

**MINUTES– ELKS YOUTH
Board of City Commissioners
May 11, 2021 - 6:00 pm
City Hall and GoToMeeting – Williston, North Dakota**

1. Roll Call of Commissioners and Pledge of Allegiance

COMMISSIONERS PRESENT: Deanette Piesik / Davis Patton, Olivia Dallas, Christ Brostuen / Ian Skor, Brad Bekkedahl / Kayla Ralph, Howard Klug / Sydney Senior

COMMISSIONERS ABSENT: Tate Cymbaluk

OTHERS PRESENT: Hercules Cummings, David Tuan, Taylor Olson, Chief Peterson, Chief Clark, Chery Pierzina, Amy Krueger, Mark Schneider, Rachel Laqua, David Juma, Caitlin Pallai, Jarek Wigness, Kent Jarcik, Bob Hanson, Kenny Bergstrom

Changes to Agenda: 2C2 Request for a Public Hearing June 22, 2021 City Commission meeting for the annexation of the Williston Basin International Airport

Mayor Klug / Sydney Senior presented a quorum.

Motion by Piesik / Dallas, Seconded by Brostuen / Skor to approve the changes to the agenda for May 11, 2021 as presented.

UNANIMOUS BY VOICE VOTE

2. Consent Agenda

A. Reading and Approval of Minutes

- 1) Tax Equalization Meeting – April 21, 2021
- 2) Regular Meeting – April 27, 2021
- 3) Special Meeting – May 3, 2021

B. Auditor and Finance

- 1) Accounts, Claims and Bills – April 23–May 6, 2021
- CHECKS BETWEEN APRIL 22 - MAY 6, 2021

CHECK#	PAYEE	AMOUNT	DATE
1731	ALLGUARD SECURITY LLC	\$14,210.00	04/29/21
112801	AMERICAN STATE BANK	\$4,091,573.36	04/23/21
112802	JOE D. BRADY	\$16.60	04/23/21
112803	JESSE CRUISE	\$25.00	04/23/21
112804	JESSE CRUISE	\$25.00	04/23/21
112805	CLERK OF DISTRICT COURT	\$400.00	04/23/21
112806	CLERK OF DISTRICT COURT	\$400.00	04/23/21
112807	CLERK OF DISTRICT COURT	\$50.00	04/23/21
112808	CLERK OF DISTRICT COURT	\$400.00	04/23/21
112809	CLERK OF DISTRICT COURT	\$400.00	04/23/21
112810	CLERK OF DISTRICT COURT	\$400.00	04/23/21

112811	CLERK OF DISTRICT COURT	\$400.00	04/23/21
112812	ND TAX COMMISSIONER	\$293,433.46	04/23/21
112813	DALTON OLDENBURG	\$44.13	04/23/21
112814	TYLER LIVINGSTON	\$400.00	04/23/21
112815	WILLISTON PARK DISTRICT	\$693,393.31	04/23/21
112816	ALEXIS HAGGERTY	\$25.00	04/26/21
112817	PAT'S OFFROAD, INC.	\$1,199.25	04/26/21
112818	DANKO EMERGENCY EQUIPMENT	\$6,150.00	04/27/21
112819	RED ROCK FORD	\$61,384.20	04/27/21
112820	CHI ST. ALEXIUS	\$161.50	04/27/21
112821	VISA	\$219.21	04/27/21
112822	CLERK OF DISTRICT COURT	\$135.00	04/28/21
112823	CLERK OF DISTRICT COURT	\$400.00	04/28/21
112824	CLERK OF DISTRICT COURT	\$400.00	04/28/21
112825	MONTANA DAKOTA UTILITIES	\$38,100.03	04/29/21
112826	3D SPECIALTIES	\$113.61	04/29/21
112827	ND STATE RADIO COMM.	\$900.00	04/30/21
112828	ND STATE RADIO COMM.	\$1,400.00	04/30/21
112829	CLERK OF DISTRICT COURT	\$1,200.00	04/30/21
112830	DUSTIN PITMAN	\$54.00	04/30/21
112831	AMERICAN STATE BANK	\$5,500,000.00	04/30/21
112832	ZACHARY WOLFE	\$350.00	05/03/21
112833	NELSON INTERNATIONAL OF BISMARCK	\$150,427.00	05/04/21
112834	NORTHWEST COMMUNICATIONS COOPERAT	\$1,644.19	05/04/21
112835	MOUNTRAIL-WILLIAMS REC	\$21,192.02	05/04/21
112836	BANK OF NORTH DAKOTA	\$48,956.35	05/04/21
112837	BANK OF NORTH DAKOTA	\$1,949.64	05/04/21
112838	VETERANS & FRIENDS OF THE OLD ARM	\$28,095.50	05/04/21
112839	TARGET SOLUTIONS	\$9,940.14	05/05/21
112840	MOUNTRAIL-WILLIAMS REC	\$1,201.79	05/05/21
112841	MONTANA DAKOTA UTILITIES	\$1,894.34	05/05/21
112842	CLERK OF DISTRICT COURT	\$400.00	05/05/21
112843	CLERK OF DISTRICT COURT	\$400.00	05/05/21
112844	CLERK OF DISTRICT COURT	\$400.00	05/05/21
112845	CHASE SPITZ	\$25.00	05/05/21
112846	KUM & GO	\$280.00	05/05/21
112847	MCDONALDS	\$172.34	05/05/21
112848	NOT ON FILE	\$0.00	/ /
112849	3D SPECIALTIES	\$1,410.02	05/06/21
112850	ACE HARDWARE & FLOORING	\$964.29	05/06/21
112851	ADVANCED BUSINESS METHODS	\$1,877.40	05/06/21
112852	ADVANCED ENGINEERING (AE2S) &	\$130,950.88	05/06/21
112853	AFFORDABLE TOWING	\$250.00	05/06/21
112854	ALEXIS HAGGERTY	\$80.00	05/06/21
112855	ALLSTATE PETERBILT GROUP	\$123.66	05/06/21
112856	AMAZON CAPITAL SERVICES	\$99.90	05/06/21
112857	AMERICAN WATER WORKS ASSOCIATION	\$210.00	05/06/21

112858	AMERICAN WELDING & GAS	\$53.82	05/06/21
112859	ARAMARK UNIFORM & APPAREL	\$1,049.65	05/06/21
112860	B'S CRACK SEALING LLC	\$21,520.00	05/06/21
112861	BADLANDS STEEL, INC	\$291.61	05/06/21
112862	BALCO UNIFORM CO., INC.	\$777.44	05/06/21
112863	BASIN PRINTERS, INC.	\$250.00	05/06/21
112864	BERRY DAKOTA	\$582.00	05/06/21
112865	BIG SKY BATTERY	\$89.95	05/06/21
112866	BLACKBURN MFG. CO.	\$594.58	05/06/21
112867	BONNIE & CLYDE PEST CONTROL, LLC	\$140.00	05/06/21
112868	BORDER STATES INDUSTRIES, INC	\$930.88	05/06/21
112869	BOSS OFFICE PRODUCTS	\$1,523.07	05/06/21
112870	BRANDON BALOGH	\$80.00	05/06/21
112871	C & D WATER SERVICES	\$79.00	05/06/21
112872	CAPITAL ONE COMMERCIAL	\$51.79	05/06/21
112873	CARQUEST	\$546.13	05/06/21
112874	CASEY BAKER	\$41.64	05/06/21
112875	CDW GOVERNMENT	\$13,217.64	05/06/21
112876	CERTIFIED LABORATORIES	\$4,600.00	05/06/21
112877	CG WILLISTON, LLC	\$128,000.00	05/06/21
112878	CHANEY'S CAR & TRUCK REPAIR	\$1,250.00	05/06/21
112879	CHARLES WILDER	\$1,300.00	05/06/21
112880	CITY OF WILLISTON	\$2,171.53	05/06/21
112881	CITY OF WILLISTON	\$28,507.07	05/06/21
112882	CITY OF WILLISTON	\$56,571.83	05/06/21
112883	CLEARWORKS CLEANING SOLUTIONS LLP	\$5,560.00	05/06/21
112884	CONNEX INTERNATIONAL	\$32.91	05/06/21
112885	CORE & MAIN LP	\$16,417.92	05/06/21
112886	CORPORATE TRANSLATION SERVICES, I	\$11.06	05/06/21
112887	CRAIG'S SMALL ENGINE REPAIR	\$859.00	05/06/21
112888	CUMMINS SALES AND SERVICE	\$2,352.61	05/06/21
112889	DAKOTA DIESEL	\$57.21	05/06/21
112890	DAKOTA PUMP & CONTROL	\$10,534.06	05/06/21
112891	DAN'S TIRE SERVICE	\$550.00	05/06/21
112892	DEGENSTEIN'S AUTO PLUS	\$125.00	05/06/21
112893	DELL MARKETING L.P.	\$299.98	05/06/21
112894	DINGER DIRT, LLC	\$7,350.00	05/06/21
112895	DONALD TURNER	\$19.83	05/06/21
112896	DOT'S PRETZELS	\$1,274.35	05/06/21
112897	EAPC	\$250.00	05/06/21
112898	EKBLAD, INC.	\$478.00	05/06/21
112899	ELECTRIC & MAGNETO, INC.	\$86.18	05/06/21
112900	EMERGENCY MEDICAL PRODUCTS	\$1,090.39	05/06/21
112901	EMRY'S LOCKSMITHING	\$159.75	05/06/21
112902	ERIKS NORTH AMERICA	\$325.17	05/06/21
112903	ESO SOLUTIONS, INC.	\$1,995.00	05/06/21
112904	EVIDENT CRIME SCENE PRODUCTS	\$84.00	05/06/21

112905	FASTENAL COMPANY	\$171.42	05/06/21
112906	FEDEX	\$352.43	05/06/21
112907	FIRESIDE OFFICE SOLUTIONS	\$5,339.90	05/06/21
112908	FISHER SCIENTIFIC	\$1,537.83	05/06/21
112909	FORT UNION SUPPLY & TRADE	\$853.84	05/06/21
112910	FURUSETH LAW FIRM, PC	\$41,895.28	05/06/21
112911	GALLS, LLC	\$365.70	05/06/21
112912	GARRETT NORSTEN	\$80.00	05/06/21
112913	GENERAL CODE, LLC	\$4,363.50	05/06/21
112914	GOOSENECK IMPLEMENT	\$556.15	05/06/21
112915	GRAND FORKS FIRE EQUIPMENT LLC	\$45.96	05/06/21
112916	GRAYMONT WESTERN CANADA	\$12,722.64	05/06/21
112917	GREAT AMERICAN FINANCIAL SERVICES	\$284.90	05/06/21
112918	HACH	\$77.43	05/06/21
112919	HANDY ANDY'S NURSERY	\$2,565.00	05/06/21
112920	HANNAH MUNN & JORDAN PIEHL	\$17.20	05/06/21
112921	HAWKINS, INC.	\$20,537.20	05/06/21
112922	HEART RIVER LEGAL SERVICES, PLLC	\$442.50	05/06/21
112923	HECK BUILT LLC	\$1,445.00	05/06/21
112924	HILL ENTERPRISES LLC	\$690.72	05/06/21
112925	HOME OF ECONOMY	\$304.64	05/06/21
112926	HORIZON RESOURCES	\$48,458.77	05/06/21
112927	HOSE AND RUBBER SUPPLY	\$143.66	05/06/21
112928	HR COLLABORATIVE	\$100.00	05/06/21
112929	HUBER TECHNOLOGY	\$9,297.82	05/06/21
112930	IDEXX DISTRIBUTION & LABORATORIES	\$895.50	05/06/21
112931	INFORMATION TECHNOLOGY DEPARTMENT	\$5,839.00	05/06/21
112932	INK SPOT PRINTING	\$10.00	05/06/21
112933	INSURANCE INFORMATION EXCHANGE	\$49.80	05/06/21
112934	INTELLICORP	\$98.40	05/06/21
112935	IVAN RODRIGUEZ	\$1.55	05/06/21
112936	IWERX CONNECT	\$375.00	05/06/21
112937	JASMIN HOLM	\$770.00	05/06/21
112938	JASON JONAS	\$80.00	05/06/21
112939	JEFFREY WILLIS	\$4.82	05/06/21
112940	JOHNSON CONTROLS (TX)	\$26,500.00	05/06/21
112941	KBGRAFX SIGNS, LLC	\$30,700.00	05/06/21
112942	KOTANA COMMUNICATIONS	\$155.40	05/06/21
112943	KRONOS SAASHR, INC	\$7,593.17	05/06/21
112944	LINLEY VANACORE	\$209.82	05/06/21
112945	LOMCO, INC.	\$2,166.72	05/06/21
112946	MACQUEEN EMERGENCY GROUP	\$339.50	05/06/21
112947	MANGER INSURANCE, INC.	\$439,580.00	05/06/21
112948	MARCO TECHNOLOGIES LLC (MPLS)	\$246.57	05/06/21
112949	MARCO TECHNOLOGIES LLC (ST. LOUIS)	\$804.66	05/06/21
112950	MARK BRUINEKOOL	\$65.51	05/06/21
112951	MARS OF WILLISTON	\$550.00	05/06/21

112952	MATT BOLLES	\$27.85	05/06/21
112953	MCCODY CONCRETE PRODUCTS, INC	\$800.00	05/06/21
112954	MENARDS	\$1,457.93	05/06/21
112955	MIDCONTINENT COMMUNICATIONS	\$470.00	05/06/21
112956	MITCHEL CLARENCE	\$11.58	05/06/21
112957	MOBILE PRO SYSTEMS	\$10,867.00	05/06/21
112958	MON-DAK HTG & PLG, INC.	\$338.77	05/06/21
112959	MONDAK HARDWARE, INC	\$26.92	05/06/21
112960	MONTANA DAKOTA UTILITIES	\$2,126.20	05/06/21
112961	MOTION & FLOW CONTROL PRODUCTS	\$203.65	05/06/21
112962	MOTOROLA	\$5,808.00	05/06/21
112963	MOUNTRAIL-WILLIAMS REC	\$11,607.43	05/06/21
112964	MUTH ELECTRIC	\$727.52	05/06/21
112965	MVTL/MINNESOTA VALLEY	\$820.25	05/06/21
112966	MYGOV, LLC	\$1,920.00	05/06/21
112967	N.D. HORIZONS	\$20.00	05/06/21
112968	NAPA AUTO PARTS	\$1,655.64	05/06/21
112969	ND DEPT OF ENVIRONMENTAL QUALITY	\$475.00	05/06/21
112970	ND DEPT OF TRANSPORTATION	\$1,103.72	05/06/21
112971	ND ONE CALL	\$466.45	05/06/21
112972	ND STATE RADIO COMM.	\$200.00	05/06/21
112973	NEMONT	\$1,615.38	05/06/21
112974	NETWORK CENTER INC	\$5,500.00	05/06/21
112975	NICHOLAS SATERMO	\$1,125.00	05/06/21
112976	NMN, INC.	\$1,273.00	05/06/21
112977	NORTHWEST RURAL WATER DISTRICT	\$1,939.58	05/06/21
112978	NORTHWEST SUPPLY & R&R TROPHIES I	\$1,461.20	05/06/21
112979	O'DAY EQUIPMENT, INC.	\$5,429.86	05/06/21
112980	OK DISTRIBUTING CO. INC.	\$2,317.04	05/06/21
112981	OK TIRE STORE	\$26.00	05/06/21
112982	OVERLAND AVIATION, LLC	\$3,844.97	05/06/21
112983	PACIFIC STEEL & RECYCLING	\$25.60	05/06/21
112984	PARAMOUNT BUILDING SOLUTIONS	\$27,083.33	05/06/21
112985	PAYMENT PRINCIPALS	\$20.00	05/06/21
112986	PORTER LEWIS	\$10.00	05/06/21
112987	POSITIVE PROMOTIONS INC	\$144.95	05/06/21
112988	POWER PROCESS EQUIPMENT, INC	\$5,347.93	05/06/21
112989	PRAIRIE WIND SERVICES, LLC	\$7,500.00	05/06/21
112990	PREBLE MEDICAL SERVICES, INC	\$442.50	05/06/21
112991	PROSAFE PEST CONTROL LLC	\$225.00	05/06/21
112992	QUADIENT FINANCE USA, INC.	\$1,500.00	05/06/21
112993	QUILL CORPORATION	\$1,508.94	05/06/21
112994	RAMKOTA HOTEL BISMARCK	\$192.00	05/06/21
112995	RAY ALLEN MANUFACTURING, LLC	\$274.99	05/06/21
112996	RECORD KEEPERS LLC	\$80.00	05/06/21
112997	RED ROCK FORD	\$474.01	05/06/21
112998	ROBERT CUMMINGS	\$105.00	05/06/21

112999	RYAN MOTORS	\$3,234.52	05/06/21
113000	SANDRA JOHNSON	\$20.02	05/06/21
113001	SANI-STAR	\$200.00	05/06/21
113002	SANITATION PRODUCTS	\$160.05	05/06/21
113003	SHARE CORP	\$650.47	05/06/21
113004	SHERWIN WILLIAMS CO	\$462.30	05/06/21
113005	SOURIS RIVER TELECOMMUNICATIONS	\$0.77	05/06/21
113006	STREICHER'S	\$209.95	05/06/21
113007	SUNDRE SAND & GRAVEL, INC.	\$4,477.06	05/06/21
113008	TAMMY CLEMM	\$44.39	05/06/21
113009	THE BAKKEN CLEANERS, LLC	\$200.00	05/06/21
113010	THE SUPPLY CACHE	\$15,707.49	05/06/21
113011	TRACTOR & EQUIPMENT CO.	\$2,332.50	05/06/21
113012	TRAILER & TRUCK EQUIPMENT	\$9,551.39	05/06/21
113013	TRIANGLE ELECTRIC	\$1,230.00	05/06/21
113014	ULINE SHIPPING SUPPLY SPECIALISTS	\$669.86	05/06/21
113015	VAC-U-JET	\$750.00	05/06/21
113016	VALLI INFORMATION SYSTEMS, INC.	\$2,823.27	05/06/21
113017	VERIZON WIRELESS	\$15,532.37	05/06/21
113018	VISA	\$36,067.38	05/06/21
113019	VITALITY, LLC	\$246.67	05/06/21
113020	VOIANCE LANGUAGE SERVICES, LLC	\$4.88	05/06/21
113021	WALLWORK TRUCK CENTER	\$226.00	05/06/21
113022	WESTERN VET CLINIC	\$82.55	05/06/21
113023	WESTLIE MOTOR CO.	\$827.78	05/06/21
113024	WILLIAMS COUNTY AUDITOR	\$9,136.88	05/06/21
113025	WILLIAMS COUNTY SHERIFF'S OFFICE	\$3,829.20	05/06/21
113026	WILLIAMS COUNTY TREASURER/RECORDER	\$100.00	05/06/21
113027	WILLISTON FIRE & SAFETY	\$524.00	05/06/21
113028	WILLISTON HERALD	\$2,389.68	05/06/21
113029	WILLISTON HOME & LUMBER	\$45.10	05/06/21
113030	WILLISTON TIRE CENTER	\$9,638.64	05/06/21
113031	WILLISTON VOLUNTEER	\$1,000.00	05/06/21
113032	WINDSHIELD DOCTOR	\$100.00	05/06/21
VOUCHER TOTAL:		\$12,327,599.44	
PAYROLL TOTAL:		\$762,239.40	
GRAND TOTAL:		\$13,089,838.84	
# OF CHECKS 649			

- 2) Business Licenses
 - a. Coastal Chemical Co, LLC – New Bulk Storage
- C. Development Services
 - 1) Contractor Licenses
- D. Engineering
- E. Authorization to Bid
 - 1) 2021 Improvements/Gas Well Project (Landfill)

Motion by Bekkedahl / Ralph, Seconded by Brostuen / Skor to approve the consent agenda as presented.

UNANIMOUS BY VOICE VOTE

3. Public Hearings
4. Bid Openings
5. Ordinances
 - A. Ordinance 1125 – Property Maintenance (Second Reading)

Taylor Olson, City Attorney presented the following:

This is the second reading of an ordinance to amend the city code to adopt the 2018 International Property Maintenance Code as opposed to the 2012 code, which is now obsolete. There have been no changes since the last reading. I recommend passing this ordinance as written. Mayor Sydney Senior asked if there were any questions. Commissioner Ian Skor then asked if there were any major changes in Maintenance Code would have a major impact if adopted. Taylor Olson, City Attorney referred the question to Mark Schneider, Development Director who replied that they have been using the 2018 Property Maintenance code for the past 2 years, this is more of a formality to adopt the code we have already been using. Commissioner Kayla Ralph asked if there are any provisions for change in this code. Development Director Schneider stated that he believes there can be changes as needed. City Attorney, Olson added that there will be a new Property Maintenance Code probably in the fall and these are the codes adopted by the State of North Dakota we follow them. However, the City Commission can make changes as needed.

Motion by Brostuen / Skor, Seconded by Piesik / Patton to pass Ordinance 1125 as presented.

AYE: Piesik / Patton, Piesik / Dallas, Brostuen / Skor, Bekkedahl / Ralph, Klug / Senior

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

6. Petitions, Communications and Remonstrances
7. Report of Commissioners
 - A. President of the Board
 - 1) Proclamation – Elks Youth Week

Mayor Sydney Senior presented the following:

PROCLAMATION
Elks Youth Week 2021

WHEREAS, The Benevolent and Protective Order of Elks has designated the week beginning May 11, 2021 as Youth Week to honor America's Junior Citizens for their accomplishments, and to give fitting recognition of their service to Community, State, and Nation; and,

WHEREAS, Elks Post 1214 will sponsor an observance during that week in tribute to the Junior Citizens of this community; and,

WHEREAS, no event could be more deserving of our support and participation than one dedicated to these young people who represent the nation's greatest resource, and who in the years ahead will assume the responsibility for the advancement of our free society; and,

WHEREAS, our Youth need the guidance, inspiration, and encouragement which we alone can give in order to develop those qualities of character essential for future leadership, and go forth to serve America; and,

WHEREAS, to achieve this worthy objective we should demonstrate our partnership with Youth, and understanding of their hopes and aspirations and a sincere willingness to help prepare them in every way for the responsibilities and opportunities of citizenship;

NOW THEREFORE, I Howard Klug, Mayor of Williston, do hereby proclaim the week beginning May 10, 2021 as Youth Week, and urge all departments of government, civic, fraternal, and patriotic groups, and our citizens generally, to participate wholeheartedly in its observance.

2) Proclamation – Public Works Week

Whereas, public works services provided in our community are an integral part of our citizens' everyday lives: and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, street and highways, public buildings, and solid waste collection and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services: and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services: and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design and construction are vitally dependent upon the efforts and skill of public work officials: and

Whereas, the efficiency of the qualified and dedicated person who staff public works departments is materially influenced by the people's attitude and understand of the importance of the work they perform.

Now Therefore, I Howard Klug Mayor of the City of Williston do hereby proclaim the week of May 16, 2021 as National Public Works Week in the City of Williston. I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life. Given under my hand and Seal of the City of Williston, North Dakota, this 11th day of May 2021.

- 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

8. Report of Departments
 - A. Administration
 - 1) Appointment of Department Heads

David Tuan, City Administrator presented the following:

David Juma was officially introduced as the City Engineer at the September 22, 2020 City Commission meeting. Tonight, I bring forth a recommendation for his formal appointment as City Engineer.

Kenny Bergstrom has been the acting Public Works Director since March after serving as the Operations Manager and Assistant Public Works Director for the past four years. Tonight, I am recommending his formal appointments as Public Works Director. These appointments are in accordance with Ordinance 1108 and include a one-year probationary period as is standard for all employees. I recommend the appointment of David Juma as City Engineer and Kenny Bergstrom as Public Works Director in accordance with Ordinance 1108.

- a. City Engineer – David Juma

Motion by Bekkedahl / Ralph, Seconded by Piesik / Patton to approve the appointment of David Juma as City Engineer as presented.

AYE: Piesik / Patton, Piesik / Dallas, Brostuen / Skor, Bekkedahl / Ralph, Klug / Senior

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

- b. Public Works Director – Kenny Bergstrom

Motion by Piesik / Patton, Seconded by Piesik / Dallas to approve the appointment of Kenny Bergstrom as Director of Public Works in accordance with Ordinance 1108.

AYE: Piesik / Patton, Piesik / Dallas, Brostuen / Skor, Bekkedahl / Ralph, Klug / Senior

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

- B. Finance
- C. Attorney
 - 1) Declaration of Emergency – Revocation

Taylor Olson, City Attorney presented the following:

I have received a request to draft a Resolution Ending the Declaration of Emergency if the Commission should choose to do so. I have included some history when our Declaration of Emergency was made and under what authority. Included is that on April 30, 2021 the State of North Dakota took final action to end the State of Emergency for this state and therefore prepared a Resolution which will do the same if you so choose. Commissioner Skor asked if the Revocation of the Declaration of Emergency would eliminate public safeguards against Covid at upcoming public events. In response City Attorney Olson, said that yes and no, that some of those safeguards had already been ended prior to this, but we will still follow all those CDC guidelines that are in place. Mayor Klug stated that the City will still recommend masks and social distancing and we also suggest that citizens get vaccinated. We are not out of this Covid yet as of today Williams County had 61 active cases, this Resolution will bring us in line with the

State of North Dakota and we have been following the recommendations of the state throughout this Covid.

Motion by Bekkedahl / Ralph, Seconded by Brostuen / Skor to approve Resolution 21-015 as presented.

AYE: Piesik / Patton, Piesik / Dallas, Brostuen / Skor, Bekkedahl / Ralph, Klug / Senior

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

2) Dangerous Building Hearing – 607 1st Avenue East

Division 3 of Chapter 5 of the Williston Code of Ordinances governs “Dangerous Buildings.” The remedy of building deemed dangerous are of the utmost importance to ensuring the safety and welfare of the citizens of Williston. Section 5-267 defines what is considered a dangerous building in the City of Williston. Each packet contains a brief overview of the reason for deeming each of property a “dangerous building.” The property located at 607 1st Ave E. which has been without running water since March 9, 2017 and we do believe there are squatters in this property. The property has gutters, fascia, soffit, and a door falling off the structure. This property poses a public health and safety risk. What I am asking for today is two motions: the first motion is a motion to declare it a dangerous building under the code, if you agree with that motion, I ask for the property to be vacated so we can placard it and declare either repair or demolish and then Mark Schneider, Development Director and I will have a meeting to see where we go next with these files.

Motion by Piesik / Patton, seconded by Piesik / Dallas to declare the property at 607 1st Ave East a Dangerous Building pursuant to code.

AYE: Piesik / Patton, Piesik / Dallas, Brostuen / Skor, Bekkedahl / Ralph, Klug / Senior

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

Motion by Piesik/ Dallas, seconded by Piesik / Patton to declare the property vacated so it can be placarded and declare either repair or demolish pursuant to code

AYE: Piesik / Patton, Piesik / Dallas, Brostuen / Skor, Bekkedahl / Ralph, Klug / Senior

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

D. Works

1) MSW Landfill Gas Well Project – Burns & McDonnell Task Order 14

Kenny Bergstrom, Director of Public Works presented the following:

This Task Order is intended to serve as authorization to provide services outlined in the following scope of work, pursuant to the terms of an ongoing Agreement for Professional Consulting Services between the City of Williston and Burns & McDonnell Engineering Company, Inc. Under this task order, Burns &

McDonnell would provide engineering design services for project work items relating to MSW Cells 1-4 at the Williston Landfill, in the amount of \$41,628. This will include Gas Well Construction Plans, Specifications, Bid Administration and Construction Administration Services to be completed in the summer of 2021. Any work outside of this specified work plan would be invoiced monthly in accordance with hourly rates. We recommend approval of Burns & McDonnell's Task Order Authorization # 14 pursuant to the terms of the Agreement for Professional consulting Services regarding the Landfill Gas Construction Project for Cells 1-4 for a total fee not to exceed \$41,628.00. Commissioner Ian Skor asked if the proposed fee is within the budgeted amount for the project. This is in addition to and does not fall within the budgeted landfill and expansion projects. Commissioner Kayla Ralph asked how much the system construction is estimated to cost. Public Works Director Bergstrom replied he did not have the figure in front of him, but he believed it was near \$90,300. Commissioner Ralph continued her questions asking where the gas is going to go once it is collected. The gas is an open pipe coming up into the environment, the gas needs to be released into the air to eliminate explosive build up. Mayor Sydney Senior then asked if the gas was going to be flared. Public Works Director Bergstrom replied that was not the plan but if the amount of gas released is too high modifications may need to be made. Mayor Senior then asked how we are going to monitor those levels. Bergstrom replied that the wells are checked on a weekly basis. We do have a ground water well that had some levels and that is what initiated this project. Commissioner Patton then asked who the reports are turned into. Bergstrom replied that those reports go to the department of health.

Motion by Piesik / Patton, seconded by Bekkedahl / Ralph to approve Task Order #14 for Burns & McDonnell for the Landfill Gas Well Construction Project for Cells 1-4 not to exceed \$41,628.

AYE: Piesik / Patton, Piesik / Dallas, Brostuen / Skor, Bekkedahl / Ralph, Klug / Senior

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

- E. Engineering
- F. Fire Department
- G. Police Department
- H. Development Services
- I. Economic Development
- J. Airport
- K. Convention and Visitor's Bureau
- L. Upper Missouri River Regional Dispatch Center
- 9. Appointments and Consultations with Officers
- 10. Unfinished Business
- 11. New Business
- 12. Executive Session
- 13. Adjourn – Moved to Regular Agenda at 6:29 pm

Motion by Brostuen / Skor, Seconded by Piesik/ Patton to adjourn.

AYE: Piesik / Patton, Piesik / Dallas, Brostuen / Skor, Bekkedahl / Ralph, Klug / Senior

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

Howard Klug, President
Board of City Commissioners

Hercules Cummings
Finance Director

MINUTES
Board of City Commissioners
May 11, 2021 - 6:00 pm
City Hall and GoToMeeting – Williston, North Dakota

1. Roll Call of Commissioners

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

COMMISSIONERS ABSENT: Tate Cymbaluk

OTHERS PRESENT: Hercules Cummings, David Tuan, Taylor Olson, Chief Peterson, Chief Clark, Chery Pierzina, Amy Krueger, Mark Schneider, Rachel Laqua, David Juma, Caitlin Pallai, Jarek Wigness, Kent Jarcik, Bob Hanson, Kenny Bergstrom

Changes to Agenda: 8A1 Recognition of a colleague

Motion by Piesik, Seconded by Brostuen to accept the change as presented.

UNANIMOUS BY VOICE VOTE

Mayor Klug presented a quorum.

UNANIMOUS BY VOICE VOTE

2. Consent Agenda
 - A. Reading and Approval of Minutes
 - B. Auditor and Finance
 - C. Development Services
 - D. Engineering
 - E. Authorization to Bid
3. Public Hearings
4. Bid Openings
5. Ordinances
6. Petitions, Communications and Remonstrances
7. 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
8. Report of Departments
 - A. Administration
 - 1) Recognition of a Colleague – Charlie Vein,

David Tuan, City Administrator presented the following:

I would like to recognize a friend to the City of Williston and a mentor of mine, he is here to celebrate retirement and to visit us. Charlie Vein who is the former President of AE2S has been an advocate for Western North Dakota for infrastructure and for water for almost 25 years and he has worked with the

City of Williston for a very long time. Through the boom Charlie and his team helped us plan, repair, seek funding, advocate for legislation. He has been a trusted resource to us and an ally, on Engineering and Public Policy. We look back often on the things that we have done now, and it is hard to imagine that we would get to where we are today especially with the Water Treatment Plant project, the Wastewater Recovery Facility all of those were done with AE2S and Charlie's leadership. It is a bittersweet moment to see him retire we have certainly had some great projects and a lot of successes over the years. We will miss you Charlie, but we are happy for you and congratulate you on a wonderful legacy and an incredible career. I just wanted to recognize Charlie for his efforts on behalf of the City of Williston and say publicly thank him for his hard work and his legacy. Mayor Klug also said thank you. Applause. Charlie Vein with AE2S then said thank you that City of Williston has been a special client of mine and we began working in 1997 and we have projects almost continuously since then covering a wide scope. It has been a privilege to work for you and I want to thank you and wish you the best as you continue to move forward. Commissioner Bekkedahl stated that if Charlie finds himself in Williston during retirement travels would he please look up the City Commission. Mayor Klug agreed and said that Charlie could buy lunch.

B. Finance

Hercules Cummings, Finance Director presented the following:

1) Change of Banking Contact/Authorization – Public Works

We require formal approval from the Commission to change the contact and authorization information on the Public Works, Snack Fund Checking Account with American State Bank. Currently, Dave Bell and Kristin Dixon are the registered contact/authorized individuals. We are requesting approval to change the contact/authorization information of the American State Bank checking account removing Dave Bell and replacing with Kenny Bergstrom.

Motion by Brostuen, Seconded by Piesik to approve the change of banking contact and authorization for Kenny Bergstrom, Director of Public Works as requested.

AYE: Piesik, Brostuen, Bekkedahl, Klug

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

2) Accounts Receivable Policy – Finance Department

The Finance department proposes to adopt an Accounts Receivables Policy to establish guidelines and internal control policies and procedures for managing accounts receivables applicable to all City of Williston departments who are responsible for billing, collecting, and recording with exception of Municipal Court. A comprehensive and effective policy assists in the City's ability to collect its revenues fairly, equitably, and timely, to maintain a positive cash flow and maximize revenue recovery while preventing fraud, waste, abuse, and minimize bad debt exposure.

Motion by Bekkedahl, Seconded by Brostuen to move the approval of adopting the Accounts Receivable policy.

AYE: Piesik, Brostuen, Bekkedahl, Klug

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

C. Attorney

Taylor Olson, City Attorney presented the following:

1) Dangerous Building Hearing – 1009 9th Avenue West

The garage at 1009 9th Ave West is not structurally sound and has low hanging electrical lines running to it. This garage poses a public health and safety risk. This property has also been to Williston Municipal Court for junk violations which is a separate issue. In your packet you will find photos, service documents, Sheriff's return documents, showing that the property owner was served with a notice of today's hearing along with a letter, the file on the property including photos completed by the Code Compliance Department, a final notice letter in October 2020, and various letters back and forth. We have provided the procedure that we went through before coming to the City Attorney. I am asking for the same two motions we did on the other dangerous building.

Motion by Piesik, Seconded by Bekkedahl to declare the building at 1009 9th Avenue West to be a Dangerous Building pursuant to code.

AYE: Piesik, Brostuen, Bekkedahl, Klug

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

Motion by Piesik, Seconded by Brostuen to declare the property vacated and to either repair or demolish and assess the property tax pursuant to code.

AYE: Piesik, Brostuen, Bekkedahl, Klug

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

2) UMRDC JPA – Third Amendment

The Executive Finance Board was presented with changes proposed by the Board of Operations regarding the oversight in expending 911 fees. The proposed amendment changes the responsibility about the oversight in expending the prepaid wireless emergency 911 fees imposed and collected under North Dakota Century Code 57-40.6-02 and disbursed to UMRDC for the purposes stated in North Dakota Century Code 57-40.6-05, allow the Board of Operations to request assistance or direction from the UMRDC Director, and allow UMRDC bank accounts as authorized by the Executive Finance Board. On April 27, 2021, the Executive Finance Board voted to amend a portion of the JPA Second Amendment as described above.

Motion by Brostuen, Seconded by Bekkedahl to approve the amendment to Joint Powers Agreement UMRDC – third amendment as presented.

AYE: Piesik, Brostuen, Bekkedahl, Klug

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

D. Public Works

E. Engineering

David Juma, City Engineer presented the following:

1) Water and Sewer Improvements District 21-03 – 1st Avenue East

The City Engineer has received a petition from the residents of 1st Avenue East between 36th Street East and 38th Street East to install new water and sewer lines with services along their block. At the time this memo was prepared 7 of the 9 landowners have signed the petition, accounting for 81.3% of the square footage. The construction effort will generally consist of installation of new water and sanitary sewer

for along 1st Avenue East. No improvements are being proposed for the road surfacing or grading as part of this district. The estimated cost of the proposed project is: Water System Improvements \$142,660, Sewer System Improvements \$125,610 Street Repairs and Reclamation \$22,185 total estimated cost \$290,455. To create the special assessment district for this project it will be necessary to adopt the following Resolutions: 21-008 Resolution Creating Water & Sewer Improvement District 21-03, 21-009 Resolution Directing the Preparation of an Engineering Report, 21-010 Resolution Receiving the Engineering Report, 21-011 Resolution Declaring the Necessity of Water & Sewer Improvement District 21-03, 21-012 Resolution Directing the Preparation of Plans and Specifications, 21-013 Resolution Approving the Plans and Specifications, 21-014 Resolution Authorizing Advertisement for Bids for District 21-03.

Motion by Brostuen, Seconded by Bekkedahl to adopt the Resolutions needed to create Water and Sewer Improvement District 21-03 as presented by Engineer, Juma.

AYE: Piesik, Brostuen, Bekkedahl, Klug

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

- F. Fire Department
 - G. Police Department
 - H. Development Services
 - I. Economic Development
 - J. Airport
 - K. Convention and Visitor's Bureau
 - L. Upper Missouri River Regional Dispatch Center
9. Appointments and Consultations with Officers
 10. Unfinished Business
 11. New Business
 12. Ratification of Elks Youth Actions

Motion by Piesik, Seconded by Brostuen to ratify the actions of our Elk's Youth leaders today.

AYE: Piesik, Brostuen, Bekkedahl, Klug

NAY: None

ABSENT AND NOT VOTING: Cymbaluk

CARRIES: 4-0

13. Executive Session
14. Adjourn at 6:45 pm

Motion by Bekkedahl, Seconded by Piesik to adjourn.

UNANIMOUS BY VOICE VOTE

Howard Klug, President
Board of City Commissioners

Hercules Cummings, Finance Director