

I. CALL TO ORDER

President Scott Decker called the meeting to order at 4:30 PM

II. ROLL CALL

Present were: President Scott Decker, Commissioners Joe Ridl and Russ Murphy.

Telephone: None

Absent: Vice President Robert Baer and Commissioner Fridrich

PLEDGE OF ALLEGIANCE**1. ORDER OF BUSINESS**

MOTION BY: Joe Ridl

SECONDED BY: Russ Murphy

To approve the February 17, 2026 meeting as presented.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

2. CONSENT AGENDA

MOTION BY: Russ Murphy

SECONDED BY: Joe Ridl

A. Approval of the City Commission Meeting Minutes dated February 3, 2026

B. Approval of Accounts Payable, Commerce Bank and Checkbook

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

3. ADMINISTRATION/FINANCE**A. Harlow's Bus Service**

City Administrator Dustin Dassinger states as part of the NDLC Spring Conference the City is hosting is a tour of the Theodore Roosevelt Presidential Library on Tuesday, March 17th for attendees. The City is requesting approval for a Charter Coach Order with Harlow's Bus Service in the amount of \$4,500 to cover the cost of two (2) 56 passenger coaches to provide transportation for this event.

MOTION BY: Russ Murphy

SECONDED BY: Joe Ridl

To approve the Harlow's Bus Service contract for March 17, 2026.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

B.ABM Printer Contracts

IT Director Aaron Meyer presents an ABM Printer Contract serves as our 5-year equipment lease and maintenance renewal. This renewal contains 2 printers, City Hall Main Level UB/Court Area and Dispatch. Within the contract both of the printers will be replaced with updated hardware with the Dispatch printer being updated to be a color model instead of Black and White to better support their operations. This contract utilizes the same verbiage that has been reviewed and approved by legal on the previous renewal. The contract is expected to add a \$27.63 per month expense or approximately \$331.56 cost per year.

MOTION BY: Russ Murphy
To approve the ABM Printer Contracts.

SECONDED BY: Joe Ridl

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

C. 2024 and 2025 Audit Proposal

Deputy Finance Director Katie Greenwood presents the proposal for the 2024 and 2025 audit. She proposes Brady Martz to complete the 2024 and 2025 audit for a total of \$52,500 each year. She states the timeline for Brady Martz would begin in the summer of 2026 with a final report by September, 2026. The 2025 timeline would be to start the fieldwork in the fall of 2026 with a final report by January, 2027. The 2025 audit could be concurrent with the 2024. She states Brady Martz is a local firm with governmental experience. The City is trying to get onto the schedule as Brady Martz is working on their client schedule for next year. The City has \$60,000 for the audit.

MOTION BY: Russ Murphy
To approve the 2024 and 2025 audit proposal with Brady Martz.

SECONDED BY: Joe Ridl

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

D. Monthly Financial Report

Deputy Finance Director Katie Greenwood updates the Commission with the monthly Financial Report. The general fund shows \$10.5 million with the transfers to help cover expenses through the first quarter. Hospitality tax is up. Oil revenue is comparable to the previous year. Director Greenwood states staff is finalizing 2025 fund balances working on getting the report to the Commission next month.

E. Monthly HR Report

HR Director Shelly Nameniuk presents the monthly HR Report to include, Police Officer have four openings; Public Safety Telecommunicator have three open positions, one animal control and Fire Department has two Paramedics. She states there are several positions open in the Public Works Department to include the Street Department, Solid Waste Operators, Solid Waste Foreman, Scale, Utility Operator and others. The Motor Vehicle Department Coordinator position has been filled. The GIS Tech is in the background phase; Project Engineer is filled and Seasonal Museum position is open.

Commissioner Russ Murphy asks why the City is losing police officers.

Ms. Nameniuk states in the last two exit interviews they did not state anything that it was in regards to the pay. They did not leave because of pay.

4. PUBLIC WORKS
A. No Report

5. PUBLIC SAFETY

A. Fire Department Annual Report

Fire Chief Jeremy Presnell presented the Annual Fire Department report. He states 2025 was very busy and reminds the community of all the services they provide. He reviews the breakdown of the services that are demanded and they had seen an increase due to the ambulance. He states that Fridays are the busiest and the natures of calls starts off with

President Scott Decker thanks Chief Presnell and his staff for keeping the community safe.

Fire Chief Jeremy Presnell presents a bid award to purchase with all attachments referenced in the agreement with MacQueen Equipment, LLC, as a Delaware limited liability company DBA MacQueen Emergency. He states the price has doubled since 2010 and currently is \$1,419,287.00. The production will take 4+ years and if the City delays prices will increase and longer production time. He states the City purchased the tower 3-4 years ago and it was \$1.6 and now it is \$2.3 with no changes. He states the life expectancy should be 20-25 years. This would be replacing a 22-year-old truck.

MOTION BY: Russ Murphy SECONDED BY: Joe Ridl
To approve the award for the MacQueen Equipment LLC.

Fire Chief Jeremy Presnell is looking to lease purchase through Pierce Financing for the fire engine. He did review this with legal and finance and this would be a good way to go for the City. He states through financing the City would get a prepaid discount. Funding for this fire engineer would be to use insurance reserve funds. Chief Presnell states by the time the City gets the fire engine it should be paid off by then.

RESOLUTION NO: 06-2026
DICKINSON FIRE DEPARTMENT LEASE PURCHASE

B. Police

A. No Report

City Planner Natalie Birchak presents a name change for West Ridge 4th Addition and to change it to West Ridge 5th Addition. When City staff went to record West Ridge 4th Addition information it already had an existing plat recorded with West Ridge 4th Addition and could not be recorded. This is a minor clerical error. This change would not affect the final plat. The resolution is proof that the Commission is made aware of this change.

MOTION BY: Russ Murphy

To approve Resolution 07-2026.

RESOLUTION NO: 07-2026

A RESOLUTION APPROVING THE NAME CHANGE FROM WEST RIDGE 4TH ADDITION TO WEST RIDGE 5TH ADDITION FOR THE PROPOSED REPLAT OF LOTS 1-6 IN BLOCK 6, LOTS 1-16 IN BLOCK 7, LOTS 1-18 IN BLOCK 8, LOTS 1-18 IN BLOCK 9, LOTS 1-18 IN BLOCK 10, LOTS 1-26 IN BLOCK 11, LOTS 1-17 IN BLOCK 12, LOTS 1-6 IN BLOCK 13, LOTS 1-18 IN BLOCK 14, AND LOTS 1-2 AND TRACT D-1 IN BLOCK 15 OF WEST RIDGE 2ND ADDITION LOCATED IN THE SE1/4 OF SECTION 36, TOWNSHIP 140 NORTH, RANGE 97 WEST, 5TH PRINCIPAL MERIDIAN, CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

B. DWR Cost Share Agreement for East Broadway Dam

Senior Engineer Kris Keller presents an agreement amendment with the ND Dept. of Water Resources to provide cost sharing with the City for the pre-construction phase of the East Broadway Dam project. The cost share is for an additional **\$30,045**. This is in conjunction with the previously approved contract amendment with Barr Engineering from the January 23, 2026 commission meeting. The funds for the cost share are budgeted and were originally intended to be part of the construction phase of the project. This would be paid out of GPT. City Attorney has reviewed this contract. The city engineering staff recommends approval.

MOTION BY: Joe Ridl
To approve the DWR Cost Share Agreement for East Broadway Dam

SECONDED BY: Russ Murphy

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

C. ESRI – GIS Software Renewal

Engineer and Community Development Director Joshua Skluzacek presents an annual maintenance for the GIS software. It includes our enterprise software (SQL Geodatabase, Server and Portal), desktop software used by employees from several departments, along with the ability to publish web maps for public use and services giving various contractors access to our data. Director Skluzacek did try and negotiate this price down but with no avail. The cost is \$11,490.

MOTION BY: Joe Ridl
To approve the ESRI – GIS Software Renewal contract.

SECONDED BY: Russ Murphy

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

D. ESRI – GIS Technician Software

Engineer and Community Development Director Joshua Skluzacek presents annual maintenance for the GIS software license to be used by the newly hired GIS Technician. It is in addition to the renewal for software we previously licensed, a professional level license including many of the advanced capabilities available for both desktop and enterprise. The prices are available to us as a local government through a purchase agreement negotiated by the State of North Dakota with ESRI, the company that makes the GIS software. The cost for this is \$2,200. The city engineering staff recommends approval.

Commissioner Joe Ridl questions the credits the company is talking about. Additional credits can be purchased for \$120. If the City approves this agreement what is going on with the credits.

Director Skluzacek states he would have to double check on this issue with GIS and get back to the Commission. He states this does fit within the budget constraints. He was hoping to get this software license ready for March when the new tech will start. He will work with the vendor.

MOTION BY: Russ Murphy
To approve the ESRI – Additional GIS Software contract.

SECONDED BY: Joe Ridl

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

E. Chapter 20-3 – Floods Ordinance Amendment

Engineer and Community Development Director Joshua Skluzacek presents a Chapter 20-3 amendment with Senate Bill 2027 (SB 2027) which took effect on August 1, 2025. SB 2027 made several changes to North Dakota Century Code related to floodplain management authority. This is provided for a second reading and City Engineering staff recommends approval.

MOTION BY: Joe Ridl
To approve second reading and final passage of Ordinance No. 1847

SECONDED BY: Russ Murphy

ORDINANCE NO. 1847

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 20-3 OF THE MUNICIPAL CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO FLOOD PLAIN MANAGEMENT

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

F. Highway 22 Roundabout Cost Participation and Maintenance Agreement with NDDOT

Engineer and Community Development Director Joshua Skluzacek presents a contract with the North Dakota Department of Transportation (NDDOT) for cost participation, construction and maintenance agreement for NDDOT HEN-5-022(144)069 - PCN 23691, City of Dickinson project number 202233. The total project estimate is \$4,392,232 at a Federal Highway Administration (FHWA) cost participation of eligible bid items as specified on Page 1 of 7 in the agreement. The City of Dickinson's estimated share of the project is \$205,201. The City Attorney has reviewed this contract with no comments. The project bid opening is scheduled for Friday February 27, 2026 and will be administered through the NDDOT bidding process. An application for 60% cost share will be submitted to the North Dakota Department of Water Resources (NDDWR) to partially fund the eligible bid items for the approximate 250-feet of new 8-inch PVC watermain included with the project. All other costs for this project that are not funded through the FHWA, NDDOT, and the NDDWR will be funded utilizing Gross Production Tax (GPT) which was included with the approved capital improvement plan budget for 2026. The city engineering staff recommends approval.

MOTION BY: Russ Murphy
To approve Highway 22 Roundabout Cost Participation and Maintenance Agreement with NDDOT.

SECONDED BY: Joe Ridl

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

G. General Services Task Order to Highlands Engineering and Surveying, PLLC

Engineer and Community Development Director Joshua Skluzacek presents a task order with Highlands Engineering & Surveying, PLLC for general services. This task order is a renewal of the current task order that was under the Master Service Agreement (MSA) which was executed in January 2018. This task order will be under the new MSA which was approved at the January 20, 2026 City Commission meeting. Typical tasks that have been requested under the general services task order are anticipated to be survey and engineering requests as needed to review: easements, legal descriptions, utility information, signage, and other miscellaneous needs of the engineering department. The city engineering staff recommends approval.

MOTION BY: Russ Murphy SECONDED BY: Joe Ridl
To approve the general services task order to Highlands Engineering and Surveying.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

H. I-94 West Business Loop Cost Participation and Maintenance Agreement with NDDOT

Engineer and Community Development Director Joshua Skluzacek presents a contract with the North Dakota Department of Transportation (NDDOT) for cost participation, construction and maintenance agreement for NDDOT project NHU 5-094(160)903 - PCN 23695, City of Dickinson project number 202233. The total project estimate is \$15,869,291 at a Federal Highway Administration (FHWA) cost participation of eligible bid items as specified on Page 1 of 7 in the agreement. The City of Dickinson's estimated share of the project is \$2,499,090. The City Attorney has reviewed this contract with no comments. The project bid opening is scheduled for Friday February 27, 2026 and will be administered through the NDDOT bidding process. An application for 60% cost share will be submitted to the North Dakota Department of Water Resources (NDDWR) to partially fund the eligible bid items for the extending approximate 300-feet of new 8-inch PVC watermain included with the project. All other costs for this project that are not funded through the FHWA, NDDOT, and the NDDWR will be funded utilizing Gross Production Tax (GPT) which was included with the approved capital improvement plan budget for 2026. The city engineering staff recommends approval.

MOTION BY: Russ Murphy SECONDED BY: Joe Ridl
To approve the I-94 West Business Loop Cost Participation and Maintenance Agreement
with NDDOT.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

I. I-94 West Business Loop Roundabout Cost Participation and Maintenance Agreement with NDDOT

Engineer and Community Development Director Joshua Skluzacek presents a contract with the North Dakota Department of Transportation (NDDOT) for cost participation, construction and maintenance agreement for NDDOT HEN-5-094(159)904 - PCN 23692, City of Dickinson project number 202233. The total project estimate is \$4,607,230 at a Federal Highway Administration (FHWA) cost participation of eligible bid items as specified on Page 1 of 7 in the agreement. The City of Dickinson's estimated share of the project is \$239,105. The City Attorney has reviewed this contract with no comments. The project bid opening is scheduled for Friday February 27, 2026 and will be administered through the NDDOT bidding

process. The city engineering staff recommends approval.

MOTION BY: Joe Ridl

SECONDED BY: Russ Murphy

To approve the I-94 West Business Loop Roundabout Cost Participation and Maintenance Agreement with NDDOT.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

7. **PUBLIC HEARING – 5:00 P.M.**

A. Public Hearing – Chapter 62 – Short-Term Rentals

City Planner Natalie Birchak states Community Development staff is requesting approval of zoning text amendments to Section 62-133 – Commercial use types, Table 62-162-2. Permitted Uses by Zoning Districts in Section 62-162 – Development Regulations, and Section 62-469 – Commercial uses, in Chapter 62-Zoning of the Dickinson Municipal Code, to permit and license short-term rental uses in the Rural Residential (RR), Low Density Residential (R-1), Medium Density Residential (R-2), High Density Residential (R-3), Mobile Home (MH) and Downtown Commercial (DC) zoning districts. This proposed amendment also establishes a licensing process for short-term rental uses in resident-owned homes that are residential in appearance. The proposed ordinance amending Chapter 62 addressing short-term rentals is included with this staff report. As part of the process of developing these proposed amendments, staff reviewed short-term rental requirements adopted by local governments in North Dakota, South Dakota, and Montana. Workshops on this topic were held at the October 8, 2025 and December 10, 2025 City Planning and Zoning Commission meetings. This zoning text amendment addresses the feedback received from the two workshop meetings. This ordinance was brought forward to the January 14, 2026 Planning and Zoning Commission Meeting for public hearing. The commission tabled the ordinance and requested that Community Development staff add a penalty to operating without a license. Following the guidance of the City Attorney, Community Development staff has added a scaling penalty, with the first offense of operating without a license incurring a \$250 administrative penalty, the second offense incurring a \$500 administrative penalty, and the third offense incurring a \$750 administrative penalty and license revocation. Staff recommends approval of this text amendment. She states staff have received numerous calls in town wondering how this would impact them and 2 owners showed support of this new code.

President Scott Decker opens the public hearing at 5:07 p.m.

Angela Haverluk who is a Real Estate Professional asked for clarification on the recommendations – any other short term rental financial stakes in – why specific here and any other. If you own that property have that use to rent. I have apartments in Dickinson and have one particularly why that makes a difference and it is a rental already. The other is why the maximum 2 short term rental licenses. If it is a large corporation or someone who does not have interest in Dickinson. The rent income does pay hospitality tax and is spent there locally and then returned back to Dickinson. Don't know why would it make sure if we have 3 or 4. If there is a concern that we are taking away from hotel industry. It is still returning back to community. There is a huge desire for traveling medical professionals looking for us to be in this area. Having this to be a home away from home and not be in a hotel. Shift work is definitely an advantage. Huge allergies that people stay in hotel and having to go out and eat limits their vacation stay. There are multiple times buy and selling – having their belongings in a hotel. Bismarck has a very limited ordinance in Bismarck. Not as restricted. A little excessive in Dickinson. Section d and f and only permitted by residential homes owned by licenses. A little over reach or

excessive. Penalties – more to be looked at here and addressed for this ordinance. There are a lot of people looking for short term rentals.

Planner Birchak states the main reason why those requirements for any financial state because of the 2 short term rental limit. As for why the #2 is chosen we were trying to limit the number of residential homes that are turned into short term rental. Short term rentals can have a hurt on homes. Short term rentals overtaking the sale of homes and jacking up the prices. She states at this time there is not many homes for sale. She states in the past city of Dickinson due to some of the oil industries with transient workers companies would come and buy smaller homes. Four or more rooms as a short term and then has to get licensed by the state. If you have to look at what the nature is of the building it will be a little more complicated.

Whitney Krieg – common theme visits Medora but not stay there. Beautiful home I am never at – I should post on Airbnb. Short term rental is not for everyone and is not as easy as you think. 2nd one purchased. Full remodel and posted earlier this year for bookings. Three properties make me a small business with a successful solid hiring cleanings, guests are thoroughly vetted and I have denied many requests. They state their intentions to stay there. They choose Dickinson to stay at my place and spending money in Dickinson. Provide them with short term rental options in Dickinson. I have reinvested all my properties and brought them up to code. I know the laws and follow them and deeply care about my reputation. I haven't had the FD, PD or ambulance at my property and no complaints. Attentive, responsive and doing this the right way. Too many easy work arounds, it doesn't stop short term rental growth. Codes was from Bismarck, Fargo or Rapid City. Dickinson has been the gateway to Medora. I have spoken with elected officials and no regulations or general guidelines. I am here to work why the city to support limited reasonable. This limits small business owners that are doing this correctly. These do contribute to tourism, local spending and improving homes in the City.

Commissioner Russ Murphy questions do you pay any hospitality tax. Do you believe that they pay to the city?

Ms. Krieg states yes, she does pay taxes. She states her people are not short-term rentals now.

Ms. Katie Culver Marsh runs a hotel in Dickinson. Do we need this change? I don't think we need any regulations on any short-term rentals. The more things were regulated, the more we have to regulate and the cost wise. Hotel booked out for a year now. If no short-term rentals the city of Dickinson will miss out for the income from them. She looked online and what other cities and comparative to Spearfish – task force for what is needed and not needed and we haven't done our due diligence to see what is needed. What works for us. Dickinson can't adopt from Bismarck. Dickinson needs to make something that works for Dickinson. Ask that we don't send this through in the model that current. Ms. Marsh did not come to the P&Z meeting

Ben Kappel thanks the Commissioner for what they do. Proposal goes far beyond regulations. Testifying against bills, outside interest groups. Once again you tell how many properties they can own and lease them, shift to the left. No sense in Dickinson. I don't own or rent short term rental. This sounds a lot of work. I am only here to ensure private property. The state already exists who are we to dictate all these rules. People have spent decades owning these properties are already leased for a year to all kinds of people. That doesn't make sense. This puts us at the most restrictive city in Dickinson. Most restrictive is West Fargo and no cap on the #. Rules are ND rules. Suggest Commission look into the other municipalities are to regulate. They are already regulated in our code. There will be downstream macros impacts. People rely on short term rentals. Are you kicking traveling nurses out? It does pay the city's hospitality tax and losing revenue if we restrict these. TR library and may be a short term. Over regulation. If there is an issue in the future the city can address this. Why not make a city cap as that is available. Rules – who

is going to approve that. I was shocked that you didn't ask for insurance. If the state of ND can verify ownership, I am sure that the city of Dickinson can verify that. You are only allowing them in buildings of 4 or less. Rushed, poorly researched and poorly written and to overhaul it. Bismarck and Fargo very reasonable than what you are presenting tonight. They are already regulated in the city code. Mr. Kappel did not attend the P&Z meeting.

President Scott Decker closes the public hearing 5:37 p.m.

Commissioner Joe Ridl doesn't have any questions but more statements. He looks through this and listening to folks it is fairly ridiculous; it is private property and I will relate this to farming if you will. If there was any type of ground with these rules, I would not even do anything with this. I don't see any reason at all for 95% of what is down here. Makes no sense to me. License and penalties to a point but as stated they go through and vetting people coming in there.

City Planner Birchak states we don't have a guarantee that they are vetting people Putting in some regulations and make sure that things are up to code.

Commissioner Ridl states it has to pass the building code. No different than buying a house. That should be the way it is. Follow the fire code. Have them provide liability insurance and do the things like that. Plum ridiculous. Big struggle with this one.

Commissioner Russ Murphy states it is like starting a private business. Housing cost issue and that can't be denied and brings extra competition to those homes. We don't have a surplus of homes. Neighborhood feel that this has been brought up to me. He does get both sides of this. The City needs to start somewhere. Always a little bit of push and pull. If there is no regulation or code and then draw a line to get a grasp on it. Cities around the state and we don't have the regulations. Where we end, I don't know. Not have it I think that could be dangerous. If other cities have them, I think that this is proof that these municipalities there needs to be a delineation with this type of business. Some might be a little extreme but I think we need to look at some of this. I attended the P&Z meeting, little to no comment on it and now there is frustration and now end up at the commission. Could have been taken care of and would be a different product. Residents take a look at and be part of it and not part of rewrite process.

President Scott Decker is not happy with this. You don't start with lead weight and start to shave off pieces. Motion if that is fine but would rather have a better piece to come back to us.

Engineer and Community Development Director Joshua Skluzacek states the City will reach out to some folks from tonight and look for a task force and route it back through P&Z for additional feedback.

President Scott Decker and Commissioner Joe Ridl do not want to table this item.

MOTION BY: Joe Ridl
To Deny this Ordinance as Written.

SECONDED BY: Russ Murphy

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

B. Public Hearing – Chapter 62 – Rezoning Notice by Petition

City Planner Natalie Birchak states Community Development staff is requesting approval of zoning text amendments to Section 62-56 – Amendment procedure, in Chapter 62-Zoning of the Dickinson Municipal Code, to remove the requirement placed on rezoning and Special Use Permit (SUP) applicants to notify adjacent property owners through

petition signature collection. This amendment also clarifies the specific procedure the City utilizes to notify adjacent properties of any public hearings. The proposed ordinance amending Chapter 62 addressing removal of notice by petition is included with this staff report. The notification by petition requirements, Community Development staff determined the process would place an undue burden on applicants and potentially halt even favorable rezoning or SUP applications in the event any adjacent property owners are not available to sign a petition. Staff recommends approval of this text amendment.

President Scott Decker opens the public hearing at 5:47 p.m. Hearing no public comments the public hearing was closed at 5:48 p.m. and the following motion was made.

MOTION BY: Russ Murphy

SECONDED BY: Joe Ridl

To approve first reading of Ordinance No. 1848

ORDINANCE NO. 1848

**AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 62,
RELATING TO PUBLIC HEARING NOTICES FOR REZONING
REQUESTS AND SPECIAL USE PERMITS**

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

C. Public Hearing – Chapter 62 – Personal and Commercial Vehicle Definitions

City Planner Natalie Birchak presents a request for approval of zoning text amendments to Section 62-10 – Definitions, Section 62-471 – Accessory uses, and Section 62-594 – Parking of certain vehicles, in Chapter 62-Zoning of the Dickinson Municipal Code, to update the definitions of personal, commercial, heavy, and recreational vehicles. This proposed amendment also clarifies that heavy vehicles cannot be parked or stored on residential lots. The proposed ordinance amending Chapter 62 updating vehicle definitions is included with this staff report. At the request of City officials, the Community Development Department began researching how different North Dakota communities define personal, commercial, recreational, and heavy vehicles, as well as how those definitions compare to those found in the North Dakota Century Code. Heavy commercial vehicles are referred to in Section 62-471: Accessory uses, in reference to the parking and storage of heavy commercial vehicles for home-based occupations. As heavy commercial vehicles are not defined in the Municipal Code, this amendment updates the language to reference heavy vehicles. Section 62-594(a)(5) states that “Commercial vehicles and heavy vehicles shall not be parked on any lot within the R-1, R-2, R-3, and MH Districts. This section shall apply even if the commercial vehicle or heavy vehicle is not being driven for the purpose of the commercial application, endeavor or business at the time said vehicle is parked within the aforementioned zoning districts.” In the past, there has been confusion from residents about what constitutes a commercial vehicle and where these vehicles can be parked and stored. Staff recommends approval of this ordinance change.

President Scott Decker questions how heavily enforceable is this going to be. Don’t want to put extra burden on city staff to put on more rules.

Planner Birchak states this would be complaint driven and handled by code enforcement.

City Attorney Christina Wenko states the reason for changes is coming forward is because of complaints. This is not identified in the code and need to be addressed.

President Scott Decker opens the public hearing at 5:56 p.m.

9. PUBLIC COMMENTS NOT ON AGENDA

None

10. COMMISSION COMMENTS

None

11. ADJOURNMENT

MOTION BY: Joe Ridl

SECONDED BY: Russ Murphy

Adjournment of the meeting was at 6:25 P.M.

DISPOSITION: Roll call vote... Aye 3, Nay 0, Absent 2
Motion declared duly passed.

OFFICIAL MINUTES PREPARED BY:

Rita Binstock, Assistant to City Administrator

APPROVED BY:

Dustin Dassinger, City Administrator

Scott Decker, President
Board of City Commissioners

Date: March 3, 2026