

I. CALL TO ORDER

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

II. ROLL CALL

Present were: President Scott Decker, Vice President Robert Baer, Commissioner Jason Fridrich

Telephone: None

Absent: Commissioner Joe Ridl

1. PLEDGE OF ALLEGIANCE**2. ORDER OF BUSINESS**

MOTION BY: Jason Fridrich

SECONDED BY: Robert Baer

To approve the July 15, 2025 meeting as presented.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

3. CONSENT AGENDA

MOTION BY: Robert Baer

SECONDED BY: Jason Fridrich

A. Approval of Meeting Minutes dated July 1, 2025

B. Approval of Condemnation Hearing Special commission Meeting Minutes dated June 17, 2025

C. Approval of Accounts Payable, Commerce Bank and Checkbook

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

4. ADMINISTRATION/FINANCE**A. Introduction of Deputy Finance Director**

Deputy City Administrator Linda Carlson introduces Katie Greenwood who is the City's new Deputy Finance Director. Ms. Greenwood comes with quite a bit of experience. She is a CPA and has worked with SW Water for quite a few years.

Deputy Finance Director Katie Greenwood states she is a CPA who was born and raised in Dickinson. She does come from SW Water and excited to work with the Commissioners and the City of Dickinson.

B. Monthly Financial Report

Deputy City Administrator Linda Carlson presents the monthly Financial Report to include the general fund at \$11,278,438 unassigned cash; the 1% sales tax collection is \$535,617 which is a decrease; ½% is \$267,808. This is the highest over the past six months of 2025 in the past seven years. Hospitality tax collected \$104,383 which shows a slight increase. Occupancy tax is slightly higher at \$33,032 for June. Oil impact is running comparable to the 2023 increase. She reviews the revenue and expenses year to date.

MOTION BY: Robert Baer

SECONDED BY: Jason Fridrich

To approve the monthly financial report.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

C. NDPERS 401 Defined Contribution Plan

HR Director Shelly Nameniuk states the NDPERS Main Defined Benefit Plan was closed on 1/1/2025 and NDPERS DC Plan was opened for new hires. The City was required to participate in the NDPERS DC Plan if the City wanted to allow current employees to remain in the Defined Benefit Plans. She states HB 1602 provides the option to discontinue participation in NDPERS DC Plan and re-open City of Dickinson Retirement Savings Plan. HR Director Nameniuk states there is no impact to employees enrolled in the NDPERS Public Safety or Main Defined Benefit Plans currently or in the future. There are no fees assessed for opting out of NDPERS DC Plan. She states the amendment to the City of Dickinson Retirement Savings. The plan to re-open the plan to new hires (except those going into the Public Safety Defined Benefit Plan) and those hired between 1/1/2025 – 10/1/2025. The benefits of re-opening the City of Dickinson Retirement Savings Plan are • Contribution Rates, • Cost Control, • Local Control and Customization and Administrative Efficiency.

Commissioner Jason Fridrich states he is not sure if he is ready to make a decision on this until the Commissioners know how much this is going to save and cost. He states this is the first time he has heard of this. He would like to bring this back to a work session to make a decision on it. There was a reason the City went to PERS and now is going back.

HR Director Nameniuk will provide a fact sheet to the Commissioners. An employee has the option to put an additional 3% into the account and the City would have to match this. There is no timeline for this but will take 60 days from the date of the decision to go into this plan. PERS was closed as of 1/1/2025. That is when they opened the DC plan and the City had no choice.

MOTION BY: Jason Fridrich

SECONDED BY: Robert Baer

To table the NDPERS 401 Defined Contribution Plan and the Fourth Amendment of City of Dickinson, North Dakota Retirement Savings Plan.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

Commissioner Robert Baer states he believes that the NDLC did put out a webinar explaining this new plan.

D. Fourth Amendment of City of Dickinson, North Dakota Retirement Savings Plan
Please see above.

E. HR Monthly Report

HR Director Shelly Nameniuk updates the Commissioner on the current job openings for the City of Dickinson.

5. PUBLIC WORKS

A. Task Order with Apex Engineering – Lift Station #7

Public Works Director Aaron Praus presents an Apex Engineering Task Order for Lift Station #7. He states the purpose of this agreement with Apex Engineering is to evaluate the existing condition of Lift Station # 7 and to assist the City in determining what repairs and operational modifications are necessary. Any findings or suggested modifications will be reviewed by the City prior to implementation. He states the total cost associated with this task order is not to exceed \$42,200. This task order has been reviewed by Public Works and Engineering staff and recommends approval.

MOTION BY: Robert Baer

SECONDED BY: Jason Fridrich

To approve the Task Order with Apex Engineering for Lift Station #7.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

6. **PUBLIC SAFETY**

A. Fire

Listing Agreement – Surplus Ladder Truck

Deputy Fire Chief Mark Selle presents a listing agreement with Brindle Mountain to list the surplus ladder truck. He states the City Attorney has reviewed the contract. He states there is no estimate at this time of what the truck will bring. He states this truck is a 30-year-old truck.

MOTION BY: Robert Baer
To approve the Listing Agreement with Brindle Mountain.

SECONDED BY: Jason Fridrich

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

B. Police

No Report

7. **COMMUNITY DEVELOPMENT SERVICES**

A. Bank of ND Loan Application for Baler Building Expansion

Senior Engineer Kris Keller presents a letter of support for the Baler Building Expansion project. This would be for a loan application to the Bank of North Dakota for \$5 Million to support project construction. This project was competitively selected for application for a State Revolving Loan by the BND. The next step is the actual loan application process with full terms and conditions. The City Attorney has reviewed the letter. The City Engineering staff recommends approval.

MOTION BY: Robert Baer
To approve the Bank of North Dakota Loan Application for the Baler Building Expansion of \$5 million dollars.

SECONDED BY: Jason Fridrich

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

B. Baler Building Project Contract Amendment to Burns and McDonnell

Senior Engineer Kris Keller presents a contract amendment for Burns & McDonnell to provide construction engineering for the baler building. The amendment includes bid support, request for information responses, as-built drawings, in-person inspections, and other construction engineering support. Senior Engineer Keller states this amendment is for \$382,678 on a Time & Material, Not-to-Exceed basis. The City Attorney has reviewed the contract amendment. The City Engineering staff recommends approval.

MOTION BY: Jason Fridrich
To approve the Bank of North Dakota Loan Application for the Baler Building Expansion of \$5 million dollars.

SECONDED BY: Robert Baer

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

C. Eagle View Master Service Agreement

Engineer and Community Development Director Joshua Skluzacek presents a master service agreement with Pictometry International Corp. DBA EagleView. The benefits of having a MSA versus providing a contract for each change to our system are; consistent terms and conditions regardless of the type of change to the contract, City of Dickinson utilization of the new software tools making the system easier to use, the current contract

to utilize Connect Explore software will be ending in 2026 which is currently required to access the aerial imagery, and reduced review time by staff for future project contracts. The City Engineering staff recommends approval.

MOTION BY: Robert Baer

SECONDED BY: Jason Fridrich

To approve the Eagle View Master Service Agreement.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

D. NW Regional Pond DWR Grant Contract

Engineer and Community Development Director Joshua Skluzacek presents a grant contract with the North Dakota State Water Commission to fund a portion of the feasibility study engineering services cost-share of 60-percent not to exceed \$240,000 as specified in State contract. The total City of Dickinson cost share is estimated to be \$160,000. The project was approved with the 2025 capital improvement project budget and is to be paid for using Gross Production Tax. Staff recommends approval.

Commissioner Robert Baer is asking Director Skluzacek for a flood plain map and what area would be affected.

Director Skluzacek will provide this map and structures that are forced to pay flood insurance.

MOTION BY: Robert Baer

SECONDED BY: Jason Fridrich

To approve the NW Regional Pond DWR Grant Contract.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

E. Drainage Easement Dedication for Lot 1, Block 4, Hewson's 3rd

Engineer and Community Development Director Joshua Skluzacek presents for the Commission consideration a Drainage Easement located within Lot 1, Block 4 of Hewson's Third Addition. This drainage easement is required to allow for the urban reconstruction of the frontage road located south of 21st Street East which will include a swale to prevent water from flowing to the existing building located on the subject property. The city engineering staff recommends approval. Director Skluzacek states the frontage will be paved in 2025.

MOTION BY: Jason Fridrich

SECONDED BY: Robert Baer

To approve the Drainage Easement Dedication for Lot 1, Block 4, Hewson's 3rd.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

F. Permanent Pedestrian Easement for Block 14, Replat of North Hills Acres 2nd.

Engineer and Community Development Director Joshua Skluzacek presents for consideration is a Pedestrian Easement located within Block 14 of the Replat of North Hill Acres Second Addition. This pedestrian easement is intended to accommodate the pedestrian traffic where a parking lot is currently located, and is rarely utilized at a full capacity. This easement reduced the new sidewalk required for the property by approximately 350-feet which was a cost savings to the property owner. The city engineering staff recommends approval.

MOTION BY: Robert Baer

SECONDED BY: Jason Fridrich

To approve the permanent pedestrian easement for Block 14, Replat of North Hills Acres 2nd.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1

Motion declared duly passed

G. Final Plat – Jolliffe Acres

City Planner Natalie Birchak presents an application for a final plat for Jolliffe Acres Subdivision. The proposed subdivision is a replat of Blocks 1 & 2 and Lots 1 through 4 of Block 3 & 4 of the Greenvale 3rd Addition subdivision is located in E1/2 of Section 9, Township 140 North, Range 96 West. This 26.467-acre property is located within the City of Dickinson's Extra Territorial Zone. According to the applicant, the purpose of this subdivision is to combine the smaller residential lots in order to construct a residence while utilizing space for a hobby farm. Planner Birchak along with staff recommend approval of this plat.

MOTION BY: Jason Fridrich
To approve Resolution 29-2025.

SECONDED BY: Robert Baer

RESOLUTION NO: 29 - 2025
A RESOLUTION APPROVING FINAL PLAT ENTITLED
JOLLIFFE ACRES SUBDIVISION
STARK COUNTY, NORTH DAKOTA

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

H. Renaissance Zone Request – Pops Soda Shack

City/County Planner Steven Josephson presents a Renaissance Zone Request for the property located at 716 West Villard on the northwest corner of Villard Street West and 7th Avenue West legally described as Lot 6, Block 18, of Young's 5th Subdivision. Although the lot is currently vacant, it was previously developed with a commercial structure. The cost for improvements is approximately \$275,000. This request would be for over an eight-year real estate tax exemption period. Planner Josephson states both Planning and Zoning along with City staff recommend approval.

MOTION BY: Robert Baer
To approve Resolution 30-2025.

SECONDED BY: Scott Decker

RESOLUTION NO. 30 - 2025
A RESOLUTION APPROVING A RENAISSANCE ZONE APPLICATION
BY LUDWIG & JONES LLC DBA POP'S SODA SHACK

DISPOSITION: Roll call vote...Aye 2, Nay 0, Absent 1, Abstain 1 (Fridrich)
Motion declared duly passed

I. Renaissance Zone Request – Martin's Welding and Refrigeration

City/County Planner Steven Josephson presents a Renaissance Zone Request for the property is located at 1500 Villard Street West and 1520 Villard Street West on the northwest corner of Villard Street West and Hollywood Boulevard. The site is legally described as Lot 17A, Block 3, College Addition Subdivision. The western portion of Lot 17A is currently vacant but had previously been developed with a motel. The eastern portion has been developed with a commercial structure. Planner Josephson states the applicants are requesting an eight-year real estate tax exemption and an eight-year income tax exemption for a commercial rehabilitation project on Block 21 of the City of Dickinson's Renaissance Zone. The applicants describe their project as follows: build a 6,000 square foot shop at 1520 Villard Street West; attach the new building to the existing building at 1500 Villard Street West. The applicants estimate the costs of improvements project investment amount at \$1,000,000.

MOTION BY: Robert Baer
To approve Resolution 31-2025.

SECONDED BY: Jason Fridrich

RESOLUTION NO. 31 - 2025
**A RESOLUTION APPROVING A RENAISSANCE ZONE APPLICATION
BY BLAINE DECKER AND DENISE DECKER**

DISPOSITION: Roll call vote...Aye 2, Nay 0, Absent 1, Abstain 1 (Decker)
Motion declared duly passed

City/County Planner Josephson states these are the second third renaissance zone projects approved by the Commission in 2025. He explains the process of the applications.

8. PUBLIC HEARING – 5:00 P.M.

A. Public Hearing – Easement Vacation for Greenvale 3rd Addition

City Planner Natalie Birchak presents an easement vacation for Block 1 and 2, Lots 1-4, Greenvale 3rd Subdivision. She states the applicant asks for a utility easement vacation. She states there has been no public comments. Staff recommends approval of the easement.

President Scott Decker opens the public hearing at 5:09 p.m. Hearing no public comments, the public hearing closed at 5:10 p.m. and the following motion was made.

MOTION BY: Jason Fridrich
To approve Resolution 27-2025.

SECONDED BY: Robert Baer

RESOLUTION NO. 27 - 2025
**A RESOLUTION APPROVING VACATION OF A UTILITY EASEMENT
WITHIN GREENVALE THIRD ADDITION, CITY OF DICKINSON,
NORTH DAKOTA**

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

B. Public Hearing – Rezoning Request – Schmidt Rezone

City Planner Natalie Birchak presents an application for requesting the approval of a zoning map amendment from General Commercial and Agriculture to Rural Residential for Lots 1 of Block 1 of the Schmidt Minor Subdivision, located within the City of Dickinson's Extra-Territorial Zone. The purpose of this rezoning is to allow the applicant to construct a primary residence on the subdivided lot. Staff recommends approval of this rezone contingent of approval of the final plat.

President Scott Decker opens the public hearing at 5:11 p.m. Hearing no public comments, the public hearing closed at 5:12 p.m. and the following motion was made.

MOTION BY: Robert Baer
To approve first reading of Ordinance 1824.

SECONDED BY: Jason Fridrich

ORDINANCE NO. 1824
**AN ORDINANCE AMENDING THE DISTRICT ZONING MAP
FOR REZONING AND RECLASSIFYING DESIGNATED LOTS,
BLOCKS OR TRACTS OF LAND WITHIN THE ZONING
JURISDICTION OF THE CITY OF DICKINSON, NORTH DAKOTA**

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

C. Public Hearing – Special Use Permit – The Barking Lot

City Planner Natalie Birchak presents a request of a Special Use Permit for a home-based dog grooming business. The business would be located in a primary residence on a 0.268-acre parcel at 270 Dakota Place in the City of Dickinson. Staff recommends approval upon conditions as listed. Planner Birchak states In 2023, the applicant received approval for a dog grooming home-based occupation Special Use Permit by the City Commission at 860 13th Street East. The subject property is also located in the R-1 zoning district. The applicant is moving to 270 Dakota Place and, as the previous SUP cannot be transferred, must apply for an SUP at the new location.

President Scott Decker opens the public hearing at 5:13 p.m. Hearing no public comments, the public hearing closed at 5:14 p.m. and the following motion was made.

MOTION BY: Jason Fridrich
To approve Resolution 28-2025.

SECONDED BY: Robert Baer

RESOLUTION NO. 28 - 2025

A RESOLUTION APPROVING A SPECIAL USE PERMIT TO THE BARKING LOT FOR A DOG GROOMING FACILITY LOCATED AT 270 DAKOTA PLACE, DICKINSON, ND

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

D. Public Hearing – Zoning Text Amendment – Chapter 62 – Agriculture Development Minimum

City Planner Natalie Birchak presents a zoning text amendment to Section 62-162. – Development regulations, as found in Table 62-162-3a: Summary of Site Development Regulations in Chapter 62-Zoning of the Dickinson Municipal Code, to increase the minimum lot area of the Agriculture (AG) zoning district from five (5) acres to ten (10) acres. This proposed amendment aligns Dickinson's zoning regulations with many of the adopted land development regulations in North Dakota. The proposed increase in the AG minimum lot size may also accomplish the following: decrease the potential for creating land use conflicts with residentially-zoned properties in the City's Extra-Territorial Zone (ETZ); and prevents the proliferation of subdivisions consisting of five-acre lots that could hinder redevelopment patterns. Staff recommends approval of this text amendment.

President Scott Decker opens the public hearing at 5:16 p.m. Hearing no public comments, the public hearing closed at 5:17 p.m. and the following motion was made.

MOTION BY: Robert Baer
To approve first reading of Ordinance 1825.

SECONDED BY: Jason Fridrich

ORDINANCE NO. 1825

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 62-162 OF CHAPTER 62 THE MUNICIPAL CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO ZONING TEXT AMENDMENTS FOR THE SIZE OF AGRICULTURALLY ZONED LOTS

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

E. Public Hearing – Chapter 58 Code Amendment – Traffic and Vehicles
City Attorney Christina Wenko states always after the legislative session the City has to do

code updates and the most recent results of code updates is a little more prominent to the Code. She states changes to Chapter 58 would be careless driving would increase fine to \$100 with an infraction, damage of \$4,000. Changes to rotary traffic islands, roundabouts – not required to use a turn signal when exist a roundtable. Window tint – new change to be darker than what it was in previous code sections. Driving under suspension – changed court procedure and amend charge to driving without a license but also increased the fine to \$100. Also, an increase in fines for over taking a school bus. Attorney Wenko states that some legislation does allow cities to increase certain fines for speeding but Dickinson has never followed position or taken that position. Follow suit when following century code and keep them consistent. This would be affective August 1, 2025. There have been no changes from the first reading and City staff recommends approval.

President Scott Decker opens the public hearing at 5:19 p.m. Hearing no public comment, the public hearing is closed at 5:20 and the following motion was made.

MOTION BY: Robert Baer
To approve second reading and final passage of Ordinance 1822

SECONDED BY: Jason Fridrich

ORDINANCE NO. 1822
AN ORDINANCE AMENDING AND RE-ENACTING SECTION 58-196, 58-613, 58-696, 58-102, 58-100, 58-161 AND 58-258 OF THE MUNICIPAL CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO TRAFFIC AND VEHICLES

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1
Motion declared duly passed

F. Public Hearing – Chapter 58 Code Amendment – Off-Highway Vehicles. Police Chief Joe Cianni presents a Chapter 58 code amendment in regards to Off Highway Vehicles. He states that this is recommended by the Police Department and many people from the community. He states there are a lot of ATVs, dirt bikes, UTV and side by sides. He states side by sides allow 12 years or older to operate as long as they took a UTV course. A 12-year-old driving around a UTV around city. Chief Cianni would like to address this issue and be more restrictive than century code. He states if a person is operating a UTV you need a driver's license. ATV, snow mobile and dirt bikes can take most direct route out of town. He would like to remove this as making it illegal to operate a four-wheeler, dirt bike for off road use and snow mobiles (other than emergency) in city limits. These would be illegal in city limits. He states it is also hard to judge the intent along with the fact that 4 wheelers, dirt bikes and snow mobile are also not insured, not controlling licenses for these as long as they are driving the most direct route out of town. Hazard for citizens in the amount that we are seeing all over town. Predominantly dirt bikes. He states there are no changes to the snow mobile portion still being allowed to drive in city limits and taking the most direct route. The City has not had many issues with snow mobiles. There has been no public comment input or concerns.

President Scott Decker opens the public hearing at 5:23 p.m.

Reporter Evan Butow asks about the new Ordinance in regards to Off Highway Vehicles. He is wondering if this will pertain to BMX and other vehicles and if they would be completely banned within the City limits or just on the street

Citizen Dave Beaudoin asks if the snow mobiles will be able to be used for emergencies.

Date: August 5, 2025