

**OFFICIAL PROCEEDINGS  
BOARD OF CITY COMMISSIONERS  
July 22<sup>nd</sup>, 2014 6:00 P.M.  
CITY HALL WILLISTON, NORTH DAKOTA**

1. Roll Call of Commissioners

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

COMMISSIONERS ABSENT: None

OTHERS PRESENT: John Kautzman, Chief Lokken, Bob Hanson, David Tuan, Steven Kjergaard, Donald Kress, Bill Tracy, Rachel Ressler, and Kent Jarcik

Mayor Klug stated that the 81<sup>st</sup> Civil Support Team conducted air and water samples in the area around the Red River Supply fire and nothing of significance was found all day. Water samples are also being sent to the North Dakota Department of Health.

Mayor Klug said they had one addition to the agenda – under 9G(2) there is an Emergency Measure to enlist JLG for the Hess Project.

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve the amendment to the agenda.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

2. Consent Agenda

A. Reading and Approval of Minutes for:

(1) Regular Meeting Dated: July 8<sup>th</sup>, 2014

B. Auditor

(1) Accounts, Claims and Bills

CITY OF WILLISTON

Combined Check Register

For checks between: 07/04/14 - 07/18/14

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Check #	Vendor/Employee/Payee Number/Name	Check Amount
73118	56297 BRENDA D'ANGELO	1011.02
73117	12020 RANDY M DONNELLY	1675.82
73116	56348 TYLER EMERSON	1075.77
73115	12017 JOHN L. KAUTZMAN	2844.85
-	56240 KAREN D. KUEHL	1346.13

73114		
73113	56363 JUSTINA ROSE	727.75
73112	56255 CHELSEA S CAVANAUGH	817.80
73111	13026 KEVIN W. CRAFT	1114.25
73110	56323 LINDSEY HATCH	700.15
73109	56392 EMILY NUNLEY	678.23
73108	56397 MEGAN PETERSON	719.60
73107	56436 SHELBY PIZZIE	466.25
73106	56225 SUSAN E. SCHNEIDER	1344.99
73105	13025 JOLEEN S. TINKER	1515.64
73104	56400 SAMMYE TOMPKINS	1309.87
73103	56378 LAURA WOLTJER	856.35
73102	56344 CARRIE ZELLMER	539.95
73101	56169 KATHERINE E. BERWICK	1383.44
73100	56252 DIANE THOMPSON	1169.82
73099	56215 MARK W. ANDERSON	2076.64
73098	56087 CODY M. BAKKEN	37.40
73097	56162 JOSHUA A. BUTLER	1002.72
73096	56419 JASON CATRAMBONE	1456.72
73095	56374 DAVID CHRISTENSEN	707.75
73094	56193 CYNTHIA L. GARDNER	248.12
73093	56325 DAVID GORDON	1199.80
73092	18027 STEVEN D. KERZMANN	2812.82
73091	18096 TRACY C. KERZMANN	1226.08
73090	56332 ANDREW KINDLE	2112.16
73089	56377 DAVID MOLITOR	2771.01
73088	18099 ERICA J. MYERS	1065.69
73087	18070 JEANNE M. SAGASER RASSIER	1938.06
73086	56130 ANDREW A. SAILER	2219.40
73085	18020 RICHARD SHEARER	181.82
73084	56439 MARCEL SIM	1214.43
73083	18097 DUANE S. WINTER	166.75
73082	56174 SAM M. AIDE	1359.59
73081	56166 RYAN J. ALLEN	2033.24
73080	56388 RUSSELL ANTHONY	1073.13
73079	56273 JASON BARTEN	2410.27
73078	19024 DAVID L. BELISLE	1378.04
73077	56246 HUGH E BENZEN	1180.23
73076	19092 DUSTIN J. BERTSCH	2033.06
73075	19028 MARK R. BITZ	1988.10
73074	56097 ALAN C. BRATT	1511.62
73073	56121 DUSTIN R. CELANDER	902.13
73072	56113 MINDY SUE DEGENSTEIN	1008.55
73071	56278 DANIEL DERY	1920.30
73070	56173 RODNEY H. DICKERSON	1616.10
73069	56354 RYAN EGERMAN	1019.81
73068	56289 STACEY EISSINGER	1082.21
73067	56183 AMBER M. GILMORE	1375.45
73066	19009 LINDA R. GRANBOIS	1191.55

73065	56147 JACOB J. GREGORY	1270.69
73064	56403 KRISTIINA HANNUS	1366.51
73063	56343 ZACHARY HANSEN	1363.18
73062	56195 JACKIE L. HATCH	717.98
73061	19082 RANDY M. HAUGENOE	1939.41
73060	56285 TYLER HOFF	1242.81
73059	56210 WILLIAM E. HOLLER	1602.53
73058	56353 JONATHAN HOLTER	1186.44
73057	56102 MICHAEL A. ISENHOWER JR	2510.78
73056	56387 AARON KURTENBACH	1048.01
73055	19012 THOMAS L. LADWIG	1939.44
73054	19011 JAMES L LOKKEN	2740.95
73053	56082 TRAVIS J. MARTINSON	1148.98
73052	56061 AMY D. NICKOLOFF	1595.74
73051	19014 KENNETH B. OWENS	2248.30
73050	56385 JUSTIN PELZL	1517.42
73049	19098 DAVID A. PETERSON	1901.12
73048	56418 TRAVIS PETERSON	943.19
73047	56181 TREVOR J. ROBERTS	1157.52
73046	56148 JONATHAN D. ROGGENKAMP	912.27
73045	56420 BUDDY WENISCH	1069.06
73044	19077 MICHAEL S. WILSON	1580.00
73043	20047 KELLY M. ABERLE	1646.60
73042	26039 DIANE K. ALBRIGHTSON	1026.67
73041	56209 MARTIN L. COLGAN	1398.93
73040	56432 RICHARD DEBRUNNER	949.10
73039	56296 JOE DOSS	1269.88
73038	56309 KRYSTINE HEIFORT	974.97
73037	56308 JAMES LEAHY	1357.18
73036	56270 WILLIAM TRACY III	1463.06
73035	56360 NYDEL WALL	278.24
73034	56220 TRUNG THANH LE	1372.19
73033	56302 ANTON LEUTY	1067.87
73032	56429 MUSTAFA MAHMOOD	982.60
73031	21040 MONTE C. MEIERS	275.71
73030	56417 DEAN RENNINGER	2060.18
73029	21054 WAYNE A WIEDRICH	2996.24
73028	56421 JAREK WIGNESS	867.13
73027	22020 ROBERT D. KNAPPER	1992.04
73026	56425 ALEXANDER NELSON	909.42
73025	56214 MICHAEL J. BEARCE	1461.47
73024	56317 ZACHARY CORNELIUSEN	839.84
73023	56064 HEATH T. GLENN	826.12
73022	56404 DAVID JOHNSON	545.68
73021	56315 EARL KILLINGSWORTH	1201.03
73020	56244 ROY LONG	1730.53
73019	56437 MARKUS NOESKE	1048.67
73018	56167 MATTHEW TUTAS	1424.21
73017	56320 PHILIP ARENDS	1905.47

73016	56409 KENDELL BROWN	1148.67
73015	56370 JEFFREY BRYSON	1950.92
73014	24019 ROBERT D. COUGHLIN	681.53
73013	56381 MORKATAA DHINAA	1562.14
73012	24017 STEVEN W. JENSEN	1429.33
73011	56356 MITCHELL KERSTING	978.59
73010	56391 THOMAS MOTTL	2446.54
73009	56415 WILLIAM SCHWENDEMAN	1243.04
73008	56284 SABRINA SIMS	1187.22
73007	56104 DANIEL W. TUPA	1483.49
73006	25110 KENNETH W. BERGSTROM	2065.89
73005	25111 JASON W. HOULE	911.10
73004	56187 STEPHEN R. KOHLER	692.63
73003	56389 THOMAS ATOR	1513.14
73002	56368 ERICA KELASH	1865.06
73001	56349 LILLIAN MCGUIRE	730.13
73000	56164 JACOB T BLOODGOOD	435.70
72999	27076 DANNY R. GERGEN	1515.87
72998	56091 JAMES A HAGA JR	1805.91
72997	56427 REED HAMMER	386.48
72996	56128 VERNON L. HENDRICKSON	1662.18
72995	56423 GREGORY MACE	696.17
72994	56433 RENA MATLOCK	1145.21
72993	56303 TROY OSTER	770.96
72992	56435 KEVIN POWERS	750.70
72991	56379 WILLIAM REED	891.25
72990	56258 BRYAN THOMPSON	1273.16
72989	56443 JOAN WITTMAN	1530.30
72988	56084 KENNETH R. BOYKIN	1536.93
72987	56313 WILLIAM BRENNY	876.58
72986	56114 ANTHONY D. DUDAS	1613.11
72985	56396 EMILY GATHJE	954.52
72984	56086 STEVEN C. KJERGAARD	2194.42
72983	12029 LORI A. LARSEN	1040.80
72982	56395 JAMES MURAWSKI	932.66
72981	56358 RYAN O'REAR	801.13
72980	56372 THOMAS SANDO	859.40
72979	56422 MICHAEL SHEARER	788.56
72978	56424 HANNAH THOMPSON	722.68
72977	56398 MARK BATES	1029.02
72976	56340 MICHAEL SIMPSON	1776.31
72975	56200 GINA MOTTL	781.55
72974	56352 BRIAN YOUNG	853.74
72973	56347 CHRISTINE EDWARDS	1167.33
72972	34017 KENT A. JARCIK	2437.58
72971	56223 DONALD KRESS	1366.71
72970	56416 SAMANTHA NEILL	611.73
72969	56239 RACHEL K. RESSLER	1140.34
72968	56314 NICK VASUTHASAWAT	1211.62

72967	56438 KELSEY VLAMIS	391.17
72966	35025 JOSILYN F BEAN	1066.12
72965	56301 TRAVIS MIZZELL	919.14
72964	56079 BRENDA SEPTKA	1211.23
72963	56293 DAVID TUAN	2444.43
72962	56375 KRISTIN WENDT	589.86
72961	36006 NEIL W. BAKKEN	1758.32
72960	56366 KENT SKABO	832.46
72959	37008 LAVERN GOHL	1753.07
72958	56180 DIANE C. HAGEN	419.17
72957	56211 WAYNE E. BEARD	1362.27
72956	56212 AMELIA A. BICKLER	110.82
72955	56413 LEXI CASTRO	268.88
72954	48102 KAYLA J. HELL	719.14
72953	56333 STEVEN MCGAUGHEY	553.67
72952	56111 ANDREA L. MITCHELL	217.27
72951	56412 LEAH RYAN	219.79
72950	56364 JASON SAGE	259.77
72949	48013 DEBORAH A. SLAIS	1315.16
72948	48034 YVONNE A. TOPP	591.55
72947	56411 LISA WEBB	858.30
72946	56410 CAITLYN BELEY	666.53
72945	52011 ANN M. KVANDE	1369.37
72944	56306 MARGARET LUNSFORD	1096.95
72943	56041 BARBARA J. PETERSON	1176.02
72942	56431 RACHEL RICHTER	229.72
72941	52003 THOMAS C. ROLFSTAD	1578.05
72940	52020 SHAWN WENKO	1711.55
72939	56222 VIVIAN KALMIK	466.90
72938	53002 AMY A. KRUEGER	1920.31
72937	56311 MALLORY NYGARD	345.34
72936	56271 SABRINA A RAMEY	1210.63
72935	56310 JENNIFER STRIETZEL	1083.32
72934	56390 DENICE SUESS	1057.24
72933	56399 JENNIFER WILSON	958.31
72932	56144 CRYSTAL M. BONNER	1120.32
72931	56213 ROBERT JASON HILLARD	1372.35
72930	56080 BRAD E. SEPTKA	2307.38
72929	IAFF LOCAL 3743 IAFF LOCAL 3743	200.00
72928	WEAPON CITY OF WILLISTON	205.52
72927	DEFER COMP ROTH NATIONWIDE RETIREMENT SO	16513.96
72926	ND CHILD SUPPOR ND CHILD SUPPORT ENFORCE	1426.20
72925	FIT U.S. TREASURY	152454.81
65176	* 19 AMERICAN STATE BANK	100015.00
65177	470 US POSTAL SERVICE	2572.51
65178	470 US POSTAL SERVICE	1085.51
65179	986 WILLIAMS COUNTY ABSTRACT	0.00
65180	484 VERIZON WIRELESS	4564.73
65181	986 WILLIAMS COUNTY ABSTRACT	1747122.69

65182	129 FARGO GLASS & PAINT CO.	1104.48
65183	35 BANK OF NORTH DAKOTA	3883.00
65184	521 WILLISTON PARK DISTRICT	14400.00
65185	483 VECTOR CONTROL DIST #1	42905.07
65186	1025 AICPA	235.00
65187	673 CLERK OF DISTRICT COURT	750.00
65188	673 CLERK OF DISTRICT COURT	750.00
65189	673 CLERK OF DISTRICT COURT	750.00
65190	673 CLERK OF DISTRICT COURT	750.00
65191	673 CLERK OF DISTRICT COURT	750.00
65192	12026 KAREN P. LARSON	1323.48
65193	17016 THOMAS J. GLENN	1100.47
65194	56337 DARIN JOHNSON	1898.87
65195	56382 ETHAN JOHNSON	1363.31
65196	56107 VICTORIA L. KREGER	926.80
65197	56290 BRADLEY SCHERER	2297.18
65198	18046 GARVIN SEMENKO	169.46
65199	18048 DARWIN STEVENS	211.07
65200	56408 SAMANTHA VENDITTO	1615.63
65201	18078 MICHAEL W. WALTERS	44.32
65202	19095 WALTER H. HALL	1848.55
65203	56206 DANIELLE HENDRICKS	2115.87
65204	56243 JACOB R. HENDRICKS	1195.99
65205	56279 ALEC RAISBECK	1215.70
65206	13027 CRYSTAL A. SCHAUBEL	1009.93
65207	56406 RICHARD RADEMACHER	1522.60
65208	56441 DAVID SASSER	1533.93
65209	25030 PEDAR A. ANDRE	1127.12
65210	21041 ROBERT E HANSON	2569.94
65211	56428 THOMAS SCOTT	824.49
65212	22021 LES CHRISTENSEN	1882.03
65213	22014 GARY L. GLOVATSKY	1839.39
65214	56402 CHRISTOPHER BARONSSON	1726.96
65215	23136 JAMES B. ENGEN	2594.31
65216	23126 BRENT E. HANSON	1961.60
65217	23039 BRUCE A. JOHNSON	1465.66
65218	56288 CHRISTOPHER MALONE	767.00
65219	56049 MICHEAL A. PETERS, JR.	723.69
65220	56414 TREVOR WAGSTAFF	859.98
65221	56189 AMANDA M. KAISER - LEE	1212.03
65222	27058 DAVID LEE BELL	2324.37
65223	25106 RICHARD S. ODEGARD	1822.61
65224	27067 RICHARD D. BORUD	1657.92
65225	56202 GUNNAR CORCORAN	1430.11
65226	56355 TIMOTHY JEWELL	1803.11
65227	56430 JAMIE KOHLER	232.16
65228	27096 RUSSELL E. MOMBERG	2032.90
65229	27091 JOSEPH G. MONSON	1477.24
65230	56442 BRETT RALPH	107.52

65231	22022 KATELYN CHRISTENSEN	1286.62
65232	56426 JORDON MONSON	688.14
65233	31051 GORDON L. SMESTAD	1530.46
65234	56099 MARK C. AMONSON	546.30
65235	56361 JUSTIN EDWARDS	1237.52
65236	56367 TONY SCOTT	797.95
65237	32006 WILLIAM M. MCQUISTON	1623.17
65238	56253 STEPHEN OLEGARIO	678.06
65239	56440 EMELY SALAZAR	148.59
65240	56298 SAWYER ZENT	127.28
65241	56066 ZACHARY G. CORCORAN	1297.70
65242	56434 CHARLES DENHAM	926.38
65243	54065 PATRICIA K. FIORENZA	2315.00
65244	56215 MARK W. ANDERSON	2053.64
65245	56374 DAVID CHRISTENSEN	1140.31
65246	56269 CLAY KAUTZER	992.79
65247	56395 JAMES MURAWSKI	232.94
65248	56276 ELTON LARSON	156.99
65249	999998 DAVID LEE BELL	50.00
65250	999998 BRAD E. SEPTKA	50.00
65251	999998 PATRICIA K. FIORENZA	50.00
65252	585 MCCODY CONCRETE PRODUCTS, INC	87.95
65253	139 GAFFANEY'S	59.81
65254	77 CITY OF WILLISTON	362.60
65255	484 VERIZON WIRELESS	322.30
65256	2013 Bergy Construction	5970.00
65257	487 VISA	1352.58
65258	487 VISA	1255.85
65259	1377 Howard Klug	8500.00
65260	487 VISA	1687.37
65261	CHILD SUPRT CT CONNECTICUT - CCSPC	297.65
65262	DCI CREDIT DCI CREDIT SERVICES INC	163.73
65263	DEL CHILD SUPPO DCSE	135.00
65264	MN CHILD SUPPOR MINNESOTA CHILD SUPPORT	549.00
65265	NC CHILD SUPPOR NC CHILD SUPPORT	205.00
65266	2193 THE CAB DUDE	126.91
65267	2196 COMMUNITY SAFETY NET	150.00
65268	125 ELECTRO WATCHMAN, INC.	2656.15
65269	1961 ZIMMERMAN CONTRACTING INC	12760.15
65270	DEF COMP PERS1 NORTH DAKOTA PUBLIC EMPL	325.00
65271	999999 BRANDON GOODRICH	750.00
65272	999999 CHRIS CAMACHO	750.00
65273	673 CLERK OF DISTRICT COURT	750.00
65274	673 CLERK OF DISTRICT COURT	750.00
65275	673 CLERK OF DISTRICT COURT	750.00
65276	999999 CHRISTINA HEFFRON	500.00
65277	999999 JEFFERY FULLARD	850.00
65278	999999 EVAN BLOEM	100.00
65279	999999 JEREMIAH LEMMONDS	250.00

65280	999999 KEANU PERKINS	450.00
65281	999999 JAY GEYER	960.00
65282	999999 SIMON ROBERTS	730.00
65283	999999 KLINT HENTGES	250.00
65284	1243 NEFF EIKEN & NEFF PC	997.50
65285	487 VISA	419.36
65286	999998 AMY A. KRUEGER	337.50
65287	623 Wex Bank	4336.60
65288	ND HEALTH ND PUBLIC EMPLOYEES RETI	145513.44
65289	521 WILLISTON PARK DISTRICT	1335154.22
65290	19 AMERICAN STATE BANK	1335169.23
65291	999999 DEANO VASS	20.00
65292	433 ND TAX COMMISSIONER	2021.40
65293	SIT ND STATE TAX COMMISSIONE	39250.57
65294	999999 ROCKY VONDALL	670.00
65295	999999 JONATHAN COOPER	400.00
65296	999999 FRANKIE VESECKY	100.00
65297	673 CLERK OF DISTRICT COURT	200.00
65298	999999 JAY RUUTI	750.00
65299	999999 AMBER WILLIAMS	150.00
65300	2153 JADESTONE CONSULTING	1000.00
65301	999999 BARRY NELSON	50.00
65302	1079 ABL MOBILE LOCK & SAFE	65.50
65303	632 ACKERMAN-ESTVOLD	89704.38
65304	1893 ACME TOOLS	1004.00
65305	1953 AE2S CONSTRUCTION LLC	39681.25
65306	1230 AFFORDABLE TOWING	1735.00
65307	4 AGRI INDUSTRIES, INC.	25.31
65308	8 ALL SEASONS SPORT ABOUT	5583.66
65309	608 ALLGUARD ALARM SYSTEMS	224.00
65310	1768 ALLIANCE CONSULTING LC	50984.70
65311	1391 AMERICAN ENGINEERING TESTING INC	9777.70
65312	718 AMERIPRIDE LINEN AND APPAREL SERV	1099.63
65313	30 ASTRO-CHEM LAB, INC.	1389.00
65314	723 BADLANDS STEEL, INC	53.72
65315	33 BAKER & TAYLOR CO.	801.74
65316	34 BALCO UNIFORM CO., INC.	2248.14
65317	38 BASIN PRINTERS, INC.	927.00
65318	48 BISMARCK TRIBUNE	695.80
65319	1339 BOBCAT OF WILLISTON	1205.44
65320	52 BORDER STATES ELECTRIC	38.16
65321	54 BOUND TREE MEDICAL	2480.80
65322	2207 Bradley Scherer	13.99
65323	2206 Business Radio Licensing	95.00
65324	1054 C & D WATER SERVICES	68.00
65325	69 CARQUEST AUTO PARTS STORES	310.80
65326	204 CCR-WILLISTON III, LLC	816.00
65327	1755 CDW Government	6326.79
65328	616 CENTER POINT LARGE PRINT	148.13



65329	1265 CENTURY COMPANIES, INC	2078.35
65330	1261 CHAMBER OF COMMERCE	1000.00
65331	77 CITY OF WILLISTON	298.50
65332	79 CITY OF WILLISTON	27503.96
65333	80 CITY OF WILLISTON	48.58
65334	1666 CIVIL SCIENCE	2492.50
65335	2124 Coborn's Inc.	164.03
65336	1275 COMWARE	1874.25
65337	1662 Connecting Point Computers Center	907.50
65338	1486 CONNEX INTERNATIONAL	143.96
65339	635 CONSOLIDATED PLASTICS COMPANY, IN	955.13
65340	822 COUNTRY FLORAL	85.00
65341	87 COWBOY ROPE ART	299.80
65342	567 CRAIG'S SMALL ENGINE REPAIR	17132.04
65343	1625 CTS LANGUAGE LINK	34.11
65344	548 DAKOTA DIESEL	353.08
65345	2015 Dakota Fire Extinguishers	192.08
65346	93 DAKOTA SUPPLY GROUP	7718.66
65347	2175 DATRUE PROCESS AUTOMATION	5481.45
65348	100 DAWA SOLUTIONS GROUP	480.00
65349	675 DEMARS FOODS	57.10
65350	2141 DOT'S PRETZELS	104.78
65351	568 DPC INDUSTRIES, INC	2721.75
65352	933 EBSCO	94.14
65353	2017 EDM PUBLISHERS, INC.	99.49
65354	1541 EKBLAD, INC.	32.05
65355	122 EL RANCHO CORP.	1363.09
65356	1630 EPIC ENGINEERING	1440.00
65357	1942 EVERSON FUNERAL HOME	125.00
65358	1962 EXECUTIVE CLEANING SERVICE, LLC	5275.00
65359	668 FASTENAL COMPANY	15.20
65360	569 FEDEX	280.60
65361	571 FEE INSURANCE AGENCY, INC	127.19
65362	907 FERGUSON WATERWORKS #2516	16909.23
65363	134 FORT UNION SUPPLY & TRADE	516.65
65364	354 FURUETH LAW FIRM, PC	25201.00
65365	139 GAFFANEY'S	960.84
65366	1987 GENE EMERY	300.00
65367	1453 Gibbs & Sons	510925.19
65368	999998 GINA MOTT	145.98
65369	1154 GOOSENECK IMPLEMENT	782.24
65370	144 GRAYMONT WESTERN CANADA	24675.73
65371	2200 Gutter Topper of North Dakota Inc	6948.00
65372	539 HACH	2255.80
65373	624 HAMERS AUTOMOTIVE	2030.80
65374	148 HANDY ANDY'S NURSERY	648.00
65375	151 HAWKINS, INC.	3734.15
65376	1833 HDR ENGINEERING INC	19713.38
65377	550 HEDAHL'S PARTS PLUS	26.36

65378	161 HOME OF ECONOMY	618.26
65379	162 HORIZON RESOURCES	48293.95
65380	164 HOTSY EQUIPMENT CO.	5563.00
65381	2199 House to Home	372.46
65382	173 INFORMATION TECHNOLOGY DEPARTMENT	551.45
65383	4561 International Code Council, Inc.	175.00
65384	175 INTERSTATE ENGINEERING	168142.97
65385	2201 Jenson Publishing	792.75
65386	2208 Joan of Art	256.80
65387	2198 JOSH FINDERS	119.99
65388	999998 KAREN P. LARSON	143.78
65389	999998 KATELYN CHRISTENSEN	90.00
65390	205 KFYZ-TV	200.00
65391	1299 KNIFE RIVER-NORTH CENTRAL	955467.39
65392	211 KOIS BROTHERS EQUIP CO	1944.35
65393	212 KOTANA COMMUNICATIONS	739.50
65394	893 KRUGER INC.	1919.07
65395	1402 KUECHLE UNDERGROUND	20932.28
65396	1345 MAGNEY CONSTRUCTION	22507.79
65397	1821 MARCO	583.17
65398	2197 MARSHAL HOLMEN	132.50
65399	239 MATERIAL TESTING SERVICE	301.00
65400	245 MEDQUEST INC	140.00
65401	2112 Mercy Occupational Health Clinic	450.00
65402	2103 MERRYMAN EXCAVATION	314023.51
65403	2202 Midwest Communications - Fargo/Mo	1500.00
65404	968 MINITEX	348.00
65405	260 MODERN MACHINE WORKS	1052.00
65406	261 MON-DAK HTG & PLG, INC.	450.00
65407	243 MONTANA DAKOTA UTILITIES	6072.18
65408	270 MURPHY MOTORS, INC.	2599.17
65409	271 MVTL/MINNESOTA VALLEY	1783.50
65410	1772 MYGOV, LLC	1050.00
65411	275 NAPA AUTO PARTS	2697.07
65412	1385 NATIONAL FIRE PREVENTION ASSOCIAT	300.00
65413	291 ND DEPARTMENT OF HEALTH	1025.00
65414	297 ND ONE CALL	729.85
65415	311 ND STATE RADIO COMM.	600.00
65416	1947 NEESE INC	40.27
65417	1713 NELSON INTERNATIONAL OF BISMARCK	90.77
65418	320 NEMONT	3014.35
65419	1697 Neopost	272.21
65420	2205 NEWMAN DIGITAL	3278.00
65421	322 NICE PLUMBING & HEATING	174.10
65422	999998 NICK VASUTHASAWAT	55.89
65423	584 NMN, INC.	1675.65
65424	1733 Noble Industrial Supply Corp.	1399.38
65425	1494 North Dakota Insurance Department	500.00
65426	1927 NORTH STAR ENERGY & CONSTRUCTION	136495.11

65427	324 NORTHERN IMPROVEMENT CO.	1185.01
65428	333 NORTHWEST SUPPLY CO.	465.25
65429	2204 NXT OILFIELD RENTALS, LLC	500.00
65430	1635 OCLC, Inc.	517.48
65431	340 OHNSTAD TWICHELL PC	3380.65
65432	1250 OK TIRE STORE	691.48
65433	343 OLYMPIC SALES, INC.	34828.00
65434	344 ONE FULFILLMENT	402.50
65435	1055 PARTS CENTRAL - HEIL ENVIRONMENTA	304.41
65436	2084 PHILLIPS & JORDAN INC	22187.56
65437	1051 POET ETHANOL PRODUCTS, LLC	3448.80
65438	357 POLAR REFRIGERATION, INC.	108.27
65439	359 PRAXAIR DISTRIBUTION INC	905.41
65440	2162 PRAXAIR DISTRIBUTION INC.	378.48
65441	641 PREBLE MEDICAL SERVICES, INC	320.00
65442	362 PRO SAFE PEST CONTROL	278.00
65443	367 QUILL CORPORATION	468.29
65444	1800 RAMADA BISMARCK HOTEL	224.10
65445	387 RESPOND SYSTEMS	46.33
65446	390 RICHARD A. JOHNSON	3151.50
65447	2203 RRI	1309.91
65448	405 RYAN MOTORS	76.12
65449	999998 SAM M. AIDE	25.00
65450	1133 SANDERSON STEWART	30163.08
65451	409 SANITATION PRODUCTS	167.02
65452	415 SELECT FORD	96.81
65453	416 SELID PLUMBING & HEATING INC	2059.64
65454	1216 SHEEHAN MACK SALES & EQUIPMENT	7061.67
65455	2130 SOUTHWEST AG REPAIR INC	965.22
65456	999998 STEVEN C. KJERGAARD	437.55
65457	1186 SYN-TECH SYSTEMS, INC.	269.50
65458	1686 TALKIN THE BAKKEN	18.00
65459	447 THE SHOPPER	1382.50
65460	456 TODAY'S MACHINE SHOP	1600.00
65461	460 TRACTOR & EQUIPMENT CO.	2198.68
65462	461 TRACTOR SUPPLY CREDIT PLAN	472.32
65463	2195 TRANSUNION RISK & ALTERNATIVE	3.50
65464	462 TRENTON INDIAN SVC. AREA	697.27
65465	464 TRI-COUNTY GLASS	300.00
65466	2067 ULINE	362.21
65467	939 USA BLUEBOOK	3345.06
65468	2061 UTILITY SYSTEMS OF AMERICA INC	879794.55
65469	485 VESSCO, INC.	4524.72
65470	1194 VIDACARE	601.91
65471	488 VISA	1274.13
65472	1866 Vivid Ink and Toner	1519.17
65473	1284 Vogel Law Firm	5000.00
65474	1249 WASTE NOT RECYCLING LLC	3506.40
65475	496 WCS TELECOM	1047.66

65476	503 WESTLIE MOTOR CO.	1912.63
65477	531 WILLIAMS COUNTY AUDITOR	4573.13
65478	807 WILLISTON AREA BUILDERS ASSOCIATI	45.00
65479	516 WILLISTON CVB	1941.62
65480	517 WILLISTON FIRE & SAFETY	25.22
65481	518 WILLISTON HERALD	2343.68
65482	519 WILLISTON HOME & LUMBER	84.74
65483	525 WILLISTON TIRE CENTER	1547.46
65484	526 WILLISTON TRUE VALUE	285.08
65485	530 WILLISTON/WILLIAMS COUNTY - LEC	97.80
65486	2045 WORKLIFE	462.00

**Grand Total**      **# of Checks:**                      505    8971532.50

**Total Claims 8310003.78    Total Payroll 661528.72**

- (2) Application for a Local Permit or Charity Local Permit
  - a. Williston Rifle & Pistol Club – Raffle – October 26<sup>th</sup>, 2014
- (3) Special Permit to Sell Alcoholic Beverages
  - a. JDub’s Bar & Grill – Wedding Reception at WSC – August 9, 2014
- (4) Taxi License
- (5) Pesticide Permit
  - a. A & A Landscape and Maintenance
- C. Building Official
  - (1) Master Mechanical
    - a. David Iverson – Iver’s Plumbing, Inc.
    - b. Caleb Belile – Fladeland Mechanical, Inc.
    - c. Gary Burdett – Mountain Mechanical
    - d. Raymond Welter II – Ray N Welter Heating
  - (2) Master Plumber
    - a. David Iverson – Iver’s Plumbing, Inc.
    - b. Joe Rogers – Joe Rogers Plumbing
    - c. Juan Rivas – Deer Plumbing, LLC
    - d. Wayne Raulston – Raulston Plumbing and Heating
  - (3) Fuel and Gas Installer
    - a. Charles Becker – In-Sink Quality Plumbing & Heating
    - b. Gary Burdett – Mountain Mechanical, Inc.
    - c. Wayne Raulston – Raulston Plumbing and Heating
  - (4) Journeyman Mechanical
    - a. Matt Reiser – Fladeland Mechanical, Inc.
- D. City Planner
  - (1) Public hearing request for a zone change from R-4: Highrise Multifamily to M-2: Heavy Industrial for Lot 4, Block 3 of the Bakken Industrial Park, City of Williston – Leslie Thielen, H&G Investments

- (2) Public hearing request for:  
Proposed Ordinance 999, an amendment to Section 25(O) of the Williston Zoning Ordinance "Temporary Uses and Structures"  
Proposed Resolution 14-031 an amendment to Resolution 13-002 establishing a fee and bonding schedule for Temporary Use Permits  
Proposed Ordinance 1000, an amendment to Section 31 of the Williston Zoning Ordinance "Definitions"
- E. Assessor
  - (1) Abatement
  - (2) Exemptions

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve the Consent Agenda.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

3. Bid Openings
  - A. Landfill Scale House Expansion

Director of Public Works, David Tuan stated they were not yet ready for this item as the bid opening was this afternoon. Mr. Tuan requested that this item be tabled until the next meeting.

**MOTION BY BROSTUEN, SECONDED BY CYMBALUK, to table this item until the next meeting.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

- B. Water Resource Recovery Facility (WRRF)

Director of Public Works, David Tuan presented information on the bid opening for the Water Resource Recovery Facility (WRRF).

Bids were opened for the WRRF on Thursday, July 17<sup>th</sup>. The contract was divided into four parts: General Construction, HVAC & Plumbing, Electrical & Controls, and Combined.

A total of six contractors submitted bids, with the low bid combination being as follows:

- Contract 1: General Construction – Rice Lake Construction, Inc. – \$84,166,000
- Contract 2: Heating & HVAC – Williams Plumbing & Heating – \$5,744,400
- Contract 3: Electrical & Controls – Colstrip Electric, Inc. – \$12,817,500

**Total: \$102,727,900**

- Contract 4: Combined – Rice Lake Construction, Inc. – \$103,768,000

The low bid combination for this project is approximately 8% higher than the engineer's estimate of \$95,000,000, which may be attributed to the increasing cost of materials and labor.

Mr. Tuan stated that they concur with the engineer's recommendation and recommend award of the WRRF contract to:

- Rice Lake Construction for General Construction in the amount of \$84,166,000
- Williams Plumbing & Heating for HVAC and Plumbing in the amount of \$5,744,400
- Colstrip Electric for Electrical and Controls in the amount of \$12,817,500

**MOTION BY BROSTUEN, SECONDED BY CYMBALUK, to award the WRRF contract to Rice Lake Construction for General Construction in the amount of \$84,166,000, Williams Plumbing & Heating for HVAC and Plumbing in the amount of \$5,744,400, and Colstrip Electric for Electrical and Controls in the amount of \$12,817,500.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

4. Public Hearings
5. Accounts, Claims and Bills Not Approved in the Consent Agenda
6. Ordinances
  - A. Ordinance 998 – Modifying Section 25.H and Creating the Downtown Parking District – Second Reading

Rachel Ressler from Planning and Zoning presented information on Ordinance 998.

Ordinance 998 lowers parking requirements for the Downtown, defines the 2014 Downtown Parking District, and removes Parking Lot District No. 5 from the Zoning Ordinance, leaving Parking Lot District No. 5 solely as an assessment district through the Auditor's office.

A fee resolution sets fees for an option to pay in lieu of providing parking spaces in the Downtown.

After the Downtown Plan was finalized in March of 2014, the City Commission appointed a Parking Committee to start implementation on one aspect of the plan, which was to create a parking solution to the city's parking concerns. The Parking Committee has been working on several key projects, including implementing timed parking and enforcement of timed parking, hiring a consultant to do a parking study, including looking at the possibility of a parking garage, and creating an ordinance that creates parking requirements that incentivize development downtown. This ordinance is the result of that work.

The ordinance parking requirements for downtown are:

- 1 space per 500 square feet of office space
- 0 spaces for retail
- 1 space for 1 bedroom, efficiency, and studio apartments
- 1.5 spaces for 2 bedroom apartments
- 2 spaces for 3 bedroom apartments

In addition, it creates an option and process for development projects to pay in lieu of providing spaces for a project. That process involves an application received by the Planning Department, which brings the application to the Parking Authority, which makes a recommendation to the Planning and Zoning Commission, which makes the final decision on the project's ability to pay in lieu.

Applicants are required to show:

- A good faith effort to provide on-site parking;
- That lot size and shape prevent a project from being built with all required parking;
- The planned parking location of all tenants within the building;
- Lack of project feasibility without reduction in parking requirements.

This money will go to the Parking Authority, to be used for maintenance of public parking and creation of new public parking. The fee will be collected by the Building Department at the time the Building permit is issued, as are Park Dedication fees.

The fees are set by a separate resolution in order to allow the fees to change over time, as conditions downtown change. Currently, for a redevelopment project, the fees are set at \$3,000 per space and for a new-build project, \$15,000 per space.

The Planning and Zoning Commission recommend that the City Commission approve the second reading of Ordinance 998 and the fee resolution.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve the second reading of Ordinance 998 regarding the modifying of Section 25.H and creating the Downtown Parking District.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve Resolution 14-034, which sets fees to be paid to the Parking Authority in order to cover the cost of maintenance through creation of public parking lots in downtown Williston.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

7. Petitions, Communications and Remonstrance's  
A. The Guardians Foundation

Michael Shaw, the Executive Director of the Guardians Foundation thanked the community for their acceptance. Over the last 10 months they raised awareness and enough funds to open up a program to house veterans that are coming into the area that are looking for work. They have been able to create \$1.6 million in annual wages back to the community with the veterans they have housed and have been placed at work. Mr. Shaw said they have raised over \$90,000 to create their programs here that they have reinvested back into the community. Mr. Shaw is asking to be able to physically stand in the street for one day. This is an annual one-time event where they physically stand in the right of way for a few hours. They have lots of experience in this technique and safety is always a priority.

Commissioner Cymbaluk asked if they were done doing the baskets.

Mr. Shaw said they would like to not have to do the baskets anymore, maybe just once or twice a year. Doing the baskets is something that wears the community out.

Commissioner Cymbaluk asked that they let the Fire Department know what date and times they would be doing this.

Commissioner Bekkedahl asked if they would be willing to sign a waiver of liability.

Mr. Shaw said they would be willing and have signed waivers for other cities.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve the request subject to the location and date being signed off on by both Chief Lokken and Chief Catrambone, and also a signed waiver to hold the city harmless.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

- B. Public Fireworks Display Request – Relay for Life

This item is a request for a public fireworks display from the Relay for Life.

**MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to approve the fireworks display request as well as having Chief Catrambone sign off on this request as well.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**



8. Report of Commissioners
  - A. President of the Board
  - B. Vice-President; Finance Commissioner
  - C. Street and Improvement, Sanitation, Cemetery and Public Works Commissioner
  - D. Fire, Police, and Ambulance Commissioner
  - E. Water Works, Sewer, Airport, Building and Planning Commissioner
9. Report of Department Heads
  - A. City Auditor
    - (1) Energy Infrastructure & Impact Office Grant for Reimbursement – CAD Grant

City Auditor, John Kautzman is requesting permission for Mayor Klug to sign off on the CAD Grant that the Police Department has put together in the amount of \$196,604.

**MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to approve the request for Mayor Klug to sign off on the CAD Grant in the amount of \$196,604.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

- B. Attorney
  - (1) Resolution 14-033 – 911 Fee Resolution

City Auditor, John Kautzman said this item is to be in compliance with the county's approval of the 911 Fee Schedule. City Attorney, Pete Furusetth said they should pass a resolution that tied in with the county's authorization.

**MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to approve Resolution 14-033 regarding the 911 Fee Schedule.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

- (2) Presentation of Covenant and Easement Agreement between Irontail, LLC, MMC Ventures, LLC and the City of Williston

This item was put together by the City Attorney's office for the parking issue at the First International Bank Plaza. They are asking Mayor Klug to sign off on this easement for the parking between the two corporations. This is located on the west bypass by First International Bank.

**MOTION BY BEKKEDAHL, SECONDED BY BROSTUEN, to approve this request based on the attorney's presentation and to authorize the mayor to sign the appropriate documents as well.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

- C. Director of Public Works
- D. City Engineer
- (1) NDDOT Bid Opening Reports

Director of Engineering, Bob Hanson presented information on this item.

The North Dakota Department of Transportation (NDDOT) opened bids for the following projects on July 11<sup>th</sup>:

- 2014 Traffic Signal Project  
This project involves the installation of traffic signals at the following locations:
  - 11<sup>th</sup> Street & 9<sup>th</sup> Avenue W
  - 11<sup>th</sup> Street & 6<sup>th</sup> Avenue W
  - 18<sup>th</sup> Street & 6<sup>th</sup> Avenue W
  - 26<sup>th</sup> Street & University Avenue

Strata submitted the apparent low bid of \$1,278,599.70 which is under the Engineer's estimate of \$1,347,327.50. The city is responsible for 20% of the project cost or about \$255,719.94.

This is a Local Urban Aid Project under the city's control. Recommendations to award this contract to Strata will be made at a subsequent City Commission meeting. Completion of this work is expected this winter.

- Left Turn Lane on US Highway 2 & 85 at the A1 Auto Approach  
Knife River submitted the apparent low bid of \$204,417, which is higher than the Engineer's estimate of \$145,320.45. This is a NDDOT SOIA project for which the city has no cost responsibility. Completion of this work is expected late this fall.
- ND Highway 1804 Railroad Crossing  
Knife River submitted the apparent low bid of \$530,365, which is higher than the Engineer's estimate of \$446,124.03. The city is responsible for 10% of the project costs or about \$53,036.50. Completion of this work is expected late this fall.

- (2) Concurrence of Award of a Contract for the ND Highway 1804 Railroad Crossing Project

Director of Engineering, Bob Hanson stated that the NDDOT requests the city's concurrence in the award of a contract to Knife River Construction for the construction of the ND Highway 1804 Railroad Crossing Project.

The city's concurrence in NDDOT's award of a contract to Knife River Construction for the construction of the ND Highway 1804 Railroad Crossing Project is recommended.

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve all the presentations for concurrence with the NDDOT as submitted and authorizing the mayor to sign any documents as well.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

- (3) NDDOT Cost Participation Agreement for Traffic Signals at Broadway & East Dakota Parkway

Director of Engineering, Bob Hanson presented information on this item.

This is a standard NDDOT Cost Participation Maintenance (CPM) agreement for an Urban Regional System Project. The estimated cost of this traffic signal is approximately \$350,000 with the city being responsible for 10% or about \$35,000.

Acceptance of the NDDOT CPM Agreement for traffic signals at Broadway and East Dakota Parkway is recommended.

**MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to approve the NDDOT CPM Agreement for traffic signals at Broadway and East Dakota Parkway.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

- (4) NDDOT Cost Participation Agreement for the new 4-Lane Lewis & Clark Bridge on Highway 85

Director of Engineering, Bob Hanson presented information on this item. This is a standard NDDOT Cost Participation for NDDOT SOIA projects.

The city gains now access to the water plants intake from walkways under the existing Lewis & Clark Bridge. While the current plans call for the removal of the existing bridge, the pier from which the walkway is suspended would remain in place. David Tuan, the Western Area Water Supply Project, and NDDOT are developing a separate project to maintain access to the intake structure.

The CPM calls for the city to pay for any costs incurred under the NDDOT Bridge Project associated with this walkway and access to the intake structure. As currently proposed, the NDDOT Bridge Project does not call for any expenditures by the city.

Mr. Hanson stated he recommends acceptance of the NDDOT Cost Participation Agreement for the new 4-lane Lewis & Clark Bridge on Highway 85.

**MOTION BY BEKKEDAHL, SECONDED BY BROSTUEN, to approve the NDDOT Cost Participation Agreement for the new 4-lane Lewis & Clark Bridge on Highway 85.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

- E. Fire Chief
- F. Chief of Police
- G. Building Official
  - (1) Board of Appeals Appointment Committee

Bill Tracy from the Building Department presented information on this item. At the last City Commission meeting, Mr. Tracy asked to convene the Building Board of appeals to review a decision that he made. After review of the ordinance, it has been determined that they do not have enough members on the board. They are required to have five and have two alternatives, and currently they only have four members. They need to appoint a few new members to the board. It was suggested that Mr. Tracy present the commission with some names of people who were qualified. They need to appoint one permanent member and two alternatives. Mr. Tracy came up with five names – Mark Schneider (local architect), Luke Rasmussen (Project Manager for Miller Insulation and President of the Board for the Williston Builders Association), Mike McLean (architect for JLG), Mark Coduss (local general contractor) and John Biggs (local architect). All of these gentlemen are willing to serve on the board.

Commissioner Cymbaluk recommended appointing Mark Schneider for the permanent position on the Board of Appeals Committee.

**MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to appoint Mark Schneider to the Board of Appeals Committee as a permanent member.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to appoint Mike McLean and John Biggs as the alternative members to the Board of Appeals Committee.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

- (2) Emergency Measure to Enlist JLG for the Hess Project

Bill Tracy from the Building Department stated they are seeking commission approval to utilize JLG for the process of creating bid documents so they can move forward with the renovation of the Hess Building.

**MOTION BY BEKKEDahl, SECONDED BY BROSTUEN, to approve the emergency need expenditure and to award architectural services agreement to JLG Architects to prepare a bid package for the Hess Building renovation.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

H. City Planner

- (1) Communication from the Renaissance Zone Board Regarding Renaissance on Main

Rachel Ressler from Planning and Zoning stated that she had a communication from the Renaissance Zone Board.

The Renaissance on Main Project was approved through the board for Renaissance Zone funding from both the local jurisdiction and the state with the provision that if there were any significant changes made to the building plan they would come back to the Renaissance Zone Board for a quick review. The project does still qualify for the Renaissance Zone and did want to note they are in favor of the project even in the revised format.

- (2) Preliminary plat to be known as Erickson Subdivision (dedication to new high school), NW1/4 except Sublots 1, 2, 5, 6, T154N R101W, City of Williston – Orville Erickson/Mill Moonen, AE2S

Principal Planner, Donald Kress presented the preliminary plat to be known as Erickson Subdivision (dedication to new high school), NW1/4 except Sublots 1, 2, 5, 6, T154N R101W, City of Williston. This is adjacent to the west of Harvest Hills Subdivision Between 32<sup>nd</sup> and 37<sup>th</sup> Street west.

The applicant, Orville Erickson, requests a subdivision of 142.02 acres of the NW1/4 of Section 9, T154N, R101W, to create two lots. This property is within the extra-territorial jurisdiction of the city. Lot 1 has been deeded to Williston Public School District No. 1 for the development of a new high school.

Lot 1 is proposed to be annexed to the city of Williston. A hearing will be held at the August 12, 2014 City Commission meeting to consider the annexation. That annexation has been advertised. No development is proposed on Lot 2 and it will remain within the extra-territorial jurisdiction at this time.

The project site will take access from 37<sup>th</sup> Street W, and a dedication for the extension of the existing 37<sup>th</sup> Street W is included in the plat. However, the development of the school itself cannot proceed until a second means of access has been provided.

Development of the school will require the extension of utilities from the adjacent Harvest Hills Subdivision to this property and the construction of a sewer lift station in the southwest corner of Lot 1.

Tonight, they are just separating the two pieces of property so the high school project can go forward.

**MOTION BY BEKKEDAHL, SECONDED BY BROSTUEN, to approve the preliminary plat of the Erickson Family Subdivision, to create two lots, one of which will be developed as a public high school, contingent on addressing all staff comments.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

- I. Economic Development
- J. Airport
  - (1) Thru Tubing Advertising Lease

Airport Manager, Steven Kjergaard presented an advertising lease agreement. This lease agreement is a one year digital advertising agreement with Thru Tubing in the amount of \$4,000 per year. Mr. Kjergaard recommends approval of this advertising lease.

**MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to approve the digital advertising lease agreement with Thru Tubing for one year in the amount of \$4,000.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

- K. Assessor
- L. Convention and Visitor's Bureau
- 10. Appointments and Consultations with Officers
- 11. Unfinished Business
  - A. Public hearing for a plat and zone change for a subdivision to be known as Iron Point, commercial and industrial use located in SW1/2 of Section 20, T154N, R101W (NE corner of 140<sup>th</sup> Avenue NW and Highway 2), City of Williston

Mayor Klug stated that this item is the continuation of a public hearing for a plat and zone change for a subdivision to be known as Iron Point, commercial and industrial use located in SW1/2 of Section 20, T154N, R101W (NE corner of 140<sup>th</sup> Avenue NW and Highway 2), City of Williston. Mayor Klug opened the public hearing.

Rachel Ressler from Planning and Zoning presented information on this public hearing. Ms. Ressler stated that this is a plat, zone change, and future land use amendment.

The zone change is from A: Agricultural to M-1: Light Industrial for 27.194 acres and from A: Agricultural to C-2: General Commercial for 24.62 acres. The Future Land Use Amendment is for 27.194 acres to go from Residential to Light Industrial.

This property has been proposed for a commercial and light industrial development, to be located along Highway 2/85, west of Schlumberger and east of the Township Road 140<sup>th</sup> Avenue NW. The concept of the site includes commercial outlots along Highway 2/85, a larger big-box type commercial lot in the center of the site, and light industrial along the western and northern boundaries of the site. The use is appropriate for the area, which transitions from heavier industrial into more commercial and light industrial uses toward town. The highway commercial component, in particular, is in direct alignment with the Comprehensive Plan's goal for a commercial gateway district into town.

The applicants have submitted a preliminary plat, a zoning layout, and a concept plan for the site. The property will have its primary access through what is currently the Schlumberger access off of Highway 2/85. At the time, due to ownership of 140<sup>th</sup> Ave NW, there will be no access from the subdivision onto this road. It is a township road and as such shall not be accessed by city lots. On the north side of the subdivision, a platted 80 foot right of way (noted as B Street on the plat) will connect 140<sup>th</sup> Avenue NW to the access road that currently runs on the north side of the Schlumberger lot. There is an internal public right of way (noted as A Avenue on the plat), which connects the southern access off of Highway 2/85 to "B Street." "B Street" will be platted but not constructed from "A Avenue" west to 140<sup>th</sup> Ave NW. "B Street" will be constructed and connected to the access road behind Schlumberger, which will allow a secondary access into the subdivision.

The site is connected through interior public dedicated roads, from which each lot has access. Further reciprocal access easements between lots could be filed if necessary.

The applicant has provided a full traffic study, which has been reviewed by the North Dakota Department of Transportation (NDDOT) and the city's traffic consultant, SRF. The traffic study recommends signalizing the Highway 2/85 and "C Avenue" (Schlumberger access), as buildout occurs. The NDDOT will not allow that signal. The city would potentially advocate for a light, depending on the tenants of the lot.

There is a rural water line along the south side of the property, which needs to remain in service. The plat also should show an easement for this line. The site can be served by water after connection into a 16" water line that runs just inside the highway right of way. Future water lines need to run through "B Street" and connect to the east.

Sewer lines need to be extended along the highway to 140<sup>th</sup> Avenue NW, which is the developer's responsibility, as will be stated in the development agreement.

The site should be served by on-site detention ponds. Any storm drainage should be directed away from the Schlumberger lot.

The Planning and Zoning Commission recommends approval of the preliminary plat of 71.378 acres in the SW1/4 of Section 20, T154N R101W, contingent on addressing all ad hoc comments, all staff comments, a development agreement being signed, city review of any CC&Rs for the property and proper park dedication.

The Planning and Zoning Commission recommends approval of the zone change from A: Agricultural to M-1: Light Industrial for 27.194 acres and from A: Agricultural to C-2: General Commercial for 24.62 acres in the SW1/4 of Section 20, T154N R101W, contingent on addressing all ad hoc comments, all staff comments, a development agreement being signed, city review of any CC&Rs for the property, proper park dedication, and final plat recordation.

The Planning and Zoning Commission recommends approval of a Future Land Use Amendment from Residential to Light Industrial for 27.194 acres in the SW1/4 of Section 20, T154N R101W, contingent on addressing all ad hoc comments, all staff comments, a development agreement being signed, city review of any CC&Rs for the property, proper park dedication, and final plat recordation.

Mayor Klug stated that this was a public hearing and asked for public input.

Becky Hogan, the Director of Planning Services for R and R Engineering introduced the applicant Chris Puchalla to tell the commission more about the project.

Chris Puchalla said they had one area where they would like some guidance from the commission, and that is regarding 140<sup>th</sup> Avenue which has not been annexed into the city. They are not opposed to a non-protest agreement for future improvements to construct, they are however, concerned that if there is a non-protest to special assessment and there is no time frame or knowledge as to when the city may or may not take in 140<sup>th</sup> Avenue, that it would affect Lot E, D, C, B and A in terms of there being an open potential assessment against the ownership of those lots. This would impede potentially selling these lots. They have been supportive of not accessing 140<sup>th</sup> Avenue; they would just like some guidance with regard to the non-protest agreement.

Mr. Puchalla said the only other item he would mention is the traffic and signalization. They would request that they address signalization relative to the traffic study and whether it is with a retail tenant or warrants being met so that there is some function within the development agreement so that signalization is addressed.

Commissioner Bekkedahl asked if Avenue C was on a quarter section line. Mr. Hanson said he believed that to be true. Commissioner Bekkedahl then asked what the distances between that, the 4 mile corner intersection, and the next signal. Mr. Hanson stated it would be about  $\frac{3}{4}$  of a mile.

Mayor Klug asked who owns the storm water detention area. Mr. Puchalla stated there was a request to them to start an association to address this. They have not yet determined the ownership structure and plan to address it with staff as they work through development agreements and the final plat. This has to be done before the final plat records.

Commissioner Bekkedahl said there is some reluctance on the part of cities to have separate lots solely for detention basins because the maintenance issues may someday become the city's in those instances.



Donald Kress said that the CC&Rs have covenants, conditions and restrictions that require that the detention basin is a separate lot owned by the Home Owners Association (HOA). The HOA has power to assess its members to pay for the maintenance of that. If the HOA should dissolve, the city would be able to step in and assess the property owners. This would be a special provision of the development agreement. Mr. Kress stated that this is the best protection they can get for the city.

After calling three times for public input; none was heard and Mayor Klug closed the public hearing.

There was discussion of having an easement platted but not developed so that in the future if it were to get developed there would be something in place.

Janice Arson stated that she didn't understand why with the curve in the road they currently platted, it deters it from a straight shot through the development and for her that is a safety issue. Mrs. Arson said the way they have it platted now is a good way for traffic to flow and she likes the way they have it platted now.

Commissioner Bekkedahl said his issue is not with the way its platted now but what will happen in 20-30 years from now. Commissioner Bekkedahl said he would at least like to look in to having an easement in place so the city could extend farther north if they needed to do so in the future.

Commissioner Bekkedahl just wants to make sure they have options so that other generations that may have a different utilization come to the city and say they have to provide a street that was never placed because it will be expensive for the city to do at that point. He stated he doesn't disagree with what they have now and if they have plenty of other access points to the property then he is fine with that.

Commissioner Brostuen said there was a request by the applicant to waive a non-protest, and he would like to touch on that again.

Mr. Puchalla stated they were asking that the non-protest just cover the right to construct and that the owners have the right to engage in a process at that point because it will affect the ability to develop those lots but they don't want to impede the improvement of 140<sup>th</sup> Avenue.

Commissioner Cymbaluk said that the problem is that you can't access it. Ms. Ressler stated that the no access easement would be there because they do not want them annexing 140<sup>th</sup> when it isn't a city road. At some point in the future if the city were to annex the road and develop it and wanted to allow access from those lots onto 140<sup>th</sup> at that time, at that time the no access easement could be dissolved.

Commissioner Bekkedahl said that once the city paves a road without a special assessment district in place, the city cannot recover any of those costs. Even though it makes sense to allow access at that point, there has normally been a cost share to having that advantage.

**MOTION BY BROSTUEN, SECONDED BY BEKKEDAHL, to approve the preliminary plat of 71.378 acres in the SW1/4 of Section 20, T154N R101W, contingent on addressing all ad hoc comments, all staff comments, a development agreement being signed, city review of any CC&Rs for the property, proper park dedication, and including the no access change requested by the applicant subject to attorney review.**

**AYE: Bekkedahl, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: Cymbaluk – Abstain**

**CARRIED: 3-0**

**MOTION BY BEKKEDAHL, SECONDED BY BROSTUEN, to approve the zone change from A: Agricultural to M-1: Light Industrial for 27.194 acres and from A: Agricultural to C-2: General Commercial for 24.62 acres in the SW1/4 of Section 20, T154N R101W, contingent on addressing all ad hoc comments, all staff comments, a development agreement being signed, city review of any CC&Rs for the property, proper park dedication, and final plat recordation.**

**AYE: Bekkedahl, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: Cymbaluk – Abstain**

**CARRIED: 3-0**

**MOTION BY BEKKEDAHL, SECONDED BY BROSTUEN, to approve a Future Land Use Amendment from Residential to Light Industrial for 27.194 acres in the SW1/4 of Section 20, T154N R101W, contingent on addressing all ad hoc comments, all staff comments, a development agreement being signed, city review of any CC&Rs for the property, proper park dedication, and final plat recordation.**

**AYE: Bekkedahl, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: Cymbaluk – Abstain**

**CARRIED: 3-0**

**B. Bid Opening for Snow Removal Equipment**

Airport Manager, Steven Kjergaard presented the bidding opening for snow removal equipment. On July 2<sup>nd</sup> bids were opened for a high speed snow plow. Three bids were received with the low bidder being Wausau Equipment Company. During review of the specs, they found that the minimum gross vehicle weight was below 51,000 pounds which does not meet their bid spec weight. Also, they were not able to provide a list of people who have actually been provided with this equipment. Due to this, they recommend going with the second low bidder which is M-B Companies, Inc. The City Attorney concurs with this. M-B Companies, Inc. bid in the amount of \$339,923, the estimated cost was \$400,000.

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to award the bid for the snow removal equipment to M-B Companies, Inc. in the amount of \$339,923.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

C. Bid Opening for Remodel of Fire Hall Dorm Rooms

Commissioner Cymbaluk said that Chief Catrambone asked for this item to be withdrawn from the agenda at this time.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to withdraw the bid opening for the remodeling of the fire hall dorm rooms at this time.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

D. Easement & Water Issues on 3800 University Avenue

City Auditor, John Kautzman stated that the parties who brought this issue forward never came to his office to request a copy of the recorded minutes that they were requesting at the previous meeting.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to remove this item until the parties are prepared to bring this back before the commission.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

E. Consideration by City Commissioners for ND League of Cities Position

Commissioner Bekkedahl stated that Commissioner Cymbaluk has volunteered to place his name in nomination for the ND League of Cities position.

F. Yellow Cab, Inc. – Additional Vehicles:

- 2001 Toyota Sienna – VIN: 4T32F13C11U342300
- 2011 Chevy Malibu – VIN: 1G1ZASEUXBF192095
- 2011 Chevy Malibu – VIN: 1G1ZBSE10BF183859
- 2002 ES Dodge Car – VIN: 2B8GP74L12R534457
- 2008 Chevy Esuta – VIN: 1GNDV231XAD125408
- 1997 Mercury Villager – VIN: 4M3DV1118VDJ12118

Mayor Klug said that nobody from the Yellow Cab Company has contacted him. Commissioner Cymbaluk stated he had no problem approving them if they are in compliance.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve Yellow Cab, Inc.'s additional vehicles subject to proof of insurance, ND license plate and a valid driver's license.**

**AYE: Bekkedahl, Cymbaluk, Brostuen and Klug**

**NAY: None**

**ABSENT AND NOT VOTING: None**

**CARRIED: 4-0**

G. Basin Cab – Purposed Rate Schedule

*This item to be held until the next meeting.*

- 12. New Business
- 13. Executive Session
- 14. Adjourn

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to adjourn the meeting.  
UNANIMOUS BY VOICE VOTE**

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Howard Klug, President  
Board of City Commissioners

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John Kautzman, City Auditor