

I. CALL TO ORDER

Vice President John Odermann called the meeting to order at 4:30 PM

II. ROLL CALL

Present were: Vice President John Odermann, Commissioners Jason Fridrich, Suzi Sobolik and Robert Baer

Telephone: None

Absent: President Scott Decker

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

MOTION BY: Jason Fridrich

SECONDED BY: Suzi Sobolik

To approve the October 3, 2023, Order of Business as presented.

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1
Motion declared duly passed

3. CONSENT AGENDA

MOTION BY: Jason Fridrich

SECONDED BY: Robert Baer

A. Approval of Meeting Minutes dated October 3, 2023.

B. Approval of Accounts Payable, Commerce Bank and Checkbook

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1
Motion declared duly passed

4. ADMINISTRATION/FINANCE**A. Dickinson Convention and Visitors Bureau Appointment**

City Administrator Dustin Dassinger states the Dickinson Convention and Visitors Bureau is asking the City to appoint Matthew Galibert to the CVB Board. Mr. Galibert does have a connection with the downtown development and feels this will help in the planning. City Administrator Dassinger and City staff recommend approval.

MOTION BY: Suzi Sobolik

SECONDED BY: Jason Fridrich

To approve the appointment of Matthew Galibert to the Dickinson Convention and Visitors Bureau.

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1
Motion declared duly passed

C. Monthly Financial Report

Deputy City Administrator Linda Carlson presents the monthly financial report. She states the report is about the same as last month. Hospitality tax did take a large jump which shows to be approximately \$16,000 over 2022. Occupancy also took a large jump and is up \$31,379 from 2022. General fund revenue is 75% collected and expenses are slightly lower.

City Administrator Dustin Dassinger states there were a lot summer events to include sports tournaments and conferences. This maybe the factor in the uptick of the occupancy and hospitality tax.

Commissioner Suzi Sobolik stated they had the same discussion at the CVB and states July was a good month with no real special events but there were a lot of things going on and brought a lot of people into the community. She states no one could pinpoint any specific event.

MOTION BY: Robert Baer

SECONDED BY: Jason Fridrich

To approve the monthly Financial Report.

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1
Motion declared duly passed

D. Project Engineering Job Description

Human Resource Director Shelly Nameniuk presents Project Engineering Job Description for the commission. She states the position is budgeted in the 2024 budget and approved. The city would like to start the process of filling the position. Director Nameniuk reviews the education and experience needed for the position. The position will be a Grade 18 and exempt.

MOTION BY: Suzi Sobolik
To approve the Project Engineering Job Description.

SECONDED BY: Jason Fridrich

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1
Motion declared duly passed

E. HR Monthly Report

Human Resource Director Shelly Nameniuk updates the Commission on the job openings for the city. She does state the Accounting Position has been put on hold as the city is going to re-evaluate the position.

Deputy City Administrator Linda Carlson states the applicants that had applied for the Accounting Position didn't have the education or experience of what the city was looking for. She suggests possibly going with a Budget Specialist or actual Finance Supervisor. Ms. Carlson states the city is reviewing all options.

F. Legacy Square Ice Rink Presentation

City Administrator Dustin Dassinger discusses real ice in the Legacy Square. Administrator Dassinger states there were multiple internal discussions and meetings held with Dickinson Parks and Rec with moving forward on the ice. He states although the ice rink is merited there are several operational concerns such as snow removal, ice maintenance, staffing and finding trained personnel to take care of the ice, finding staff for this purpose can be challenging and costly. He feels it is difficult to hire PT staff. Administrator Dassinger along with staff feel maintenance will be very costly. He feels staff concerns are valid and to explore other options or to table this until the 2025 budget is reviewed.

Commissioner Jason Fridrich states the ice rink will not happen in 2023. He does state the ice rink was always part of Legacy Square since day one. He feels the city can hire out snow removal for the square.

Vice President John Odermann feels the city should wait and see what the snow will be this winter and how the square will handle the snow. He feels the city will know more after this winter.

Commissioner Robert Baer feels there are some loose ends. He is questioning where the city is going to get people to work in the concessions as the city can't find people to fill the positions that the city has open already. He thinks maybe it should be run by a private sector. Commissioner Baer does not want to see if fail in 2-3 years. He would like to see what it is going to cost and also what other options are available.

Commissioner John Odermann feels a private entity would be interested in concessions, etc. Possibly the city could run an RFP to see if anyone is interested in running this. He does discuss additional safety concerns. He is questioning on how to secure the ice after it is closed at night.

City Administrator Dustin Dassinger has visited with Parks and Rec and they are not interested in managing the ice rink in Legacy Square. Parks and Rec are having difficulty in staffing their own indoor ice rink at this time.

Commissioner Jason Fridrich states the Downtown Improvement District group is looking to see if the city will support the ice and then they can go forward and start fund raising.

Commissioner Suzi Sobolik does feel the city is building up the square and doing good things in the square. She feels putting this on hold and having smaller winter activities this year in the square would be better. She feels the city does need the marketing role. Commissioner Sobolik state there will be a continual need of people to take care of the ice and the concessions. The way it is set up right now with the ice rink could be challenging and she would not support the ice rink today.

City Administrator Dustin Dassinger feels there are operational concerns with the fire pits in the winter. If the temperature is too extreme this could cause some damage to the fire pits. He states the city would like some direction on this topic. He states the pledges are out to 2026.

Vice President John Odermann is in the middle ground. He does support the ice rink but it might be prudent to have this discussion at a later date with more information. Maybe revisit this in late February or March with some additional information.

MOTION BY: Robert Baer
SECONDDED BY: Suzi Sobolik
To table the Legacy Square Ice Rink discussion until March, 2024.

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1
Motion declared duly passed

City Attorney Christina Wenko feels the reality is that the topic is going to come back into discussion so she feels the city should gather as much information as possible to include expenditures, cost would be instrumental in the meantime. She feels that it wouldn't be a bad idea to set a time frame.

Commissioners Jason Fridrich would like to know what kind of information we are searching for.

Commissioner Suzi Sobolik state the city cannot hire a 16-year-old to care and monitor the ice. She wants to see what the employees look like, hours of operation, sharpening equipment cost, viable cost and those are the cost that will sink the ice operation in the end. She states if there is no information on the upkeep or warranty.

Commissioner John Odermann states the city does not know how everything is going to turn out. He states the upfront expenditure was significantly less than the ice will be. The city does not know if it is going to cost \$250,000 as we don't know what the cost will be.

Commissioner Robert Baer doesn't know how many people the city will need to hire for the square to be safe.

Commissioner Jason Fridrich states possibly a private entity would like to run the concessions, etc. This square was built for year-round usage.

Vice President John Odermann would like to see the snow removal operational cost, exploring of groups or private entities that would be interested in running the square during the winter. He states City Administrator Dassinger has had some discussions already and has not had anyone volunteering.

City Administrator Dustin Dassinger will bring this idea back in March.

5. PUBLIC WORKS

A. Aramark Contract for Rug Service

Interim Deputy Public Works Director Praus presents a rug service contract with Aramark. He states they have been providing the City of Dickinson seven buildings with rugs over the past few years. He states this new contract is a 5-year contract with an 8% increase each year. The City is trying to sink all the contracts together. Aramark came in at the lowest rate and gave the city a really good dollar amount.

MOTION BY: Suzi Sobolik

SECONDED BY: Robert Baer

To approve the Aramark Contract for rug service.

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1
Motion declared duly passed

B. Public Works Monthly Report

Interim Deputy Public Works Director Praus states public works had a busy month. He discusses awards from NDSWRA Fall Conference in Minot. Director Praus reviews projects, Op works service calls, forestry, solid waste tonnages and replacement of commercial meter. He states the South Heart Pond by the golf course was filled at the end of September. He reviews the open positions for Public Works.

6. PUBLIC SAFETY

A. Fire Department

Reports:

1. None

B. Police Department

Reports:

1. Monthly Fire Report

Police Chief Joe Cianni updates the Commissioners on the monthly Police Department report. He states there were 4,624 calls for service and 789 were actual emergency calls for service, 2,347 calls were handled by officers. There were 421 traffic stops, 175 citation and 66 accidents. There were 108 incidents for behavioral health. Chief Cianni discusses the SRO officers and the new program which started at DSU. Chief Cianni discusses the Records Department, animal shelter, training and promotions. He states Kylan Klauzer has retired from the Police Department after 18 years of service.

7. COMMUNITY DEVELOPMENT SERVICES

A. Energy Center 3rd Addition Lot 1A Combination

Engineering and Community Development Director Joshua Skluzacek presents a lot combination of a city owned property. This area is the ND National Guard Readiness Center lot combination. The vacation of the lot line where the new building will be built.

MOTION BY: Robert Baer

SECONDED BY: Suzi Sobolik

Adopt Resolution No. 31-2023.

RESOLUTION NO. 31-2023

A RESOLUTION APPROVING FINAL PLAT ENTITLED THE IRREGULAR PLAT OF LOT 1A OF LOT 1, BLOCK 1 OF ENERGY CENTER THIRD ADDITION

STARK COUNTY, NORTH DAKOTA.

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1
Motion declared duly passed

B. 2024 Road Maintenance Task Order Amendment #1 – KLJ

Engineering and Community Development Director Joshua Skluzacek presents an engineering services agreement for the 2024 road maintenance. The cost to not exceed

\$279,900 dollars and this is associated with the original task order. The bid date is towards the end of January, 2024. Director Skluzacek states the mill and overlay will be along 15th Street which goes into 6th Avenue and up to 21st Street. Also mill and overlay south and west of the Gress Sports Complex. This area would be 6th Avenue SE from the Heart River bridge up to intersection of Villard.

Commissioner Robert Baer is hoping the city will review some kind of plan research for a traffic light at the end of 15th where the new development is.

MOTION BY: Suzi Sobolik
To approve the Task Order with KLJ for the 2024 Road Maintenance.

SECONDED BY: Robert Baer

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1
Motion declared duly passed

C. Task Order Amendment – Downtown Lighting Phase 1B – Apex Engineering Group

Engineering and Community Development Director Joshua Skluzacek presents a task order from Apex Engineering to do the downtown lighting Phase 1B. This project would install some new light fixtures. The total installation cost is \$388,000 with the task order is a project calculated hourly not to exceed \$39,700.

MOTION BY: Suzi Sobolik
To approve the Apex Task Order for Downtown Lighting Phase 1B.

SECONDED BY: Robert Baer

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1
Motion declared duly passed

D. Monthly Report

Engineering and Community Development Director Joshua Skluzacek presents the team monthly report for Engineering and Community Development. He updates of the Commission on the number of permits which is similar to last year but the fees are considerably higher than last year due to the large commercial type permits. He reviews the city's projects, projects that are closed and ones that are still in the design phase. He states there will be a roundabout meeting on October 30, 2023 and the public is invited to attend. He states there are several development applications coming and he is seeing much progress in Planner Galibert's work.

8. PUBLIC HEARING AND PUBLIC COMMENTS NOT ON AGENDA – 5:00 P.M.

A. Easement Vacation – Glacier Addition

Engineering and Community Development Director Joshua Skluzacek presents a utility easement. This easement originally had some set back challenges and that passed through the Board of Adjustment. This parcel is Lots 3 and 4 of Block 1 of Glacier Park with the addition of a 10' utility easement along the east side of Lot 3, Block 1, Glacier Park Addition & the 10' utility easements along the west and north sides of Lot 4, Block 1, Glacier Park Addition. The applicant is in process of re-platting this property through the Irregular Plat process. The easement vacations associated with the lots included with the irregular plat except for the remainder of Lot 2, Block 1 of Glacier Park Addition which will be added to this plat with the intent of combining that property with what is shown to be Lot 3A on the attached Irregular Plat. Mr. Skluzacek states this easement was already vacated with the previous utility easement vacation, there was still a portion that was not vacated. Engineering staff reviewed the topic with the City Attorney and agreed the duplication of effort is an acceptable means to completing this utility easement vacation to ensure the entire utility easement is vacated as per the request of the applicant.

Commissioner Jason Fridrich states this utility easement needed to come before the Planning and Zoning prior to the Commission meeting. Commissioner Fridrich asked the question but Director Skluzacek affirmed with Attorney Wenko and it doesn't come in front of Planning and Zoning.

Vice President John Odermann opens the public hearing at 5:13 p.m.

Venture representative Aaron Grinsteinner states the owner is not looking to change anything. He states there are multiple buildings there and they want to move the lot lines in order to sell the buildings.

Vice President John Odermann closes the public hearing at 5:15 p.m. and the following motion is made.

MOTION BY: Suzi Sobolik
Adopt Resolution No. 30-2023.

SECONDED BY: Jason Fridrich

RESOLUTION NO. 30-2023
**A RESOLUTION APPROVING VACATION OF A UTILITY EASEMENT
WITHIN GLACIER PARK ADDITION, CITY OF DICKINSON, NORTH
DAKOTA**

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1
Motion declared duly passed

D. Public Comments not on Agenda
None

9. COMMISSION

Commissioner Robert Baer invites staff and Commissioners to the work place violence workshop put on by the City of Dickinson. He states it is an excellent workshop for all to attend. He states four hours go very quickly.

ADJOURNMENT

MOTION BY: Jason Fridrich
Adjournment of the meeting was at 6:00 P.M.

SECONDED BY: Suzi Sobolik

DISPOSITION: Roll call vote... Aye 4, Nay 0, Absent 1
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: November 7, 2023