

**I. CALL TO ORDER**

Vice President Robert Baer called the meeting to order at 4:30 PM

**II. ROLL CALL**

Present were: Vice President Robert Baer, Commissioners Jason Fridrich, Joe Ridl and Russ Murphy.

Telephone: None

Absent: President Scott Decker

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

MOTION BY: Jason Fridrich

SECONDED BY: Joe Ridl

To approve the April 7, 2026 meeting as presented.

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

**2. CONSENT AGENDA**

MOTION BY: Russ Murphy

SECONDED BY: Joe Ridl

**A. Approval of the City Commission Meeting Minutes dated March 24, 2026**

**B. Approval of Accounts Payable, Commerce Bank and Checkbook**

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

**3. ADMINISTRATION/FINANCE****A. Abatement Hearing – 2566 States Blvd**

City Assessor Chris Dickinson states at the BOE meeting in 2025 there were some objective changes for the property listed at 2566 States Boulevard. These changes were not made in 2025 therefore they are now corrected. Assessor Dickinson is recommending the abatement.

MOTION BY: Jason Fridrich

SECONDED BY: Russ Murphy

To approve the abatement for 2566 States Boulevard.

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

**B. Child Abuse Prevention Month Proclamation**

Vice President Robert Baer reads the Child Abuse Prevention Month Proclamation

MOTION BY: Jason Fridrich

SECONDED BY: Russ Murphy

To approve the Child Abuse Prevention Month Proclamation

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

**4. PUBLIC WORKS****A. Declaration of Surplus Supply**

Interim Public Works Director Jacob Waldo states normally the City holds a public auction every two years. The resolution that is presented is to declare surplus to sell by live

auction. There are three vehicles to surplus. He is hoping to work with an auction website to try and sell these items. He will come back to the Commission to give them more information in regards to this.

MOTION BY: Russ Murphy  
To approve Resolution No. 15-2026

SECONDED BY: Jason Fridrich

**RESOLUTION NO. 15 - 2026**  
**A RESOLUTION DECLARING SURPLUS CITY PROPERTY**

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

**B.Land Lease – 35 Acre Pasture Lease**

Interim Public Works Director Jacob Waldo presents a lease agreement between the City of Dickinson and Brusseau Farms to lease a portion of property within the following description for grazing purposes: A tract of land consisting of the NE Quarter of the SE Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section 12, T139, R96W, together with the NW Quarter of the SW Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section 7, T139N, R95W Stark County, ND. Mr. Brusseau submitted a proposal in response to an RFP published by Public Works staff. Within the proposal, 2 bids were offered; a 3-year option and a 5-year option. After review of the documents, it is the recommendation of Public Works staff to utilize the 5-year option. The annual rent for this property will be \$30 per acre (\$1050 total) for the 2026 calendar year and increase by \$2 per acre each succeeding year until 2030 when it maxs out at \$38 per acre (\$1330 total). The proposal has been included in your packets for your reference and the lease document has been reviewed by the City Attorney, Public Works staff recommends approval and signing of the 5-year lease document.

MOTION BY: Joe Ridl  
To approve 5 year – 35 Acre Pasture Lease to Brusseau Farms.

SECONDED BY: Russ Murphy

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

**C. Agricultural Drone Services Bid Award**

Interim Public Works Director Jacob Waldo presents a bid opening was conducted by Public Works staff for agricultural drone spraying services on 26 March, 2026 at 3:00 pm at the Public Works Facility where 1 bid was received from Spotters Aerial Ag LLC headquartered in Killdeer. City of Dickinson Public Works has contracted drone spraying services for the last 2 years. At the request of the Board of City Commissioners, an RFP was published for the service this year. Through the RFP period, staff fielded phone calls from 3 interested contractors. The bid includes weed control services for all 13 requested sites covering a total of 183.09 acres of land throughout the City of Dickinson, with the largest portions coming from the landfill, the emergency inert landfill, and lagoon system. Drone spraying has demonstrated a significant reduction in labor hours and material waste and focuses specifically on noxious weeds in areas that are not cut on a regular basis by City staff. The total quoted rate per application is \$23,958.05 for a total expenditure of \$47,916.10 over the calendar year, with payment being split between the divisions responsible for each tract of land sprayed. Based on the attached proposal, Public Works Staff recommends utilization of Spotters Aerial Ag for drone spraying services this year.

MOTION BY; Jason Fridrich  
To approve the Agricultural Drone Services Bid Award

SECONDED BY: Joe Ridl

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

5. **PUBLIC SAFETY**

**Fire**

**A. No Report**

**Police**

**A. No Report**

6. **COMMUNITY DEVELOPMENT SERVICES**

**A. Energy Center 6<sup>th</sup> Addition Development Agreement with Dickinson Energy Park, LLC**

City Planner Natalie Birchak presents for the Commissioners consideration a contract with Dickinson Energy Park, LLC, for a land swap of approximately 2.1 acres of City-owned land for approximately 1.89 acres of land owned by Dickinson Energy Park, LLC, as well as a construction agreement for stormwater management and sanitary sewer improvements. Dickinson Energy Parks, LLC, is responsible for the initial construction and installation costs of all stormwater management and sanitary sewer improvements. The City will take over maintenance of the infrastructure after initial construction. The City Attorney has reviewed this contract with no comments. Community Development staff recommends approval.

MOTION BY: Russ Murphy

SECONDED BY: Jason Fridrich

To approve the Energy Center 6<sup>th</sup> Addition Development Agreement with Dickinson Energy Park, LLC.

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

**B. Energy Center 6<sup>th</sup> Rezone**

City Planner Natalie Birchak presents a request for approval of a Zoning Map Amendment from General Industrial (GI) and Public (P) to Public (P) for Lot 1 of Block 1 of the Energy Center 6th Addition Subdivision, a Zoning Map Amendment from General Industrial (GI) to Public (P) for Lot 7 of Block 1 of the Energy Center 6th Addition Subdivision, and a Zoning Map Amendment from Public (P) and General Industrial (GI) to General Industrial (GI) for Lot 5 and Lot 6 of Block 1 of the Energy Center 6th Addition, located in the City of Dickinson. The site consists of +/- 31.98 acres. Planner Birchak states staff recommends approval of this rezoning request contingent on approval of PLP-001-2026 and recording of the Energy Center 6<sup>th</sup> Addition Subdivision and associated development agreement. The City has not received any public comment regarding this property.

MOTION BY: Jason Fridrich

SECONDED BY: Joe Ridl

To approve second reading and final passage of Ordinance No. 1850.

**ORDINANCE NO. 1850**

**AN ORDINANCE AMENDING THE DISTRICT ZONING MAP FOR REZONING AND RECLASSIFYING DESIGNATED LOTS, BLOCKS OR TRACTS OF LAND WITHIN THE EXTRATERRITORIAL ZONING JURISDICTION OF THE CITY OF DICKINSON, NORTH DAKOTA.**

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

**C. Final Plat Energy Center 6<sup>th</sup> Final Major Subdivision**

City Planner Natalie Birchak presents a final major subdivision plat. Planner Birchak states the applicant is requesting approval of the Energy Center 6<sup>th</sup> Addition final major

subdivision, being a replat of Lots 1, 1A, and 2 of Block 1 of the Energy Center 3rd Addition Subdivision, located in the SE ¼ of Section 1, Township 139 North, Range 96 West, in the City of Dickinson. The site is zoned General Industrial (GI) and Public (P). The site consists of +/- 70.71 acres. Planner Birchak states Staff recommends approval of this final major subdivision contingent on approval of REZ-001-2026 and associated development agreement.

MOTION BY: Russ Murphy  
To approve Resolution No. 16-2026

SECONDED BY: Joe Ridl

**RESOLUTION NO. 16 - 2026**  
**A RESOLUTION APPROVING FINAL PLAT ENTITLED**  
**ENERGY CENTER 6<sup>TH</sup> ADDITION SUBDIVISION**  
**STARK COUNTY, NORTH DAKOTA**

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

**D. Chapter 62 Amendment – Residential Storage Containers**

City Planner Natalie Birchak and staff is requesting approval of zoning text amendments to the notes for Table 62-162-2: Permitted Uses by Zoning Districts, in Section 62-162: Development regulations, in Chapter 62-Zoning of the Dickinson Municipal Code, to prohibit the use of storage containers as accessory structures in residential zoning districts within City limits. This amendment also subjects storage containers located outside of the residential zoning districts to the same screening requirements as outdoor storage. Staff recommends approval of this proposed text amendment.

Vice President Robert Baer is concerned and has a couple of issues in regards to this change. He is asking if there were any complaints. He states it would be helpful if the City could see some proof, photos, find out where these places are so they can look at them. Also, should there be a grace period of 5-7 years to get rid of this storage unit.

Planner Birchak states previously established storage units would be able to remain as seen as nonconforming structures until owner submits for development application of any kind then they would be asked to remove it or move it. This would also apply to the ETZ. Ms. Birchak states as for the outdoor screening requirements the screening and setback of them in the yards is already in ordinance. Ms. Birchak states that right now in the ETZ there are nonconforming ones and if the person applied for a building permit, then they would have to come in compliance with the storage unit.

MOTION BY: Jason Fridrich

SECONDED BY: Russ Murphy

To approve second reading and final passage of Ordinance No. 1851.

**ORDINANCE NO. 1851**  
**AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 62,**  
**RELATING TO THE USE OF STORAGE CONTAINERS AS ACCESSORY**  
**STRUCTURES IN RESIDENTIAL ZONING DISTRICTS**

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

**E. Road Maintenance Task Order Amendment to Civil Science**

Engineer and Community Development Director Joshua Skluzacek presents a task order amendment with the Civil Science Infrastructure, Inc. for City of Dickinson project number 202601 – 2026 Road Maintenance project. This includes construction engineering services for both the mill and overlay and the chip seal projects. The total estimated cost for construction engineering as specified in the agreement is \$473,279.00. The City Attorney has reviewed the task order with no comments. He reviews the key scope of work and city staff recommends approval.





this. If someone would like to put skirting for protection, would they be able to do this. What we consider as permanent.

City Planner Natalie Birchak states in chapter 50 allows for these smaller businesses that protects them. These are not considered mobile food trucks. Finding with skirting typically a mobile food vendor would use that as a permanent structure. A temporary skirting could be used for protection. She states the City does not want them to turn into a permanent mobile if use skirt. Anything that can move is considerate that can move. If at any time that it can be hooked up and can be moved.

Commissioner Joe Ridl wonders if there anyway to obtain a permit on the weekend.

Planner Birchak states if the administrative office is closed then they would have to get a permit any other day.

Vice President Robert Baer opens the public hearing at 5:17 p.m.

Mr. Jerry Roberts is a strong supporter of local businesses. If the food trucks are not allowed to be parked on public roadways or sidewalks where would be a specific designated spots to go. Sidewalks and roadways are public property and should be used for the public. If protestors are using their rights to be on the sidewalks and I think business owner who has a license should be allowed to be on there. Food truck – mobile – rather than limiting exactly where they could go but limiting on days and times to be on certain spots. Skirting is important in several ways – functionality – debris or snow, skirting should be allowed. Food trucks are important to our community.

Planner Birchak states the city is not blocking food trucks from operating – shows the approved maps. Infringing on the parking so entire streets are not taking up the entire street. That is for downtown commercial. You are operating in the approved area.

Vice President Baer closes the public comments at 5:22 p.m.

MOTION BY: Russ Murphy

SECONDED BY: Jason Fridrich

To approve first reading of ordinance 1852 with the amended skirting requirement and apparatus being mobile.

#### **ORDINANCE NO. 1850**

#### **AN ORDINANCE AMENDING THE DISTRICT ZONING MAP FOR REZONING AND RECLASSIFYING DESIGNATED LOTS, BLOCKS OR TRACTS OF LAND WITHIN THE EXTRATERRITORIAL ZONING JURISDICTION OF THE CITY OF DICKINSON, NORTH DAKOTA.**

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

#### **B. Public Hearing – Section 6-80 – Definition of Domestic Fowl**

City Attorney Christina Wenko presents changes to Section 6-80 which will change the definition of domestic fowl. Add quail under domestic. They are now excluded from domestic fowl and the city is not able to address complaints. Only adding quail. Rabbits are under a different section – separate section. This change is coming forward because of complaints, noise, types of animals part of the issue. We are not able to address them right now as they are not addressed in the code. In the circumstances as presented I believe animals in cages and no free roaming at this time. These have been in apartments and residential areas and complaints from neighbors. The language of including but not limited to does cover all these animals. Complaint based; this is something that this issue has come forward. This is limited to the city limits only. She states *Domestic fowl* means poultry which is valued for its meat and eggs including but not limited to chickens, turkeys, ducks, geese, guinea fowl, quail and pigeons.

Vice President Robert Baer opens the public hearing at 5:29 p.m.

Vincent Sisneros states this is complaint based. Once code changes it would be applicable across city limits. Quail are regulated through the state. The people that have them should have a license. Mr. Sisneros states that this change could affect their income and does not feel this is fair. It is a wide spread issue. You can put a small business out of business. These are also used for 4H projects. We are going to have a broad blanket of certain animals.

City Attorney Christina Wenko states this is the most appropriate way to address this issue. If we have individuals operating small business out of residences will require special use permit to allow in current zoning. The City has addressed individuals selling rabbits and did not have the appropriate paperwork. This has to be allowed and approved by city code. Paperwork that would be allowed to do that.

Makenna Sisneros states she lives in Sundance Coves division and over 1800 square feet. She states no one even knows that I have them. I am permitted to have them. This change would be hurting my business as she markets and sells eggs, and sell them to own their own flock. She states if she can't have our birds anymore, this is not fair. Whole LLC made out of it. They have not hurt anyone. If this goes through, will I need to get rid of all of my birds. The field in our backyard is not in city limits. I did not know I had to apply for a special use permit. I have a permit through Game and Fish and they said this is all I needed to go to sell the eggs.

City Attorney Wenko states that the Sisneros are part of this is from complains from incidences from your property. We are going looking to mechanisms to address concerns. Whether you feel it is appropriate to have these types of animals and fowls in city limits. What are the outcomes of what is allowing that and they need to answer?

Ms. Sisneros states they would be glad to move the coop over to a different property.

Attorney Wenko states this is not the time to negotiate the complaint in public. Point of conservation is that is it an ongoing issue with others. Prevent that this is going to prevent from continuing to occur. If you allow then we will move forward and if needs to be restrictive then we will move.

Ms. Sisneros states she feels targeted right now.

Attorney Wenko states indicating that there are no complaints against the property is something we need to address. Not your property specifically is it saying that the city. Most certain circumstances are complaint based. Look at current code to have current mechanism to adequately address citizens' complaints. Our responsibility is to check and see that we have the code language in place. When issues arise. If the mechanism to address this complaint or other complaints. We don't have the ability to restrict this or not. The commission has to make this decision.

Ms. Sisneros states Ms. Wenko said specifically it is our property. The Sisneros have them behind our house and covered and we can put them on the next lot or the future lot. They are not a danger. There are no health risks. Ms. Sisneros follow all the guidelines. One neighbor is the only problem there.

Attorney Wenko appreciates the comments. Whether the commission wants to allow it or not. That is the decision the commission will have to make.

Commissioner Russ Murphy does Section 6-80 have variance over a SUP to run a business or if it is in code and can you get a SUP.

City Planner Natalie Birchak states typically if not permitted in different section, then it wouldn't be in SUP so it will have to be brought up in. Not allowed unless used for specific sort of business. Should have gotten a permit for a home-based business. If operating out of homes they need a SUP. If operating a business out of your home like raising the quail is needs a SUP.

Attorney Wenko states the reason for SUP for home business is that the City would have ability to address neighboring concerns so it doesn't become an issue in the long run. Question is do you want to allow it in the City or not.

Commissioner Jason Fridrich questions if this change will cross over all our ordinances. He states that he is sure this is covered in the zoning that is not allowed already.

Commissioner Russ Murphy questions whether the City needs revisit animals such as rabbits, pheasants, etc. I think we don't address this I think we are going to get specific species.

Commissioner Jason Fridrich states if quail was not allowed in this code, she would not be allowed to have that type of business out of their house. don't come forward until there is a complaints.

Jeri Roderigues states she organizes the winter farmers market with Able permission. She states she feels when she moved to Dickinson this is a very rural community and welcome a lot of ag industries and local businesses. Restricting quail that would hinder the market as well. And only source vendors outside of the city. From the parents point of view quail are harmless. Far more complaints of dogs then quail. Important in community to have freedom their choice of business and pets as long as they are not harming anyone.

Willow Toroitich states her family moved from Bismarck to Mandan as they wanted chickens. We just assumed that Dickinson can have chickens. We have to source our food as we have 7 children. Work with other farmers to feed our kids. This seems to run a fowl of conservative or self-sustaining ideology to ban people from having quail. If policy gets made because people complain. What is the ratio of quail complaints to dog complaints? How can you be sufficient and take care of yourself? How many complaints do you need to ban the freedom of other people?

Commissioner Jason Fridrich questions how is this would be different if we allowed if we allowed chicken, ducks, etc. Maybe the City should allow a cow. How is this any different. As a board we run into this situation though. You might be a great chicken owner but the next three people are terrible chicken. We have to balance that out for the greater good.

Attorney Wenko states the difference we have on the books laws and regulations to the use and restriction of dangerous animals. We have the ability to charge those animal owners. This is based on a lot of different factors. Different we have the ability and have the code and mechanisms to address animal owners not taking seriously in regard to dangerous animals. The City doesn't have anything in code that is citizen complaints. We address every complaints. We don't pick and choose each complaint. We address them all. We don't tell someone that their complaint is not good enough to address. Citizen complaints take them all seriously and disregard t hem. Comes down to this is something that this commission feels that is appropriate to allow in our borders. We have to have something in place to address these concerns.

Willow Toroitich states families to have the freedom to feed their families.

Jeri Roderigues questions how many complaints do you need to address this.





OFFICIAL MINUTES PREPARED BY:

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Rita Binstock, Assistant to City Administrator

APPROVED BY:

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Dustin Dassinger, City Administrator

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Scott Decker, President  
Board of City Commissioners

Date: April 24, 2026