

**OFFICIAL PROCEEDINGS**  
**Board of City Commissioners**  
**August 11, 2015 6:00 pm**  
**City Hall – Williston, North Dakota**

1. Roll Call of Commissioners

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

COMMISSIONERS ABSENT:

OTHERS PRESENT: John Kautzman, Bob Hanson, Chief Lokken, David Tuan, Jordon Evert, Rachel Ressler, Kent Jarcik, Jason Catrambone, Steven Kjergaard, Pete Furuseth, Bill Tracy and Shawn Wenko

Mayor Klug presented a quorum.

**ADD:**

9B1-Tobacco Ordinance

10A-Debbie Richter

8A3-Summer Nights on Main

8A4-Crew Camps Meetings

**REMOVE:**

9D5

9G2

**MOVE:**

11E Liquor Ordinance to 6C

**MOTION BY BEKKEDAH, SECONDED BY CYMBALUK, to approve the additions as presented**

**UNANIMOUS BY VOICE VOTE**

2. Consent Agenda

A. Reading and Approval of Minutes

(1) Regular Meeting Dated: 7/28/2015

B. Auditor

(1) Accounts, Claims and Bills

For checks between: 07/28/15 - 08/06/15

-66811	MERITAIN HEALTH MERITAIN HEALTH	4383.30	07/31/15
1693	756 TRI-COUNTY REGIONAL DEVELOPMENT C	2700.00	07/30/15
73570	2404 SIX LEAF DESIGN	497.50	07/28/15
73571	2545 Dakota Pro	14760.00	07/28/15
73572	999999 KXWI-FM	1200.00	07/28/15
73573	673 CLERK OF DISTRICT COURT	750.00	07/28/15
73574	2539 Resolve Enterprises	17200.00	07/28/15
73575	673 CLERK OF DISTRICT COURT	750.00	07/28/15
73576	673 CLERK OF DISTRICT COURT	750.00	07/28/15
73577	673 CLERK OF DISTRICT COURT	750.00	07/28/15

73578	673 CLERK OF DISTRICT COURT	750.00	07/28/15
73579	673 CLERK OF DISTRICT COURT	750.00	07/28/15
73580	999999 GAD ACKAH	250.00	07/28/15
73581	999999 CARLOS ROCHA	20.00	07/28/15
73582	999999 ADA JUAREZ-DUARTE	400.00	07/28/15
73583	77 CITY OF WILLISTON	0.00	07/28/15
73584	79 CITY OF WILLISTON	963.33	07/28/15
73585	79 CITY OF WILLISTON	997.75	07/28/15
73586	79 CITY OF WILLISTON	25542.88	07/28/15
73587	77 CITY OF WILLISTON	1152.60	07/28/15
73588	2544 GIS Planning	900.00	07/29/15
73589	19 AMERICAN STATE BANK	1064087.71	07/29/15
73590	999999 ALEXIS HALL	41.00	07/29/15
73591	999999 ZACHERY HOWARD	375.00	07/29/15
73592	999999 PEGGY STEVEN	70.00	07/29/15
73593	673 CLERK OF DISTRICT COURT	750.00	07/29/15
73594	999999 NATIONAL COATINGS, INC.	300.00	07/29/15
73595	2490 Eco Design	5134.80	07/29/15
73596	270 MURPHY MOTORS, INC.	102248.50	07/30/15
73597	999999 EVENT DECOR DIRECT	8352.50	07/30/15
73598	999999 DREW ZASTERA	250.00	07/30/15
73599	487 VISA	2878.22	07/30/15
73600	487 VISA	1292.75	07/30/15
73601	999999 BRIAN SALVESON	100.00	07/30/15
73602	999999 MN JACK SPARROW	1000.00	07/30/15
73603	1401 Valley Rental - Bakken Heights VI	4000.00	07/31/15
73604	APARTMENT BH8 VALLEY RENTAL - BAKKEN H	6410.00	07/31/15
73605	APARTMENT BH2 & VALLEY RENTAL - BAKKEN H	0.00	07/31/15
73606	APARTMENT BH9 VALLEY RENTAL - BAKKEN H	24070.00	07/31/15
73607	APARTMENT BH5 VALLEY RENTAL - BAKKEN H	3110.00	07/31/15
73608	APARTMENT BH6 VALLEY RENTAL - BAKKEN H	17200.00	07/31/15
73609	APARTMENT BH7 VALLEY RENTAL - BAKKEN H	27100.00	07/31/15
73610	APARTMENT BH10 VALLEY RENTAL - BAKKEN H	35430.00	07/31/15
73611	APARTMENT DAKOT VALLEY RENTAL - DAKOTA	80220.00	07/31/15
73612	APARTMENT BH2 & VALLEY RENTAL - BAKKEN H	7060.00	07/31/15
73613	APARTMENTS WSCF DAKOTA COMMERCIAL - WSC	6750.00	07/31/15
73614	APARTM WSCF 2 HORIZON CAPITAL LLC	3280.00	07/31/15
73615	470 US POSTAL SERVICE	1547.52	07/31/15
73616	2436 PETRA INCORPORATED	115487.60	07/31/15
73617	1117 GFOA	85.00	07/31/15
73618	252 MIDCONTINENT COMMUNICATIONS	477.30	07/31/15
73619	999999 BRIAN STARKS	100.00	07/31/15
73620	999999 PARKER KINKADE	400.00	07/31/15
73621	999999 AUTUMN REL	400.00	07/31/15
73622	2490 Eco Design	89488.79	08/03/15
73623	999999 JOHN BURR	130.00	08/03/15
73624	569 FEDEX	96.82	08/04/15
73625	999999 DEMETRIUS HOUSE	400.00	08/04/15

73626	999999 MICHAEL JONES	100.00	08/05/15
73627	999999 JERRY SHAE	329.00	08/05/15
73628	354 FURUSETH LAW FIRM, PC	821.00	08/05/15
73629	999999 TYLER REIN	400.00	08/05/15
73630	999999 CLAY UNDERWOOD	320.00	08/05/15
73631	999999 MICHAEL RAMM	10.00	08/05/15
73632	470 US POSTAL SERVICE	19.25	08/05/15
73633	205 KFYR-TV	720.00	08/05/15
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73681	999999 3 AMIGOS GRILL	33.75	08/06/15
73682	1220 3D SPECIALTIES	382.64	08/06/15
73683	632 ACKERMAN-ESTVOLD	64214.48	08/06/15
73684	2274 Acme Tools	958.95	08/06/15
73685	1953 AE2S CONSTRUCTION LLC	328335.03	08/06/15
73686	1230 AFFORDABLE TOWING	575.00	08/06/15
73687	4 AGRI INDUSTRIES, INC.	198.11	08/06/15
73688	8 ALL SEASONS SPORT ABOUT	426.00	08/06/15
73689	2458 ALLEN PRECISION EQUIPMENT, INC.	174.97	08/06/15
73690	718 AMERIPRIDE LINEN AND APPAREL SERV	947.49	08/06/15
73691	2531 AOK CONSTRUCTION, LLC	2087.50	08/06/15
73692	2209 APPLIED INDUSTRIAL TECHNOLOGIES	493.67	08/06/15
73693	999999 ARNIES MOTORCYCLE SALES	135.35	08/06/15
73694	30 ASTRO-CHEM LAB, INC.	1191.00	08/06/15
73695	33 BAKER & TAYLOR CO.	794.23	08/06/15
73696	999999 BAKER HUGHES WIRELINE	31.12	08/06/15
73697	38 BASIN PRINTERS, INC.	524.00	08/06/15
73698	2488 BEK CONSULTING, LLC	885613.68	08/06/15
73699	2556 BLACK INVESTMENTS LLC	400.00	08/06/15
73700	49 BLACK MOUNTAIN SOFTWARE	1100.00	08/06/15
73701	52 BORDER STATES ELECTRIC	221807.14	08/06/15
73702	999999 BRIGHTMAN, MICHAEL	37.88	08/06/15
73703	1054 C & D WATER SERVICES	26.00	08/06/15
73704	678 C. EMERY NELSON, INC.	1422.64	08/06/15
73705	2557 CALIBRE PRESS	418.00	08/06/15
73706	2555 Carlos Gomez	51.84	08/06/15
73707	69 CARQUEST AUTO PARTS STORES	737.51	08/06/15
73708	549 CASH WISE FOODS	103.57	08/06/15
73709	1755 CDW Government	2539.56	08/06/15
73710	2508 CERTIFIED LABORATORIES	4324.00	08/06/15
73711	2391 CHEMTRAC	702.50	08/06/15
73712	999999 CHURCH, GREG	50.00	08/06/15
73713	77 CITY OF WILLISTON	4993.26	08/06/15
73714	78 CITY OF WILLISTON	28455.50	08/06/15
73715	79 CITY OF WILLISTON	52304.79	08/06/15
73716	1666 CIVIL SCIENCE	57093.00	08/06/15
73717	1486 CONNEX INTERNATIONAL	19.18	08/06/15
73718	822 COUNTRY FLORAL	41.65	08/06/15
73719	567 CRAIG'S SMALL ENGINE REPAIR	41.99	08/06/15
73720	2526 CRETEX CONCRETE	6182.00	08/06/15

73721	548 DAKOTA DIESEL	481.08	08/06/15
73722	2015 Dakota Fire Extinguishers	617.12	08/06/15
73723	2221 Dakota Sunrise Brokers, LLC	584.37	08/06/15
73724	93 DAKOTA SUPPLY GROUP	2567.53	08/06/15
73725	100 DAWA SOLUTIONS GROUP	495.00	08/06/15
73726	1705 DEGENSTEIN'S AUTO PLUS	2250.00	08/06/15
73727	999998 DENICE SUESS	31.03	08/06/15
73728	2382 DESIGN SPACE MODULAR BUILDINGS	175.00	08/06/15
73729	2547 DINA NESS	89.50	08/06/15
73730	109 DOEDEN CONSTRUCTION	33564.93	08/06/15
73731	1665 EAST & WEST EXCAVATING LLC	386891.75	08/06/15
73732	121 EIDE BAILLY LLP	12000.00	08/06/15
73733	999999 EIDE, JULIE	2.96	08/06/15
73734	1451 ELITE K-9, INC.	106.75	08/06/15
73735	1030 EMERGENCY APPARATUS MAINTENANCE,	16.71	08/06/15
73736	577 EMERGENCY MEDICAL PRODUCTS	392.45	08/06/15
73737	126 EMYR'S LOCKSMITHING	7.50	08/06/15
73738	670 ENVIRONMENTAL TOXICITY CONTROL, I	700.00	08/06/15
73739	2315 EVCO HOUSE OF HOSE	18.96	08/06/15
73740	668 FASTENAL COMPANY	31.56	08/06/15
73741	571 FEE INSURANCE AGENCY, INC	2379.00	08/06/15
73742	816 FIRE EXTINGUISHING SYSTEMS, INC	204.90	08/06/15
73743	133 FLEXIBLE PIPE TOOL CO.	642.90	08/06/15
73744	134 FORT UNION SUPPLY & TRADE	452.00	08/06/15
73745	2538 Foster Construction	1277.50	08/06/15
73746	999999 FOURNILLIER, WESLEY	11.30	08/06/15
73747	139 GAFFANEY'S	4871.54	08/06/15
73748	1096 Gall's, LLC	1030.32	08/06/15
73749	2551 GENERAL EQUIPMENT & SUPPLIES	53.47	08/06/15
73750	1125 GENERAL TRAFFIC CONTROLS, INC	693.64	08/06/15
73751	1453 Gibbs & Sons	906618.46	08/06/15
73752	1657 Gibbs Towing L.L.C.	360.00	08/06/15
73753	1154 GOOSENECK IMPLEMENT	409.42	08/06/15
73754	1965 GRAINGER	476.16	08/06/15
73755	2552 GRAINGER	174.00	08/06/15
73756	1830 Grand Williston Hotel & Conferenc	514.80	08/06/15
73757	144 GRAYMONT WESTERN CANADA	12662.87	08/06/15
73758	539 HACH	4354.65	08/06/15
73759	999999 HALL, JESSE C	50.95	08/06/15
73760	1611 HASLER	500.00	08/06/15
73761	151 HAWKINS, INC.	13350.75	08/06/15
73762	1833 HDR ENGINEERING INC	735.49	08/06/15
73763	550 HEDAHL'S PARTS PLUS	12.97	08/06/15
73764	161 HOME OF ECONOMY	455.69	08/06/15
73765	162 HORIZON RESOURCES	31819.87	08/06/15
73766	2115 HUFFY AIRPORT WINDSOCKS	394.60	08/06/15
73767	2463 I-STATE TRUCK CENTER	31.04	08/06/15
73768	2554 IDEXX DISTRIBUTION, INC	3430.79	08/06/15

73769	1503	idSS GLOBAL LLC	250.00	08/06/15
73770	171	INDUSTRIAL EQUIPMENT	282.93	08/06/15
73771	2546	INFILCO DEGREMONT, INC.	32734.20	08/06/15
73772	174	INK SPOT PRINTING	7359.00	08/06/15
73773	2322	INTERSTATE BILLING SERVICE, INC	1556.48	08/06/15
73774	175	INTERSTATE ENGINEERING	4416.00	08/06/15
73775	2160	INTOXIMETERS	94.25	08/06/15
73776	999999	JACKSON UTILITIES LLC	175.03	08/06/15
73777	2113	JAME O's TIRES	3236.64	08/06/15
73778	999998	JAMES DIXON	25.00	08/06/15
73779	2385	JASON CATRAMBONE	1433.00	08/06/15
73780	196	KADRMAS LEE & JACKSON INC	393.52	08/06/15
73781	1299	KNIFE RIVER-NORTH CENTRAL	2004.80	08/06/15
73782	212	KOTANA COMMUNICATIONS	214.84	08/06/15
73783	999999	KUCHERA, MICHELLE	9.86	08/06/15
73784	999999	LABONITE, GARLAND L	176.94	08/06/15
73785	2111	LACAL EQUIPMENT INC	2317.68	08/06/15
73786	999999	LAWSON, CHRISTOPHER	3.97	08/06/15
73787	999999	LEGER, ELTON	6.84	08/06/15
73788	999999	LISA VONDELL	25.00	08/06/15
73789	2386	Lynn Card Company	48.45	08/06/15
73790	2550	M TECH COMPANY	3925.30	08/06/15
73791	1821	MARCO	142.40	08/06/15
73792	247	MERCY MEDICAL CENTER	1923.57	08/06/15
73793	250	MICROMARKETING ASSOCIATES	478.20	08/06/15
73794	252	MIDCONTINENT COMMUNICATIONS	75.20	08/06/15
73795	254	MIKE'S WINDOW CLEANING SERVICE	80.00	08/06/15
73796	261	MON-DAK HTG & PLG, INC.	3300.11	08/06/15
73797	243	MONTANA DAKOTA UTILITIES	55698.45	08/06/15
73798	267	MOUNTRAIL-WILLIAMS REC	1500.65	08/06/15
73799	2291	Municipal Emergency Services, Inc	250.95	08/06/15
73800	270	MURPHY MOTORS, INC.	1426.62	08/06/15
73801	271	MVTL/MINNESOTA VALLEY	1162.00	08/06/15
73802	1772	MYGOV,LLC	1050.00	08/06/15
73803	275	NAPA AUTO PARTS	1017.60	08/06/15
73804	290	ND DEPT OF TRANSPORTATION	66118.48	08/06/15
73805	297	ND ONE CALL	696.85	08/06/15
73806	303	ND POST BOARD	110.00	08/06/15
73807	319	NELSON INTERNATIONAL	381.11	08/06/15
73808	999999	NEWTON, YOLANDA	37.60	08/06/15
73809	584	NMN, INC.	414.40	08/06/15
73810	1733	Noble Industrial Supply Corp.	1927.81	08/06/15
73811	1003	NORTH PRAIRIE SIGNATURE,LLP	300.40	08/06/15
73812	324	NORTHERN IMPROVEMENT CO.	33829.60	08/06/15
73813	1225	NORTHSTAR SAFETY INC.	1806.00	08/06/15
73814	333	NORTHWEST SUPPLY CO.	298.10	08/06/15
73815	338	ODIN	3564.72	08/06/15
73816	2339	Office Depot	325.76	08/06/15

73817	340 OHNSTAD TWICHELL PC	742.50	08/06/15
73818	343 OLYMPIC SALES, INC.	450.75	08/06/15
73819	344 ONE FULFILLMENT	465.00	08/06/15
73820	2034 OWL	200.00	08/06/15
73821	772 PARACLETE PRESS, INC	100.40	08/06/15
73822	2558 PERFORMANCE KENNELS, INC	275.00	08/06/15
73823	2559 Pete Duffy	159.99	08/06/15
73824	607 PETERBILT OF WILLISTON	2060.61	08/06/15
73825	999999 PIERCE, ASHLEY	29.02	08/06/15
73826	356 PITNEY BOWES, INC.	486.28	08/06/15
73827	1051 POET ETHANOL PRODUCTS, LLC	4117.95	08/06/15
73828	357 POLAR REFRIGERATION, INC.	10419.90	08/06/15
73829	999999 PONDER, DREW	29.37	08/06/15
73830	359 PRAXAIR DISTRIBUTION INC	28.15	08/06/15
73831	641 PREBLE MEDICAL SERVICES, INC	88.00	08/06/15
73832	362 PRO SAFE PEST CONTROL	115.00	08/06/15
73833	364 PURCHASE POWER	501.84	08/06/15
73834	367 QUILL CORPORATION	578.01	08/06/15
73835	1882 RAM SPV II, LLC	2300.00	08/06/15
73836	2539 Resolve Enterprises	8235.00	08/06/15
73837	387 RESPOND SYSTEMS	733.20	08/06/15
73838	390 RICHARD A. JOHNSON	420.00	08/06/15
73839	999998 RICHARD DEBRUNNER	35.00	08/06/15
73840	999999 ROLLF, TAYLOR	6.22	08/06/15
73841	999998 RYAN EGERMAN	50.00	08/06/15
73842	405 RYAN MOTORS	522.00	08/06/15
73843	1274 Safeguard Business Systems	1204.40	08/06/15
73844	407 SALEM PRESS, INC.	175.50	08/06/15
73845	999999 SAM WORKMAN	25.00	08/06/15
73846	1133 SANDERSON STEWART	7665.23	08/06/15
73847	409 SANITATION PRODUCTS	3480.97	08/06/15
73848	999999 SCHLEMPER, MATT	18.61	08/06/15
73849	415 SELECT FORD	1195.37	08/06/15
73850	2495 SELLAND CONSTRUCTION, INC.	2676721.61	08/06/15
73851	420 SHERWIN-WILLIAMS	194.86	08/06/15
73852	2477 SNAP ON TOOLS	51.30	08/06/15
73853	426 SOURIS RIVER TELECOMMUNICATIONS	14.67	08/06/15
73854	2462 SPORT VIDEOS	56.00	08/06/15
73855	427 SRF CONSULTING GROUP, INC	29232.52	08/06/15
73856	999998 STEVEN C. KJERGAARD	1298.00	08/06/15
73857	2389 Stryker	96.81	08/06/15
73858	1696 Total Control Inc.	3800.00	08/06/15
73859	460 TRACTOR & EQUIPMENT CO.	4659.77	08/06/15
73860	461 TRACTOR SUPPLY CREDIT PLAN	11.51	08/06/15
73861	2195 TRANSUNION RISK & ALTERNATIVE	8.50	08/06/15
73862	463 TRIANGLE ELECTRIC	5734.66	08/06/15
73863	1610 ULTEIG	262863.09	08/06/15

73864	477 UPPER MISSOURI DISTRICT	67.72	08/06/15
73865	2061 UTILITY SYSTEMS OF AMERICA INC	390492.00	08/06/15
73866	484 VERIZON WIRELESS	667.92	08/06/15
73867	485 VESSCO, INC.	502.57	08/06/15
73868	487 VISA	9855.62	08/06/15
73869	533 WILLIAMS COUNTY TREASURER/RECORDE	596.00	08/06/15
73870	564 WILLIAMS RURAL WATER DISTRICT	82.25	08/06/15
73871	1716 Williams Scotsman, Inc.	4275.75	08/06/15
73872	514 WILLISTON COMMUNITY LIBRARY	295.77	08/06/15
73873	516 WILLISTON CVB	1200.00	08/06/15
73874	517 WILLISTON FIRE & SAFETY	64.50	08/06/15
73875	518 WILLISTON HERALD	4471.75	08/06/15
73876	519 WILLISTON HOME & LUMBER	51.20	08/06/15
73877	525 WILLISTON TIRE CENTER	460.36	08/06/15
73878	526 WILLISTON TRUE VALUE	534.72	08/06/15
73879	999999 WW GRAINGER	2454.11	08/06/15

# of Checks 312

Claims \$8,258,595.20

Payroll \$215,013.30

Total \$ 8,473,608.50

- (2) Application for a Local Permit or Charity Local Permit
  - a. Williston Basin Skating Club
  - b. Pheasants Forever Chapter 619
- (3) Special Permit to Sell Alcoholic Beverages
  - a. Eleven Restaurant & Lounge-8/15/15 – Wedding Reception
  - b. Eleven Restaurant & Lounge-9/1/15 – Economic Development Event-West Summit Social
  - c. Six Shooters LLC/Outlaws-9/19/15-Bakken XTVCC Sports Event
- (4) Taxi License
- (5) New Manager
  - a. Basil Asian Bistro – Simon Wai Leung, Chan
- C. Building Official
  - (1) Master Mechanical License
    - a. Glynn Murray – Mid-Mississippi Heating & A/C
    - b. Paul Smith – Mid-Mississippi Heating & A/C
  - (2) Journeyman Mechanical License
    - a. David Gemelli – Mid-Mississippi Heating & A/C
    - b. Jim Brady – Mid-Mississippi Heating & A/C
    - c. Henry Lambert – Mid-Mississippi Heating & A/C
    - d. John Smith – Mid-Mississippi Heating & A/C
    - e. Jerry Murray – Mid-Mississippi Heating & A/C
- D. City Planner
- E. Assessor
  - (1) Abatement
  - (2) Exemptions



**MOTION BY BEKKEDahl, SECONDED BY BROSTUEN, to approve the consent agenda as presented  
UNANIMOUS BY VOICE VOTE**

3. Bid Openings

David Tuan, Director of Public Works presented the following:

- A. Sand Truck w/Plow (Roads & Streets)  
This is a 2015 Budgeted item at \$180,000. One bid was received from Nelson International in the amount of \$138,974.

**MOTION BY PIESIK, SECONDED BY CYMBALUK, to approve as presented  
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug  
NAY:  
ABSENT AND NOT VOTING:  
CARRIES: 5-0**

- B. 2 ½ - 3 ½ Yard Loader w/Plow (Roads & Streets)  
This had a budgeted amount of \$225,000. Tractor & Equipment's bid was \$208,820 and the RDO bid with the John Deere Unit was \$206,000. Being the items are so close in price, PW would like to purchase the equipment from T&E. This is caterpillar, connects to current attachments and staff is already trained on.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve  
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug  
NAY:  
ABSENT AND NOT VOTING:  
CARRIES: 5-0**

Jason Catrambone, Fire Chief presented the following:

- C. Fire Department Substation  
Chief Catrambone presented a bid packet to the commissioners. One low combined bid was received from Shingobee's. The base bid is \$5,105,000. 11 alternates were built into this bid totaling \$5,398,845 altogether. Not included is removal or replacement of soil; this cost will be built in at a future date. Chief Catrambone and the architect recommend award to Shingobee's in the amount of \$5,398,845, with the understanding that there will be additional costs for dirt and soil. August 24<sup>th</sup> is the estimated start date. There is no estimate on the amount of soil that will need to be moved. The estimated completion date is the end of August 2016.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to accept the proposal as presented in the amount of \$5,398,845 to Shingobee Builders for the new fire hall  
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug  
NAY:  
ABSENT AND NOT VOTING:  
CARRIES: 5-0**

4. Public Hearings

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

Rachel Ressler, Planning & Zoning presented the following:

- A. Ordinance 1021 –Moratorium for Tent Structures-Second Reading  
This ordinance is to put in place a 6 month moratorium for any tent structures within the City of Williston. Currently there is no policy on this and the ordinance does not provide direction, so Planning and Zoning would like to take the 6 months to develop a policy. P&Z will work with the oil and gas industry companies that may be affected by any new policy.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve the second reading of Ordinance 1021 as presented**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

Jordon Evert, City Attorney presented the following:

- B. Ordinance Amendment-Building Code-First Reading  
This is an ordinance to repeal the 1997 edition of the Uniform Housing Code of Section 5-326 of the Municipal Code of Ordinances and amending that section to adopt the 2012 International Property Maintenance Code. Discussions with the Building Department concluded there needs to be a more up to date maintenance code and the Building Department feels incorporating the 2012 International Property Maintenance Code and repealing the 1997 edition will achieve that purpose. This is the first reading.

**MOTION BY BROSTUEN, SECONDED BY BEKKEDAHL, to approve the first reading of the building code Ordinance 1023**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

- C. Liquor Ordinance Sale Time Change  
This is an amendment to the City of Williston Municipal Ordinance Code, Section 3-41, which is governing the sale of alcohol on Sunday's. The purpose of this ordinance is there has been a change in state law and with this amendment it will bring the city code in alignment with the provisions of the state law. The primary change is the hours in which premises can sell alcohol on Sunday.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve the first reading of the Special Sunday Alcoholic Beverage permit, Ordinance 1022**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

## 7. Petitions, Communications and Remonstrance's

Brad Bekkedahl, Commissioner presented the following:

- A. Family Crisis Match Requirements  
There is a grant program that requires a match for the services of the Family Crisis Shelter; there may not have been action by the commission to agree to provide the grant funding previously. The grant amount is between \$8-9,000. Commissioner Bekkedahl will leave it up to the Auditor as to which fund the grant comes from.

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to approve the City participation in covering that grant on behalf of the organization Family Crisis Shelter at this time**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

Tim Ritter, Owner of Ritter Brothers presented the following:

- B. Tim Ritter-Downtown Clock  
Several years ago, Mr. Ritter purchased Howard Miller's outdoor street clock. The intention was to put it in front of his store; now there is a street light. Mr. Ritter would now like to put it between his store and Vanity between two planters. It is 7ft and requires a concrete base with three mounting bolts. Mr. Ritter presented a diagram to the commission. The base is approximately 16". Mr. Ritter would like to donate this clock to the City. Mr. Ritter and his staff will maintain and keep the clock operational at all times. It is similar to the street lights in the area.

**MOTION BY CYMBALUK, SECONDED BY PIESIK, to approve the request and have the City install the base for the clock for downtown**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

## 8. Report of Commissioners

- A. President of the Board

Howard Klug, Mayor presented the following:

- (1) Annexation Contract  
Under state law, if a property is going to be annexed and it was protested out by the property owners, the commission has the right to appoint a mediator or the mayor can appoint a mediator. The City took the steps to appoint a mediator. The first mediator was disallowed, so the City went back to the governor. The governor wants the City to sign a contract with Sandra Kuntz out of Dickinson. The City Attorney has reviewed the contract. The cost is approximately \$2,500. The purpose is to try to negotiate something between the City of Williston and the land owners.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve the request to allow the Mayor to sign the contract as presented for the annexation contract**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

(2) Sale of City Lot

The intention was to partner with the County in order for them to purchase the property next to the MDU building so it could be used for a City/County building. Since this started, nothing has moved forward by the City in order for the City to use a portion of it. In the process, a piece of property by Public Works was to be sold to the owner of the property the County wanted to purchase. The property was divided, but no paperwork is able to be found. The commissioners discussed a possible timeline that this may have been done.

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, the City Commission ratify the sale of the city lot recently executed in the Jim Bridger Subdivision**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

(3) Summer Nights on Main

Mayor Klug has been participating in the Summer Nights events and feels it would be better for the City of Williston to take down the fence where alcoholic beverages are allowed to be consumed. Mayor Klug would like to have that organization hire two police officers to be there from 5-9pm at a price determined to be \$40 per hour per person; and have the actual beer sales only within the fenced area. This may help the feel of a more social atmosphere downtown.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to allow the fences to be removed, alcohol to be sold behind the fence and patrons are allowed to walk freely with their alcoholic beverage and the Downtowners must provide two police officers at their expense**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

(4) Crew Camps Meetings

This is to discuss issues the commission will be dealing with by the end of the year. Mayor Klug would like the commission to make a decision by the middle of September. If any discussions or meetings are needed, Mayor Klug would like them done by the middle of September so a resolution is in place as to which way the City will be moving forward with the crew camps. This item will appear on the agenda again in September.

- 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

Chris Brostuen, Commissioner presented the following:

- (1) TO #5 Progress Report #9  
Presented in the commission packet is progress report #9. The task order continues to work with PW, the City Engineer and other staff to prioritize, schedule and track delivery of a list of proposed capital improvement projects for 2015. The task order is also working on the financial model update. It is being updated with the 2015 budget information and the preliminary 2016 budget. The plan is to have an updated model to the commissioners the week of August 17<sup>th</sup>. The sanitary sewer rate study has been completed. The results were presented to the steering committee on July 24<sup>th</sup> and it is now being reviewed internally by City staff. The Elert Consultants did complete the Information Technology Needs Assessment for the City and County. The immediate action is the IT Services Agreement that will basically bind the two agencies, City and County, together moving forward sharing IT services. The steering committee will be meeting on August 18 to discuss the service agreement and other items that have come up. The form of governance options is also being worked on. AE2S has presented the City with a summary of the options available. It is currently being discussed with the commissioners. The intent is to take action at future City Commission meeting under the direction of Mayor Klug.

9. Report of Department Heads

John Kautzman, City Auditor presented the following:

- A. City Auditor
  - (1) Oil and Gas Lease Bids  
The City has been approached by an oil company that has identified acres that they claim the City has mineral ownership to. The request is to move forward with the bid process with the assistance of the attorney's office to advertise for bids and present to the commission for consideration. The following three areas will be listed separately but were all identified by the oil company the City was approached by.
    - a. 160.99 Net Acres over 187.92 Gross Acres Owned by the City of Williston
    - b. 6.86 Net Acres over 12.57 Gross Acres Owned by the City of Williston Housing Authority
    - c. 0.21 Net Acres Owned by the City of Williston Parking AuthorityCommissioner Cymbaluk asked the Auditor to compile a list of what the City currently has under contract for oil and gas mineral leases. Mr. Kautzman agreed this could be recapped.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve the request from the Auditor to go for bids on the three identified parcels for oil and gas lease**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

C. Attorney

Jordon Evert, City Attorney presented the following:

- (1) Tobacco Ordinance-First Reading  
This item is an amendment to the ordinances governing the sale of tobacco to minors. There has been a modification on the state statute. The City's previous ordinance did not mirror identically the state statute in the past, however with these modifications; it will now be mirroring the state statute. The new modifications do deal with electronic cigarettes and some of the labeling for those. It also requires the tobacco products to be placed behind the counter.

**MOTION BY BEKKEDAH, SECONDED BY CYMBALUK, to approve Ordinance 1024 relating to the sale of tobacco to minors first reading**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

D. Director of Public Works

David Tuan, Director of Public Works presented the following:

- (1) Cemetery Sexton Position  
PW is reorganizing the cemetery department and is currently hiring another lead worker. Historically, the sexton title, until approximately 7 years ago, had resided with the Public Works Director. In the current ordinance, the sexton does not answer to any of the foreman or superintendents. Mr. Tuan would like to restore the sexton title to the Director of Public Works.

**MOTION BY PIESIK, SECONDED BY BROSTUEN, to return the title of Cemetery Sexton to the Director of Public Works as presented**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

- (2) Authorization to Bid
  - a. Landfill Expansion  
Mr. Tuan is requesting authorization to bid for an early grading and earthwork project for the Landfill. Bids will be opened September 3<sup>rd</sup>, 2015.

**MOTION BY BROSTUEN, SECONDED BY CYMBALUK, to approve****AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug****NAY:****ABSENT AND NOT VOTING:****CARRIES: 5-0**

## b. GPS Equipment (Landfill)

Mr. Tuan is requesting to bid for GPS equipment for the Landfill. Bids will be opened September 3<sup>rd</sup>. Mr. Tuan introduced the new Landfill Foreman, Zak Corcoran.

**MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to approve****AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug****NAY:****ABSENT AND NOT VOTING:****CARRIES: 5-0**

## E. City Engineer

Bob Hanson, City Engineer presented the following:

## (1) Resolution Creating Drainage Improvement District 15-8 – Schlumberger Drainage

This item is dealing with the Schlumberger J drainage issue. Ackerman Estvold has completed plans and specifications for a project to control the spring water Schlumberger is discharging into the highway ditch. A special assessment district is ready to be created to fund this project. This project is ready to go out for bids. The proposed project will intercept the water as it enters the north highway ditch with a 12" gravity storm sewer pipe. The storm sewer would run west along the north highway ditch to near the west edge of the Schlumberger property and then south across the highway and continue south to discharge into a natural coulee that runs through property owned by Mr. Steve Hexom. The estimated cost of this project is \$1,000,000. This would be assessed to Schlumberger. It has been expressed to Schlumberger J if they come up with a better solution to controlling the water being discharged, the City would at least listen. One idea is pumping the spring water across the highway to the Hexom Coulee. This idea has some merit and has some potential for significant cost savings and is being investigated by Ackerman Estvold. Another meeting is scheduled with Schlumberger for Monday August 10<sup>th</sup>.

**MOTION BY BROSTUEN, SECONDED BY CYMBALUK, to table****UNANIMOUS BY VOICE VOTE**

## (2) Project 211-Main Street Change Orders

Main St reconstruction project is being constructed under two separate projects. Both projects are under the administration of the NDDOT's consulting engineer, DowelHKM. The following change orders are for work that was undertaken and agreed to by NDDOT, Dowel and City Staff in 2014.

## a. Regional Urban Project Change Order #1 &amp; Local Urban Project Change Order #1

This change order deals with the water service lines and fire suppression lines being replaced into the buildings downtown. This change allows the water service to be turned off for non-payment of water bills while the fire suppression line remains in service. These change orders also allow for the use of HDPE pipe material in lieu of the originally specified copper. The added cost is approximately \$93,634 which works out to about \$1,950 for each of the 48 water service lines being replaced. This is all City cost. This cost is eligible for the 60% State Water Commission Cost Share Grant. A 6 day time extension has been negotiated for the extra work involved.

**MOTION BY BEKKEDahl, SECONDED BY CYMBALUK, to approve Change Order #1 for the Regional Urban Project and Change Order #1 for the Local Urban Project as recommended by the Engineer**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

- b. Regional Urban Project Change Order #2  
Change order #2 adds \$17,321 for the installation of temporary asphalt pavement at the 1<sup>st</sup> St intersection that was added with the intention of accelerating the construction progress of the project. The City's cost share of this amount would be \$1,731.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve Change Order #2 for the Regional Urban Project Change Order #2 as presented**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

- c. Regional Urban Project Change Order #3  
Change order #3 adds \$3,353.78 and 1 ½ days to the project as compensation for dealing with coal chutes encountered during 2014. The City's cost share of this amount would be \$335.38. Additional coal chutes have been encountered this summer and they will be subject to future change orders.

**MOTION BY BROSTUEN, SECONDED BY CYMBALUK, to approve change order #3 to the Regional Urban Project as requested by Mr. Hanson**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

- (3) Project 218 US Highway 2/85 North Water & Sewer Extension – Change Order #6  
Gibb & Sons has substantially completed this project which ran water and sewer mains north along the west side of the highway from 42<sup>nd</sup> St to 58<sup>th</sup> St, then west along 58<sup>th</sup> St to 6<sup>th</sup> Ave W and then again north one mile to what will eventually



be 70<sup>th</sup> St. The only remaining work items of significance is the pavement markings along 58<sup>th</sup> St and getting grass reestablished in the areas disturbed by the project. This is essentially a balancing change order. The change order is for \$305,493.

**MOTION BY PIESIK, SECONDED BY BROSTUEN, to approve Change Order #6 in the amount of \$305,493 to Robert Gibb and Sons for the construction of Project 218**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

- (4) Project 251-Armory Flag Pole Project  
This is a project that would remove the Front Street parking lane along the south side of the Armory and replace it with a new and wider sidewalk. The project will include three flag poles to be installed at the main entrance to the Armory building. Last quote is a total cost of \$163,391.25 which included \$38,560 for flag pole lights. The Armory is planning to undertake a remodeling project of the exterior of the building and the lighting will be included and will be mounted on the roof at that time and will greatly reduce the cost. Knife River is willing to drop the electrical component of their quote which brings the total project down to \$124,831.25.

**MOTION BY BEKKEDAHL, SECONDED BY CYMBALUK, to accept the recommendation of the City Engineer for the Armory Flag Pole Project in the amount of \$124,831.25**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

- ~~(5) Water, Sewer and Street Improvement District 15-3 – High School Offsite-Change Order #1~~
- (6) Water, Sewer and Street Improvement District 15-10 – 16<sup>th</sup> Ave W – Change Order #2  
Soft, unstable material was encountered during the installation of the embankment through the Chinaman Coulee Valley that was removed and replaced. Selland is requesting an additional \$21,562.50 to cover the costs of the unexpected work. Selland is also requesting \$6,900 for the provision and planting of 30 trees which is part of a ROW acquisition agreement the City has with one of the adjacent land owners.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve change order #2 for \$28,462.50 as presented**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

F. Fire Chief

Jason Catrambone, Fire Chief presented the following:

- (1) Permission to Request RFP for Radio and Radio Equipment (Grant Funded)  
The Fire Department received a grant from Oil Impact on the EMS side. Chief Catrambone is requesting permission to advertise RFP for repeaters, additional frequency and radios. This is a 100% grant funded item.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve  
UNANIMOUS BY VOICE VOTE**

- (2) Permission to Request RFP for Apparatus (Bond Funded Capital Plan Items)  
This will be for all the apparatus that was in the capital plan through the bond. This is to try to get the best bid for a group bid process, one manufacturer.

**MOTION BY BROSTUEN, SECONDED BY CYMBALUK, to approve  
UNANIMOUS BY VOICE VOTE**

- (3) Permission to Request RFP for Substation 3 & 4 Architectural Design and Construction Management  
This item will be for Substation 3 & 4 which is also part of the bond issue.

**MOTION BY CYMBALUK, SECONDED BY PIESIK, to approve  
UNANIMOUS BY VOICE VOTE**

- (4) Permission for the Mayor and Auditor to Sign the Oil Impact Grant for Fire Services  
This item is for the Auditor and Mayor to sign the Oil Impact Grant for fire services. This will be the first year the City is eligible. It is expected to be approximately \$3-500,000. This will be to supplement what is being done through the bond.

**MOTION BY CYMBALUK, SECONDED BY BEKKEDAHL, to approve  
UNANIMOUS BY VOICE VOTE**

- (5) Permission to Fill Three Paramedic Positions (Grant Funded)  
This item is permission to fill three paramedic positions. These are grant funded through the Oil Impact Grant. The fire department was awarded \$156,000 to fill three positions. These positions were already planned to be added to the budget for next year, but the grant funding is paying for them to be added this year.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve  
UNANIMOUS BY VOICE VOTE**

- (6) Change Order 1-EAPC Fire Department Substation 2 Contract  
This is a change order for the training building. This will tie in all the site, work, concrete work etc. The EAPC came in with a not to exceed \$75,500 and Mr. Catrambone believes this will be less.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to approve the request up to \$75,500 as presented from Chief**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

- F. Chief of Police
- G. Building Official

Bill Tracy, Building Official presented the following:

- (1) **Change Order #2 – City of Williston Development Office Building-Reconstruction of Elevator Shaft**  
This issue started with the discovery that doors to the restrooms 113 and 200 would not fit due to the width restrictions between the existing shaft wall and the existing steel column. The scope of work includes the demolition to the main shaft walls, demolition of the existing plaster ceiling, place a 4" concrete slab and pilaster in the elevator pit, construct an 8" CMU elevator shaft, install misc. steel floor angle for concrete fill, lateral diagonal bracing for structural beams, fireproof and fire caulk at each floor level to maintain rating, installation of an elevator pit coating and drywall repairs to the exterior of the CMU shaft. This will not come out of the contingency allocated in the initial bid as there is not enough money left in this fund to cover this change. It should be noted Mr. Tracy did not authorize the completion of this work, although the work has been completed. Note in the change order, time extensions are part of this proposed change order. Impacts and costs are captured with Petra's PCO #010. PCO #010 was rejected. Mr. Tracy recommends accepting the change order in the amount of \$65,570.64 but will reject the time extension clause. The time extensions were part of PCO #010 that was already denied by Mr. Tracy per the architect's advisement.

**MOTION BY BEKKEDAH, SECONDED BY CYMBALUK, to authorize the change order request as presented by the building official to Petra in the amount of \$65,574.64 also including with that the letter memo to the company Petra rejecting again the time extension clause as proposed within this as well**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

- ~~(2) Request for Approval to Install Lawn Irrigation System in Boulevard at Williston Development Building~~
- H. City Planner

Donald Kress, Planning and Zoning presented the following:

- (1) **Water Well Agreement – Coleman Arndt**  
This item is asking for the Commission to give the Mayor and Auditor permission to sign the agreement. Coleman and Janis Arndt own two sublots in the W ½ of Section 9, T154N R101W. Sublot 2 is developed with the Arndt residence,

Sublot 1 is undeveloped. The Arndt's would like to put a manufactured home on Sublot 1 for a family member. They would like to provide a separate septic system but need water to it. Water to the Arndt property is a water well. Mr. Arndt has a line that runs from his well on the developed property to the undeveloped property. There is a City Ordinance relating; 22-72 that prohibits water wells within the City of Williston with certain exceptions that are found within Section 22-73. The applicable exception to the Arndt's property is Subsection (b) of Section 22-73 and provides in relevant part "a water well lawfully in existence at the time of the enactment of this article, provided, however, the size of such water well shall not be expanded." As the Arndt's water well existed prior to the enactment of Section 22-72, it is therefore a legally existing water well within the City. Neither special accommodations nor any variance is being granted to allow the Arndt's to share their existing water well between their two properties.

**MOTION BY CYMBALUK, SECONDED BY BROSTUEN, to allow the Mayor to sign the water well agreement as presented between the City of Williston and the Janis Coleman Arndt**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

- I. Economic Development
- J. Airport

Steven Kjergaard, Airport Manager presented the following:

- (1) Agreement for Independent Fee Reviews w/TKDA  
In the past the City Engineer has completed all of the IFR's. With the City Engineer getting busier and the FAA requesting more and more information, Mr. Kjergaard feels it would be beneficial to maintain a relationship with a firm that performs airport engineering. TKDA is an engineering firm based in MN. The contract is both a lump sum and hour contract depending on what type of work is completed. TKDA would only be used to complete IFR's (Independent Fee Review). The commissioners and Mr. Kjergaard discussed the concerns regarding the seemingly open ended contract. There is no obligation or agreement until a task order is agreed upon; this is just a master services agreement.

**MOTION BY BROSTUEN, SECONDED BY CYMBALUK, to approve the contract as requested by Mr. Kjergaard**

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

**NAY:**

**ABSENT AND NOT VOTING:**

**CARRIES: 5-0**

- (2) Task Order #20 – Land Purchase Assistance  
This is an hourly project. The total cost is a not to exceed contract for \$504,262.21. This is for the assistance to begin the purchase of the land for the new airport. This will include coordinating with the appraiser and review

appraiser, land ownership determination, encumbrance review, preparation of documents, negotiations, closing/recording and subordination and consents. This will follow within the established guidelines of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Commissioner Bekkedahl raised concerns over the cost for coordination services considering the additional costs still to come. Mayor Klug suggested putting out for a RFP for acquiring the land to see what proposals come back. Mr. Furuseth suggested although the amount is large, for what is included and the work needing to be done it is a reasonable amount.

**MOTION BY BEKKEDAHL, SECONDED BY BROSTUEN, to approve task order #20 in the amount not to exceed \$504,262.21**

**AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk,**

**NAY: Klug**

**ABSENT AND NOT VOTING:**

**CARRIES: 4-1**

- K. Assessor
- L. Convention and Visitor's Bureau
- 10. Appointments and Consultations with Officers

Rachel Ressler, Planning and Zoning presented the following:

- A. Renaissance Zone Authority Board-Reappointment-Pat Hatlestad, Angela (Demars) Skogen, Roger Cymbaluk, Dr. Viola LaFontaine and Scott Meske and Debbie Richter – July 2015-July 2017  
Scott Meske and Debbie Richter are both new appointments. The board is intended to be made up of nine people and there are categories for each one. Pat Hatlestad will move from a Chamber of Commerce rep to a private rep, Dr. Lafontaine would remain the School District rep, Roger Cymbaluk would remain as the realtor rep, and Angela Skogan would remain the Williston Area Development rep. There is still one remaining space open.

**MOTION BY BROSTUEN, SECONDED BY BEKKEDAHL, to approve slate of directors for the Renaissance Authority Board as presented  
UNANIMOUS BY VOICE VOTE**

- 11. Unfinished Business
  - A. Larry Grondahl – MDU Utility Pole

**HOLD**

- B. Taxi Committee – Limo Services Exempt from Meters

**HOLD**

Donald Kress, Planning and Zoning presented the following:

- C. Resolution 15-144 – Vacation and Discontinuance of a Public ROW (portion of certain 33-foot wide road and utility easements) Located in Lot 7, Block 1 and Lots 1, 4, 5 and 6 of Block 3 of Chandler Field Subdivision

These easements were required by the original Chandler Field plat as a precaution in case sufficient ROW for the Chandler Loop West, Chandler Loop North and Chandler Boulevard could not be obtained from the adjacent property owners. ROW was acquired from the adjacent property owners. These easements which are entirely on the Chandler Field property, are no longer necessary and can be vacated. Although these easements are not dedicated rights of way, they are for public street and utility purposes and so are being vacated by the same process as dedications, based on the recommendation of the City Attorney. Vacation of these easements does not affect street access or water and sewer connection to any lots. The Planning Commission however, recommended reservation of a portion of this easement. The applicant has stated he believes the City should vacate the entire ROW and not reserve a triangle of the ROW for future connectivity according to the development agreement. The applicant believes the developer had lived up to the agreement by constructing the roads on the center line as required and that the land should be received back and be usable by the developer. He also feels it is the other developer's responsibility to deal with the ROW on their part of the Westland plat rather than have to give up his area which they had planned on receiving back and using. After further evaluation by the City Attorney, he determined that the provision of the Chandler Field development agreement regarding vacation of the additional ROW along the western and northern boundary of that subdivision requires that the City vacate the entire easement. He determined that this provision of the DA does not let the City require the applicant retain a portion of the additional ROW easements for future extension of the Chandler Loop West. It is the City Attorney's recommendation based on the analysis of the Chandler Field development agreement, approval of the vacation of certain 33-foot wide access and utility easements in Lot 7, Block 1 and Lots 1, 4, 5 and 6 of Block 3, Chandler Field Subdivision, with no reservation. This will include the adoption of Resolution 15-144.

**MOTION BY BEKKEDAHL, SECONDED BY BROSTUEN, based on the attorney's input that the City Commission approve the vacation of certain 33-foot wide access and utility easements in Lot 7, Block 1 and Lots 1, 4, 5 and 6 of Block 3, Chandler field subdivision, with no reservation**

**AYE: Brostuen, Bekkedahl, Piesik, Klug**

**NAY:**

**ABSENT AND NOT VOTING:**

**ABSTAINS: Cymbaluk**

**CARRIES: 4-0**

D. Specials Board Appointment

**HOLD**

~~E. Liquor Ordinance Sale Time Change~~

12. New Business

13. Executive Session

14. Adjourn

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

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Howard Klug, President  
Board of City Commissioners

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John Kautzman, City Auditor