their site being that it was on the old garbage pit and we made a deal with them that we would take their garbage at \$20 a ton and we would work it out over a five year period. They ran into the same problem and had to take more garbage back out to the landfill and they were charged \$40 a ton, double what they were charged before. Commissioner Klug stated that we didn't want the garbage, but he would like the Commission to consider giving them the same pricing that they were given on the previous deal.

MOTION BY KLUG, SECONDED BY CYMBALUK, to make arrangements with Park and Rec at \$20 a ton for the garbage hauled at a payment to be determined in the near future for the garbage hauled from the new Rec Center

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- D. Fire, Police, and Ambulance Commissioner
- E. Water Works, Sewer, Airport, Building and Planning Commissioner
- 9. Report of Department Heads
 - A. City Auditor
 - (1.) Taxi License- The Cab Dude- additional taxi

John Kautzman presented the following information:

The Cab Dude has applied for a license for an additional taxi, he has presented paperwork that has suggests that it is a licensed North Dakota registration. The paperwork seems to be in order and the Auditor recommends approval.

MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve the application for an additional vehicle taxi license for the Cab Dude as presented

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- (2.) Select Ford- Property Proposal

John Kautzman presented the following information:

The owner of Select Ford had approached us about the possibility of leasing and or buying a rectangular piece of property and he believes at that time that staff's recommendation was to not approve the request.

Ed Steckler spoke from Select Ford spoke regarding their parking issues. They have reduced their inventory and they are asking about a triangular piece of property, they are willing to buy it, rent it or list it.

Commissioner Bekkedahl clarified that we are not using the property right now and that it faces the Truck Route road. The yellow house will remain.

They can park approximately eight vehicles there.

MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to refer the issue to the Ad Hoc Committee – Land Sale Committee for review and recommendation

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- (3.) Application of City Alcohol License- Transferring from County (needs special event Permit)

- (a.) Special Event Permit- Upper Missouri Valley Fair Class Reunion 9/27

MOTION BY BEKKEDahl, SECONDED BY KLUG, to approve the request as submitted
AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser
NAY: None
ABSENT AND NOT VOTING: None
CARRIED: 5-0

- (b.) Special Event Permit- UMVF-Rodeo Sept 13 & 14

MOTION BY BEKKEDahl, SECONDED BY KLUG, to approve the request as submitted
AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser
NAY: None
ABSENT AND NOT VOTING: None
CARRIED: 5-0

B. Attorney

C. Director of Public Works/City Engineer
(1.) Request for Bids- Equipment

This information was presented by Scott Molstead:

This is a request to go out for bid for two pieces of equipment, one for the Cemetery Department and the other is for Sewer Collection and Water Distribution.

MOTION BY CYMBALUK, SECONDED BY BEKKEDahl, to approve the request as submitted
AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser
NAY: None
ABSENT AND NOT VOTING: None
CARRIED: 5-0

- (2.) 32nd Ave W Agreement- Oasis

This is currently not ready to finalize. In exchange for continued drilling and operation, this letter agreement between the City and Oasis Petroleum commits Oasis to funding the construction of a box culvert on 32nd Ave. W, to be installed by ACME Paving.

MOTION BY CYMBALUK, SECONDED BY KLUG, to table the item until the next meeting
AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser
NAY: None
ABSENT AND NOT VOTING: None
CARRIED: 5-0

- (3.) Employee Vacation/Sick Leave Donations

An employee in the Roads and Streets Department has recently become ill with little sick and vacation time remaining. Some Public Works personnel wish to donate their sick and vacation time to this individual. This is something that has been done in the past but must have Commission approval. This is for Matthew Tutas and was initiated by his supervisor, Jim Engen.

MOTION BY CYMBALUK, SECONDED BY KLUG, to approve the request as submitted

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

(4.) NDDOT CPM Agreements

This is between the DOT for two intersections on Highway 2 & 32nd Ave West which is an interim traffic signal and the other is a permanent signal at Highway 2 & Chandler Boulevard.

MOTION BY BEKKEDAH, SECONDED BY CYMBALUK, to approve the request as submitted

AYE: Klug, Cymbaluk, Brostuen, 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.) Final Plat- Williston Kettler Commercial Subdivision.

On July 9, 2013, the City Commission approved, with a vote of 5-0, the Williston Kettler Commercial Subdivision, a subdivision of approximately 7.5 acres located within the Southwest 1/4 of the Southwest 1/4 of Section 21, Township 154 North, Range 101 West, City of Williston (the former Lindsey Implement property), contingent upon staff comments being addressed, standard development agreement with project-specific amendments including design guidelines, non-protest agreement for future street improvements of 139th Avenue Northwest, and that the relocation of the access to the project be approved by the Engineering and Planning Departments.

The subdivision provides four commercial lots, ranging in size from 1.27 acres to 1.99 acres. All lots are current zoned C-2: General Commercial. No zone change is proposed. The project site will take access from 139th Avenue Northwest, a dedicated public street. Access to the lots internally will be by reciprocal access easements. Similar reciprocal access easements for commercial lots in the Sand Creek Town Center are 34 feet wide. Williston Ordinance Number 948 describes the requirements for reciprocal access easements.

The plat depicts a 10-foot wide dedication along the northern boundary of the project site for the future improvement of an extension of Chandler Loop South to connect to 139th Avenue NW.

As the project site is zoned C-2, the project will be required to meet that zone's requirements for landscaping and for parking lot screening from adjacent streets, including U.S. Highway 2/85.

At their August 19, 2013 meeting, the Planning and Zoning Commission reviewed this final plat as presented by staff. The Commission discussed the reason for the reduction of the 40-foot wide right of way dedication on the northern property boundary to a 10-foot wide right of way dedication. One Commissioner explained that this change was a result of negotiations with surrounding property owners.

The applicant is reviewing the development agreement, which includes the following project-specific special provisions:

1. Screening of the detention basins with shrubbery or attractive fencing.
2. Design guidelines, as have been applied to recent commercial subdivisions.

The city attorney is preparing the non-protest agreement for future improvements of 139th Avenue Northwest and the future street on the north side of Williston Kettler.

Staff is reviewing the title opinion submitted by the applicant.

The Planning and Zoning Commission recommended to the City Commission approval for the final plat of the Williston Kettler Commercial Subdivision contingent upon:

1. Standard development agreement with the following project-specific special provisions:
 - a. Screening of the detention basins with shrubbery or attractive fencing.
 - b. Design guidelines, as have been applied to recent commercial subdivisions.
2. A non-protest agreement for any future improvements of 139th Ave. NW.
3. Relocation of the access to the project to be approved by the Engineering and Planning Departments.
4. Final staff review of all required documents.
5. Addressing all staff comments noted below:
 - A. Planning Department:
 - i. If this project is to be phased, provide a phasing plan.
 - ii. Access from 139th Avenue must be sufficiently far north so as not to interfere with stacking at the intersection of 139th and US 2.
 - B. City Engineer:
 - i. Plat drawings need to include adjacent property lines and easements. The property lines to the east side of the proposed plat appear to be missing. There may be an access easement along the north line of the proposed plat.
 - ii. A dedicated street right of way should be included along the north line of the proposed plat. This street would eventually connect with Chandler Loop South farther to the east. This street would eventually create a "backage road" between the Chandler Field Subdivision and 139th Avenue NW.
 - iii. There is an existing storm sewer that begins near the midpoint of the west line of the proposed plat and exits the property near the midpoint of the south line of the proposed

plat. There is a low drainage swale that roughly follows this storm sewer. This storm sewer replaced a far better defined swale which was filled by the previous owner
6. To be contingent on the project engineer submitting design drawings for the drainage on the west side of the bill to the satisfaction of the City Engineer.

1. There is a low point in 139th Avenue NW near the entrance of this storm sewer. During heavy runoff events that cannot be carried by the 139th Avenue NW storm sewer are intended to overflow 139th Avenue NW at this point and to be carried by this storm sewer and swale to the highway ditch.
2. Easements must be provided for this storm sewer and swale. This over flow capacity must be preserved.
3. The submittal of a drainage plan of the proposed plat for the City's review and approval is required.
- iv. There is an existing sewer line that runs along the south line of the proposed plat.
- v. There is an existing water line that runs along the west side of 139th Avenue NW. The water system of the proposed development needs to include provision for the extension of the water system to the properties east of the proposed plat.
- vi. The submittal of a utility plan of the proposed plat for the City's review and approval is required.
- vii. Access to 139th Avenue NW needs to be restricted near the highway intersection. Access should be limited to where JMAC's main approach enters the west side of 139th Avenue NW.
- viii. The proposed plat creates individual lots isolated from public streets. Access easements to these isolated lots need to be provided.
- ix. Access to the properties to the east of the proposed plat should to be considered.

MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve the final plat for the Williston Kettler Commercial Subdivision contingent upon the items discussed 1 – 6, with number 6 being approval of the design drainage showing the drainage on the west side of the property and a Waiver of Non-Protest for the North side of the property being constructed for the road east and west bound.

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

H. Economic Development

(1.) Star Fund- New Board Member- Nick Lee

This is the replacement of a STAR Fund Board member, Rick Lee has served his two terms and is no longer eligible so to replace him is Nick Lee, his son, who is also an accountant.

This is to recommend approval of Nick Lee to the STAR Fund Board for a two year term to begin July 1, 2013.

MOTION BY CYMBALUK, SECONDED BY KLUG, to approve the Appointment of Nick Lee to the STAR Fund Board for a term of two years

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- I. Airport
 - (1.) Lease Agreement- Great Lakes Aviation, LLC

This was presented by Steven Kjergaard:

Great Lakes Airline Lease Agreement – This is a lease agreement that moves the cost to match what the other airlines lease agreements are 1.50 per thousand pounds and .09 cents per gallon of fuel. Mr. Kjergaard recommends approval.

MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve the request as submitted

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- (2.) Advertising Lease- Bakken Development Solutions

This was presented by Steven Kjergaard:

This is an Advertising Lease, month to month for Bakken Development Solutions which will be located on the TV screens in the airport terminal.

MOTION BY CYMBALUK, SECONDED BY KLUG, to approve the request as submitted

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

- (3.) Lease Agreement- Western Edge Aviation

This is a lease transfer agreement and after speaking to the City Attorney I recommend approval pending Western Edge paying all back rent and the dropping of the current litigation. This is a transfer of the lease

MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve the Western Edge Lease Assignment, Land Lease, Hanger Lease and Fueling permit pending Western Edge paying all outstanding bills and the dropping of the current litigation.

AYE: Klug, Cymbaluk, Brostuen, 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. Storm Water Ordinance – Ordinance 972 (2rd Reading)

MOTION BY CYMBALUK, SECONDED BY KLUG, to table the Ordinance until the next meeting

MOTION CARRIED BY VOICE VOTE

- B. Ordinance 967

The City Attorney has made a couple of changes, such as allowing grills on balconies without sprinklers. Commissioner Bekkedahl and Commissioner Klug would like to talk to other city leaders at the League of Cities.

MOTION BY BEKKEDAHL, SECONDED BY KLUG, to table the Ordinance
MOTION CARRIED BY VOICE VOTE

- C. North Star Escrow Agreement

This needs to be removed from the agenda.

MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to remove this item from the Agenda

MOTION CARRIED BY VOICE VOTE

- D. Resolution 13-127 Crew Camp Policy

This is a resolution on extending permits on approved workforce housing facilities.

Commissioner Cymbaluk stated that they have gone through this for months and there is a plan in place, the criteria is set and he believes that it is in the best interests for the community to adopt this resolution.

MOTION BY CYMBALUK, SECONDED BY KLUG, to approve Resolution 13-127 – Crew Camp Policy

AYE: Klug, Cymbaluk, Brostuen, Bekkedahl & Koeser

NAY: None

ABSENT AND NOT VOTING: None

CARRIED: 5-0

Mayor Koeser wanted to state that a couple of things will happen with the approval of this resolution, first, the City will not take applications for new workforce housing facilities and number two, the City will not consider requests for expansion of workforce housing facilities, number three, are limited to the number of beds installed and in operation even if previously approved for additional beds.

12. New Business

- 13. Executive Session
- 14. Adjourn

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

E. Ward Koeser, President
Board of City Commissioners

John Kautzman, City Auditor