- E. Administration
- 1% Sales Tax Agreement Williams County

Authorization to Advertise for Bids

Motion by Cymbaluk, seconded by Siemieniewski, to approve. UNANIMOUS BY VOICE VOTE

Public Hearings

4. Bid Openings
Anthony Dudas, Airport Director, presented the following:

Multi-Function Plow & Broom (XWA)

Bids were opened on April 15, 2025, for a multi-function plow & broom to as a replacement. There was one bid for \$1,046,703.47, it meets the FAA requirements, and is under the engineer's estimate of \$1,050,000. XWA is eligible for a 95% grant from the FAA and a 2.5% grant from the State of ND Aeronautics Commission, bringing the total local cost to the City at \$26,267.59, including the professional service fees. Build time takes approximately two years and the recommendation is to approve based on the grant approval. Full cost is made up front and then reimbursed by the grants. XWA will maintain a fleet of three machines, rotating one

out when the new equipment is received.

Motion by Cymbaluk, seconded by Bervig, to award the MB-Companies for the multi-function plow & broom for \$1,046,703.47 contingent upon FAA approval of 95% federal grant funding and the State

Aeronautics at 2.5% with the City paying the 2.5% as well. AYE: Siemieniewski, Bervig, Cymbaluk, Bekkedahl, Klug

ABSENT AND NOT VOTING: CARRIES: 5-0

- Ordinances
- Petitions, Communications, and Remonstrances
- Report of Commissioners
 - President of the Board Mayor for a Day

Mayor Klug explained that every year the North Dakota League of Cities invites third and seventh-grade students across the state to write an essay on what they would do if they were "Mayor for a Day." It encourages young people to think about public service and what their leadership will be in the community in the future. Williston did not receive any essays from 7th graders but did receive 50 from third graders. This year's winner is Taelyn Vigness at Lewis & Clark Elementary. Miss Vigness read her essay and was presented with a gift basket including items from community businesses, a plaque, and was invited to ride in the Band Day parade with Mayor Klug. As a thank you for encouraging her students to participate, teacher Ms. Heller was also given a gift basket.

Proclamation - Arbor Day WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and WHEREAS, Arbor Day is now observed throughout the nation and the world; and WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify out community; and WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal. NOW, THEREFORE,

be it resolved that I, Mayor Klug, proclaim May 15, 2025, as Arbor Day.

Arbor Day will be held on 16th Avenue West between 33rd and 42nd Street at 1:00pm on May 15, 2025. 3) Proclamation - Building Safety Month

WHEREAS, our city is committed to recognizing that our growth and strength depend on the safety and essential role our homes, buildings, and infrastructure play, both in everyday life and when disasters strike, and; WHEREAS, our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians-building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers, and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

WHEREAS, these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods, and earthquakes, and; WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety-our local code officials-who assure us of safe,

sustainable, and affordable buildings that are essential to our prosperity, and; WHEREAS, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience, and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus, and federal agencies in protecting lives and property.

NOW THEREFORE, I, Howard Klug, Mayor of the City of Williston, do hereby proclaim the month of May 2025 as Building Safety Month.

4) Proclamation – Economic Development Week

WHEREAS, the International Economic Development Council (IEDC) has designated the week beginning May 11, 2025, as Economic Development Week. IEDC celebrates Economic Development Week each year to highlight the programs, best practices and exceptional individuals that positively impact life in their communities; and WHEREAS, The City of Williston Economic Development (WED) works every day on business and workforce attraction, retention, and expansion in an effort to uphold its mission to facilitate, lead and promote a vibrant business climate through sound economic policy; and WHEREAS, WED will promote and host events during that week in partnership with other organizations as a tribute to the businesses and individuals that support the economic growth and success of our region while highlighting our vibrant community; and WHEREAS, The City of Williston will host a State of the City Address that provides important City updates on current initiatives, projects, partnerships, and more; and WHEREAS, The City of Williston Development Services will host a Builders Barbecue in tribute to the builders in our community. NOW, THEREFORE BE IT RESOLVED, that I, Mayor Klug, proclaim May 11–17, 2025, as International Economic Development Week. During that week, I encourage all businesses, future entrepreneurs, and residents to

take part in the events in celebration of our great community. The State of the City Address is on May 15, 2025, at 11:00am at the Old Armory. B. Finance Commissioner

- Airport, Engineering, and Public Works Commissioner
- Ambulance, Fire, and Police Commissioner Development Services, Economic Development, and Library Commissioner

Report of Departments

A. Administration
 Shawn Wenko, City Administrator, presented the following:
 1) Lease Offer / Williston Industrial Park – JMAC

JMAC Resources expressed an interest in 2.79 acres in Lot 2, Block 4 of the Williston Industrial Park Subdivision. JMAC Resources has proposed 10-year lease terms up to 40 years at \$1,000/acre paid monthly and increased based on the Consumer Price Index following the initial 10-year term. This property is landlocked, and there would be a significant investment by JMAC Resources bringing value to this area for broader economic development purposes. The recommendation is for approval to proceed with negotiations on the terms and an agreement to move forward. The rationale for leasing versus selling the property is for the City to keep control of the land due to the rail spur that serves additional industries in the area. The proposed lease terms are for discussion only. Per City Engineer, David Juma, JMAC Resources has been talking with both AGT Foods and BNSF.

Motion by Cymbaluk, seconded by Siemieniewski, to allow the City Administrator Wenko, the City Attorney, himself and David Juma to negotiate a lease between the City of Williston and JMAC Resources regarding Lot 2, Block 4, Williston Industrial Park Subdivision, City of Williston.

NAY: ABSENT AND NOT VOTING:

CARRIES: 5-0

Siting Application

- B. Finance
- C Attorney D. Public Works
- E. Engineering Fire Department
- Police Department **Development Services**

Kent Jarcik, City Planner, presented the following:

Proposed Final Subdivision Plat to Create Northstar Center Subdivision Rearrangement #1,

a Rearrangement of Northstar Center Subdivision, Section 23, T155N, R101W; Proposed Development Agreement for Northstar Center Subdivision Rearrangement #1

This is the proposed final subdivision plat for the Fighting Pike development. Changes from the preliminary plat include: 1) Lot 3 being relocated to the northwest corner of the plat area so it does not conflict with a nobuild easement identified for the future realignment of 84th Street West; 2) a utility easement running east/west across Lot 2 has been extended to the western property line as requested by City staff; and 3) the fractional ownership is still being worked on by the applicant. The Development Agreement (DA) has no substantial changes and will amend and replace the original DA for the Northstar Center Subdivision. Improvements wi the DA include the installation of southbound right turn lanes on US Highway 2 at Energy Street and 84th Street West, the extension of 12" water and sanitary sewer lines east/west across Lot 2, and conditions for the issuance of building permits and certificates of occupancy. Commissioner Cymbaluk expressed concerns about not having an irrevocable letter of credit from Fighting Pike to minimize any potential financial risk to the City, rather than a surety bond and any potential litigation. Per Mr. Jarcik, the DA does include the option for a lien or financial assurance. Mr. Juma added that because 84th Street West is an existing functioning road, the City is required by century code to carry the bond for any public improvements over \$200,000. Since the City is not in control of the project, the bonding language in the DA does indicate they are required to provide both the payment and performance bonds. Discussion continued on the expressed need for financial backing, either an escrow account or an irrevocable letter of credit. Commissioner Bekkedahl added that he is not in favor of adding any additional requirements in the DA. Other communities in North Dakota are wanting data centers and Williston needs to be willing to take some risks to diversify our economy and avoid losing these facilities to other areas.

Motion by Siemieniewski, seconded by Bervig, to approve the final plat for Northstar Center Subdivision Rearrangement #1, a replat of Northstar Center Subdivision, located within Section 23, T155N, R101W, as presented and conditioned.

AYE: Siemieniewski, Bervig, Cymbaluk, Bekkedahl, Klug

NAY: ABSENT AND NOT VOTING:

CARRIES: 5-0

Motion by Siemieniewski, seconded by Bekkedahl, to approve the development agreement for Northstar Center Subdivision Rearrangement #1 located within Section 23, T155N, R101W, as presented.

AYE: Siemieniewski, Bervig, Bekkedahl, Klug

NAY: Cymbaluk

ABSENT AND NOT VOTING: CARRIES: 4-0

Economic Development

Brenda Schmidt, Finance & Grant Coordinator, presented the following: Flex PACE Applications 1)

Cut Bluff Properties

This application is for Cut Bluff Properties to obtain a buydown not to exceed \$58,000, for the construction and rehab of a new office building.

Motion by Cymbaluk, seconded by Siemieniewski, to approve the Flex PACE as presented.

AYE: Siemieniewski, Bervig, Cymbaluk, Bekkedahl, Klug

ABSENT AND NOT VOTING:

CARRIES: 5-0

J. Airport
Anthony Dudas, Airport Director, presented the following:

De-Ice Apron Expansion Construction - Change Order 1

Strata Corporation completed the De-Ice Apron expansion in October 2024. Following the project's final closeout, the quantities for work completed have been confirmed, resulting in a deductive change order totaling \$156,717.70. Motion by Cymbaluk, seconded by Siemieniewski, to approve change order 1 for Strata Corporation in

a contract deduction of \$156,717.70. AYE: Siemieniewski, Bervig, Cymbaluk, Bekkedahl, Klug

NAY:

ABSENT AND NOT VOTING:

CARRIES: 5-0

U.S. Air Force Congested Area Spraying Approval

As part of the Williams County Vector Control program, the US Air Force provides aerial application services for mosquito control if needed. This proposal anticipates their spraying to potentially occur for three separate weeks between May 17 – August 8, 2025, based on the need. Any spraying needed will be advertised to the public.

Motion by Cymbaluk, seconded by Siemieniewski, to approve the Congested Area Operations of the US Air Force as presented.

AYE: Siemieniewski, Bervig, Cymbaluk, Bekkedahl, Klug

NAY:

ABSENT AND NOT VOTING:

CARRIES: 5-0

On-Call Engineering – Burns & McDonnell Task Order 12

This task order provides on-call engineering support services to the airport, including 1) capital improvement program development as required by the FAA, 2) hangar site development, 3) pavement strength and aircraft movement analysis, and 4) miscellaneous airport troubleshooting. This is based on an hourly not-to-exceed contract of up to \$35,000 for 2025.

Motion by Bervig, seconded by Siemieniewski, to approve the Burns & McDonnell Task Order 12 in the amount hourly, not to exceed \$35,000. AYE: Siemieniewski, Bervig, Cymbaluk, Bekkedahl, Klug

NAY:

ABSENT AND NOT VOTING:

CARRIES: 5-0

- K. Convention and Visitors Bureau Appointments and Consultations with Officers Unfinished Business
- 10. **New Business**
- **Public Comment**

Johanna Pierce

Johanna Pierce, community citizen, expressed her concerns with the recent updates to Ordinance 1164 on 48-hour parking. Her concerns include who will be policing and writing the tickets, vehicles that move daily but are parked in the same spot each day or night, those that are financially unable to repair a vehicle immediately, as well as other reasons for the inability to move a vehicle as required in a 48-hour period. Additional concerns included the length of time for a building permit to be approved for a garage, the ordinance being directed to personal vehicles only, and the fear of retaliation for speaking out against the ordinance. Mayor Klug responded to these questions and concerns with the following information. The ordinance is complaint-driven for the constant non-moving of vehicles and the City of Williston is the only authority to issue tickets. The City takes these concerns and complaints from both sides seriously and does not retaliate. One requirement of a building permit is to show the ability for off-street parking. Apartment complexes and commercial businesses must follow regulations regarding the number of available parking spaces, and the required driveway length has been extended to 25' to allow for longer vehicles. This ordinance is not directed to the complaints and concerns being shared on social media, such as those who park in the same spot daily or leave a vehicle in the same spot for a few days, unless a complaint is received. Parking in the street for an extended length of time can affect snow removal, street cleaning, and garbage collection. There is a separate ordinance that deals with campers and trailers, which are not allowed on the street without a vehicle attached. There has been a 48-hour parking ordinance since 1982 but it has been abused by leaving vehicles in the street for an extended length of time and only moving a couple of feet. There is a video available on the City's

Facebook page that explains what the City is trying to accomplish with this ordinance. A public comment

period will be placed on all City Commission agendas going forward. Executive Session Adjourned at 7:15pm

Motion by Bervig, seconded by Cymbaluk, to approve the agenda.

an

UNANIMOUS BY VOICE VOTE

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Case No. PU-25-86

Basin Electric Power Cooperative Bison Generation Station - Williams County

NOTICE OF FILING AND NOTICE OF PUBLIC HEARING A Public Hearing on the application in Case No. PU-25-86 is scheduled for June 30, 2025, at 9:00 a.m. Central Time at the Grand Williston Hotel & Conference Center, 3601 2nd Avenue West, Williston, ND 58801

for a certificate of site compatibility to construct a 1,490 MW combined-cycle gas turbine generator and

associated facilities in Wheelock Township, Williams County, North Dakota The location is shown on the The issues to be considered in this proceeding are:

fulfilled in an orderly and timely fashion?

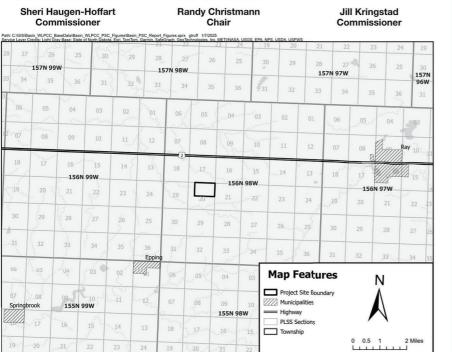
1. Will the location and operation of the proposed facility produce minimal adverse effects on the

On March 5, 2025, in Case No. PU-25-86, Basin Electric Power Cooperative filed an application

- environment and upon the welfare of the citizens of North Dakota? 2. Is the proposed facility compatible with the environmental preservation and the efficient use of
- 3. Will the proposed facility location minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota, 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission at least 24 hours in advance.

Issued: May 8, 2025 PUBLIC SERVICE COMMISSION



Notice to Creditors Brittany K. Foust, ID #07506

NEFF LAW, P.C. 111 East Broadway, Suite 1 P. O. Box 1526 Williston, North Dakota 58802-1526 T: (701) 577-2000 bkf@nefflawnd.com

Attorneys for the Estate Probate No. 53-2025-PR-00147 THE DISTRICT COURT, NORTHWEST JUDICIAL DISTRICT COUNTY OF WILLIAMS, STATE

OF NORTH DAKOTA In the Matter of the Estate of CHERYL A. THOMPSON, De-

ceased NOTICE TO CREDITORS [¶ 1] NOTICE IS HEREBY GIVEN that the undersigned have been appointed Personal Representative of the above estate. All persons having claims against the said deceased are required to present their claims within three (3) months after the date of the first publication

of this notice or said claims will be forever barred. Claims must either be presented to the Personal Representative of the estate at the address listed under his name below, or to Neff Law, P.C., P.O. Box 1526, Williston, ND 58802-1526, or

filed with the Court. DATED this 23 day of April 2025 Fr. Roger Synek Date: May 3, 10, 17, 2025 WHM002429

STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION NOTICE TELECOMMUNICATIONS RELAY

SERVICE SURCHARGE May 8, 2025 On April 21, 1993, Governor Edward T. Schafer approved House Bill No. 1028 that established a program to provide specialized telecommunications services and equipment to the communications impaired. The relay services program is funded by an access line surcharge paid by

tions service providers. The relay services program is administered by the Information Tech-

nology Department of the State of current state of North Dakota med-North Dakota. Before June 1 of each year, the Public Service Com-

ical license. Apply online at https:// www.chistalexiushealth.org/careers.

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