

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,
Commissioners Jason Fridrich, Joe Ridl and Russ Murphy.

Telephone: None

Absent: None

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

MOTION BY: Russ Murphy

SECONDED BY: Jason Fridrich

To approve the March 3, 2026 meeting as presented.

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

2. CONSENT AGENDA

MOTION BY: Robert Baer

SECONDED BY: Joe Ridl

A. Approval of the City Commission Meeting Minutes dated February 17, 2026

B. Approval of Accounts Payable, Commerce Bank and Checkbook

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

3. ADMINISTRATION/FINANCE**A. Land Sale Purchase Agreement – Stark County and Armory/LEC**

Staff recommends approval of the Purchase Agreement between the City of Dickinson and Stark County for the sale of the Armory and Law Enforcement Center properties, with a closing anticipated on or about October 1, 2026. The agreement provides for the sale of the following real property owned by the City and located in Dickinson, Stark County, North Dakota: Lot 2, Block 1, Museum Center Addition – Parcel ID #0791-0100-0200 (commonly referred to as the “Armory”) and Lot 1, Block 1, Museum Center Addition – Parcel ID #0791-0100-0100 (commonly referred to as the “Law Enforcement Center” or “LEC”) The County shall pay the City Two Million Five Hundred Thousand Dollars (\$2,500,000.00) for the Property. Title will be conveyed by Warranty Deed at closing, subject only to permitted title exceptions. The closing is scheduled to occur on or about October 1, 2026, at The Title Team in Dickinson, North Dakota, unless extended by mutual agreement. Possession of the Property will transfer to the County on the date of closing. The Agreement is contingent upon the following conditions being met prior to closing:

1. The City conveying marketable title.
2. No third-party claims or liens against the Property.
3. Execution of a Memorandum of Understanding allowing City personnel continued access to the indoor gun range located within the facility.
4. Execution of a Right of First Refusal agreement
5. Dedication by the County of approximately 53.7 feet of the east portion of the LEC property as public right-of-way to the City

If these conditions are not satisfied or waived by closing, the Agreement becomes null and void. The property is being conveyed in “as-is” condition, without warranties, express or implied. The County acknowledges it has had a full opportunity to inspect the Property and accepts it in its present condition. The proposed purchase agreement outlines the terms and protections for both parties in the transfer of the Armory and Law Enforcement Center properties. The agreement includes appropriate due diligence provisions, contingencies, title protections, and ongoing access accommodations for the City. City Administration recommends approval of the purchase agreement with Stark County.

MOTION BY: Russ Murphy

SECONDED BY: Jason Fridrich

To approve the sale of the Armory/LEC Building to Stark County with conditions as listed above.

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

B. City Attorney Contract

Administrator Dustin Dassinger has negotiated a proposed City Attorney Agreement with Mackoff Kellogg Kirby & Kloster, P.C. to provide full-time municipal legal services to the City of Dickinson beginning March 1, 2026. He states this agreement establishes the terms, scope of services, compensation, and expectations for the provision of City Attorney services over a four-year term. This will be on a full-time basis. The City will be considered a client of the firm. The agreement acknowledges that designated attorneys will maintain private practices but requires the firm to ensure consistent availability for City matters. While all attorneys within the firm are available to serve the City, the following attorneys are designated: Christina M. Wenko – Principal City Attorney and primary point of contact, Stephen A. Fetch – Secondary representative, Morgan M. Jacobs – Additional backup attorney. The agreement provides for a monthly flat fee structure as follows:

- March 1, 2026 – December 31, 2026: \$15,000 per month
- January 1, 2027 – December 31, 2028: \$16,000 per month
- January 1, 2029 – December 31, 2030: \$17,000 per month

The firm agrees to avoid conflicts of interest and will not represent parties adverse to the City. Representation is subject to compliance with the North Dakota Rules of Professional Conduct. The agreement is for a four-year term commencing March 1, 2026, and terminating December 31, 2030. If the primary designated attorney ceases to serve in that role, either party may terminate the agreement with thirty 30 days’ notice. City Administration recommends approval of the City Attorney Agreement with Mackoff Kellogg Kirby & Kloster, P.C. as presented.

Commissioner Russ Murphy asks if the inflation adjustment as before.

Administrator Dassinger said yes this is the same inflation.

Commissioner Jason Fridrich questions about the obligation of future Commission. The only way out is that Ms. Wenko would have to quit working.

City Attorney Christina Wenko states if this was an issue, she would certainly entertain a conversation with the Commission. If the Commission decides that she is not the person for the job she would do what is ethically correct.

MOTION BY: Jason Fridrich

SECONDED BY: Robert Baer

To approve the City Attorney Contract with Mackoff Kellogg Kirby & Kloster, P.C.

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0

Motion declared duly passed

C. Prosecution Attorney Contract

City Administration has negotiated a proposed Municipal Prosecutor Agreement with Mackoff Kellogg Kirby & Kloster, P.C. to provide municipal prosecution services for the City of Dickinson. The agreement is effective March 1, 2026, through December 31, 2030, for a four (4) year term, subject to termination provisions as outlined in the contract. Under the agreement, the firm will serve as Municipal Prosecutor under the direction of the City Attorney and will report all work product and ongoing case status to the City Attorney. The City will be considered a client of the firm. The Municipal Prosecutor will:

- Review all files, citations, and police reports to determine appropriate charges and penalties.
- Represent the City in all municipal court proceedings, including initial appearances, arraignments, pre-trial hearings, show cause hearings, administrative traffic hearings, and criminal bench and jury trials.
- Handle municipal court matters transferred to district court as provided by law.
- Coordinate with law enforcement and code enforcement staff.
- Prepare legal filings, discovery, and conduct necessary legal research.
- Attend annual in-state training related to municipal prosecution.
- Meet at least quarterly with Department officials regarding Municipal Code enforcement matters.
- Provide necessary administrative support at the firm's expense.

Administrator Dassinger states the firm has designated:

- **Christina M. Wenko** as the principal Municipal Prosecutor.
- **Stephen A. Fetch** as Assistant Municipal Prosecutor.

Any additional attorneys assigned to represent the City must be appropriately qualified and are subject to City approval.

The City will compensate the firm on a monthly flat-fee basis as follows:

- **May 1, 2026 – December 31, 2026:** \$17,000 per month
- **January 1, 2027 – December 31, 2028:** \$18,000 per month
- **January 1, 2029 – December 31, 2030:** \$19,000 per month

The flat fee covers all municipal court legal services, excluding appeals. In the event of appeals to the North Dakota Supreme Court, services will be billed separately at \$300.00 per hour. The agreement runs from March 1, 2026, through December 31, 2030. If the primary attorney ceases to serve in that role, either party may terminate the agreement with thirty (30) days written notice.

MOTION BY: Robert Baer

SECONDED BY: Joe Ridl

To approve the Prosecution Attorney Contract with Mackoff Kellogg Kirby & Kloster, P.C.

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

Attorney Christina Wenko thanks the Commissioners and staff for their continued support. She thinks the last two years have been interesting and has navigated challenges and also thanks City staff for this navigation. She states working with everyone within the City and the staff is a great group of knowledge-based employees whom make her job easier. She states they are great human beings. She states the staff truly make her feel part of the family and she is honored to continue to serve the City of Dickinson. President Scott Decker states he is glad to keep her onboard.

D. Sales Tax – Call for Election of New Sales Tax

City Administrator Dustin Dassinger states the City of Dickinson initially adopted a one percent (1%) sales and use tax in 1990. In 2001, the City amended its sales and use tax ordinance to adopt an additional one-half percent (½%) sales and use tax. The City of Dickinson operates under a Home Rule Charter, which authorizes the imposition of sales and use taxes. However, the Charter further requires that any additional sales and use tax must be approved by a majority vote of the qualified electors of the City prior to enactment. Since the last sales tax amendment in 2001, the community’s needs have significantly evolved. The Board of City Commissioners has identified increased and ongoing demands related to infrastructure, capital improvements, and particularly public safety. The City now confronts a number of public safety projects that are necessary and beneficial to maintaining the continued health, safety, and vitality of Dickinson. The proposed Resolution would submit to the qualified electors of the City the question of imposing an additional one percent (1%) sales and use tax within the City of Dickinson. The additional one percent tax would be dedicated solely to funding public safety infrastructure and operations, including: Personnel, Equipment, Facilities, Technology, Capital improvements. The additional funding mechanism would provide a sustainable local revenue source to address both current and future public safety needs. If approved by the City Commission, the Resolution provides that: The proposed additional one percent (1%) sales and use tax shall be submitted to a vote of the qualified electors of the City of Dickinson at the regular primary election to be held on June 9, 2026. The Resolution itself does not impose the tax, but authorizes submission of the question to the voters. If approved by the electorate, the additional one percent (1%) sales and use tax would generate dedicated revenue restricted to public safety infrastructure and operations. Administrator Dassinger recommends approval of the Resolution directing that the question of imposing an additional one percent (1%) sales and use tax for public safety purposes be submitted to the voters of the City of Dickinson at the June 9, 2026 primary election.

MOTION BY: Joe Ridl

SECONDED BY: Russ Murphy

To approve Resolution No. 08-2026

RESOLUTION NO. 08 - 2026

A RESOLUTION TO AUTHORIZE AND CALL FOR AN ELECTION TO ADD AN ADDITIONAL ONE PERCENT SALES AND USE TAX WITHIN THE CITY OF DICKINSON

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

E. Sales Tax - Joint Powers Agreement – Stark County and City of Dickinson

City Administrator Dustin Dassinger the City of Dickinson and Stark County have negotiated a Joint Powers Agreement pursuant to Chapter 54-40.3 of the North Dakota Century Code for the cooperative administration of funding dedicated to public safety infrastructure and operations. The purpose of the Joint Powers Agreement is to provide long-term financing for public safety infrastructure and operations, including: Personnel, Equipment, Facilities, Technology, and Capital improvements. The Agreement contemplates the levy of an additional one-cent (1%) city sales and use tax dedicated specifically to public safety purposes. The tax will be subject to voter approval through an amendment to the Dickinson Code of Ordinances. The proposed ordinance amendment will be submitted to the voters at the regularly scheduled primary election on June 9, 2026. The ballot measure will seek approval of the additional one-cent sales and use tax dedicated exclusively to the purposes outlined in the Agreement.

Administrator Dassinger states under the terms of the Joint Powers Agreement: The City will dedicate twenty percent (20%) of the revenues generated by the additional one-cent sales and use tax to the County. The County's share must be used solely for public safety infrastructure and operations, including personnel, equipment, facilities, technology, and capital improvements. Any allocation of funds by the County inconsistent with the Agreement will result in termination of the Agreement. The County must provide an annual report to the City during the City's annual budget review process outlining how it intends to utilize its portion of the sales tax revenue. The County must provide additional requested information regarding expenditures to ensure compliance with the Agreement. The City will collect the additional one-cent sales and use tax and transfer 20% of revenues to the County on a quarterly basis. Funds disbursed to the County will be deposited into the County's General Fund, restricted to the purposes identified in the Agreement. The City and County mutually recognize that allocating this additional one-cent sales and use tax to public safety is beneficial to both jurisdictions and the residents they serve. The Agreement will remain in effect pending the June 9, 2026 election. If voters approve the ballot measure, the Agreement will remain in effect until the later of:

- Repeal of the ordinance adopting the additional one-cent sales and use tax,
- Termination of the Agreement by the parties, or the County obtaining home rule status and independently collecting a sales tax.

If voters fail to approve the ballot measure, the Agreement will terminate upon certification of the election results.

City Administration recommends approval of the Joint Powers Agreement between the City of Dickinson and Stark County to provide for cooperative financing of public safety infrastructure and operations, contingent upon voter approval of the additional one-cent sales and use tax at the June 9, 2026

MOTION BY: Russ Murphy

SECONDED BY: Joe Ridl

To approve the Sales Tax - Joint Powers Agreement – Stark County and City of Dickinson

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

F. Public Works Operation Evaluations Consultant

City Administrator Dustin Dassinger states the City's Public Works Department consists of approximately 80 employees assigned across seven divisions: Buildings and Grounds, Forestry, Solid Waste and Recycling, Utilities, Water Reclamation Facility, Streets, and Fleet. These divisions are responsible for the operation and maintenance of critical municipal infrastructure and services. With the recent leadership transition in Public Works and the department currently under the interim management of the Deputy Public Works Director, Jake Waldo, it is an appropriate time to conduct a comprehensive operational evaluation. The purpose of this evaluation is to ensure the department is structured and functioning in a manner that promotes efficiency, accountability, regulatory compliance, and long-term sustainability. To accomplish this, I am requesting approval to enter into a professional services agreement with Interstate Engineering to conduct a comprehensive Public Works Department evaluation and provide actionable recommendations. The cost of the evaluation is \$95,112.00 plus mileage (\$.85). The overall goal of the evaluation is to assess the department's organizational structure, job roles, operational procedures, asset management practices, safety compliance, budgeting alignment, and performance metrics. The outcome will be a roadmap for strengthening management systems, improving operational consistency, and positioning the department for proactive, long-term service delivery. He discusses the components and the final deliverable will provide:

- Clear recommendations to improve organizational effectiveness.
- Enhanced clarity in job responsibilities and reporting relationships.
- Improved alignment between staffing and workload.
- Strengthened safety and regulatory compliance.
- Enhanced use of asset management and work order systems.
- Defined and actionable performance metrics.
- Improved budgeting alignment and operational efficiency.
- A strategic framework for proactive maintenance rather than reactive response.

Ultimately, this evaluation will position the Public Works Department to better serve residents, extend the lifecycle of City infrastructure, and improve transparency and accountability. City Administration recommends the City Commission approve the professional services agreement with Interstate Engineering to conduct a comprehensive Public Works Department Evaluation as outlined above.

Commissioner Robert Baer states this is a very extensive evaluation of Public Works. He understands terminating the Public Works Director but it seems that we are spending money on very big evaluation. This sounds like PW is a mess and they are not doing their jobs and there are issues there. Why such an extensive evaluation. As far as I know PW has been running very well so why to this extent.

City Administrator Dustin Dassinger states in his opinion evaluation to this extent probably should have been done 10+ years ago. Several open positions, several manageable positions open, believe issues that need to be addressed. Before hiring a PW director, he feels it needs to be a full evaluation of the department and the timing would be right now would be to do this. No intent to slim down, hard look at organization structure and management and most efficiently the way to do business right now.

Commissioner Russ Murphy states that Public Works is probably the department with the most employees. From the positions that are open that where funding for this will come from.

City Administrator Dustin Dassinger states yes, no budget issues. Salary from open positions that have not been filled.

President Scott Decker agrees with Administrator Dassinger that this probably needed to be done 10 years ago. We had a lot going on and trying to keep all the positions and a lot of infrastructure building out. We are doing this also now but we just need to build some efficiencies out there before we need to move forward with any staffing. No intent of downsizing, maybe move some people around to build efficiencies.

Commissioner Russ Murphy states those of us would like to see what happens in Public Works from the street department to garbage as there are a lot of departments and to see what type of efficiencies and staff that are needed in that department. Commissioner Murphy feels this is a good endeavor.

MOTION BY: Russ Murphy
To approve the Public Works Operation Evaluations Consultant contract.

SECONDED BY: Jason Fridrich

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

G. Findings of Fact, Conclusions and Order Regarding Demolition of 45 7th Avenue West

City Attorney Christina Wenko presents the Findings of Facts for 45 7th Avenue West. She states this statement of Findings of Facts is a result of the hearing. This property is a dangerous building and must be demolished. She states there was no representative for

this property. The owner will be served and has 30 days to appeal. After this time the City will seek bids for demolish and assess the property.

MOTION BY: Robert Baer

SECONDED BY: Joe Ridl

To approve the Findings of Facts for 45 7th Avenue West.

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

H. 2025 Year – End Unaudited Financial Report

Deputy City Administrator Linda Carlson presents the 2025-year end unaudited financial report. She states that the general fund was expended at 95% according to the actual budget. She reviews the general fund verses the expense which shows a decrease of revenue of 1%. This was covered by the general fund cash to cover expenses over and above the revenue brought in. She reviewed the enterprise fund, and special revenue funds.

I. 2025 Year – End Encumbrances and Amendments

Deputy City Administrator Linda Carlson states there are no amendments to the budget for 2025. She states there are several encumbrances for 2025 for projects, goods and services not completed in 2025 but will be completed in 2026. She reviews several departments such as the animal control, building and codes, finance, HR, Museum, Police, Public Works, and others.

MOTION BY: Jason Fridrich

SECONDED BY: Joe Ridl

To approve Resolution No. 10-2026

RESOLUTION NO. 10 - 2026 **FISCAL YEAR 2025 BUDGET AMENDMENTS, AND ENCUMBRANCES**

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

4. PUBLIC WORKS

A. Introduction of Brett Christensen – Water Reclamation Facility Manager

Interim Public Works Director Jacob Waldo introduces Brett Christensen as the new Water Reclamation Facility Manager. He states Mr. Christensen comes with 20 years of leadership which is mostly in the energy center. Mr. Waldo is excited to work with Brett.

Mr. Christensen thanks the Commissioners and the City for the opportunity to do the position and it is appreciated.

B. Nova Fire Protection Contract

Interim Public Works Director Jacob Waldo presents Nova Fire Protection Service Agreements. He states these are a series of 1-year service agreements between Nova Fire Protection, Inc. and the City of Dickinson to provide inspection and testing services for the Fire Sprinkler Systems, including backflow preventer testing, for City Hall, the Public Works Facility, Public Safety Center, Baler Building, Library, and Public Transit. The cost of these services totals \$4,605 for the 2026 calendar year. The agreements have been reviewed by the City Attorney, Public Works staff recommends approval and continuation of this service agreement.

MOTION BY: Robert Baer

SECONDED BY: Russ Murphy

To approve the one-year Nova Fire Contracts.

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

C. Landfill Scale Rental Agreement for Landfill

Interim Public Works Director Jacob Waldo presents the landfill scale rental agreement. This agreement with Fisher Industries for the rental of a truck scale to be utilized through this construction season at the landfill. The primary use of this scale will be to support CIP projects throughout Dickinson, primarily outgoing aggregate and incoming spoils and waste material. Moving all construction related traffic directly through the landfill will help to ease traffic congestion at the baler building during the expansion and allow for a reduction in down time and related costs for projects. The portable scale is compatible with our current scale software and is not anticipated to interfere with normal municipal solid waste (MSW) traffic to the landfill. The cost of the rental is \$7,500 per month with the option to apply 85% of the rental cost toward the purchase price of \$265,000 if the City chooses to pursue purchasing the unit outright. The agreement has been reviewed by the City Attorney; Public Works staff recommends approval.

MOTION BY: Jason Fridrich
To approve the landfill scale rental agreement.

SECONDED BY: Robert Baer

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

D. Hazardous Tree Removal

Interim Public Works Director Jacob Waldo presents a resolution allowing residents to remove trees deemed hazardous by the City Forester and special assess the cost against the improved parcel. These voluntary special assessments are over a 10-year period. The City Forester may assist homeowners with the hazardous tree removal and services upon request. This resolution has been reviewed by the City Attorney; Public Works Staff recommends approval.

MOTION BY: Russ Murphy
To approve Resolution 11-2026.

SECONDED BY: Jason Fridrich

RESOLUTION	NO.	11-2026
RESOLUTION CREATING HAZARDOUS TREE REMOVAL IMPROVEMENT DISTRICT 2026-01 OF THE CITY OF DICKINSON AND AUTHORIZING THE IMPROVEMENTS AND ASSESSMENTS		

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

E. Roll off Truck Bid Award

Interim Public Works Director Jacob Waldo presents a Roll-off Truck Bid Award. A bid opening was conducted at 10:30 AM on Monday, 23 February for a new roll-off truck to be added into the City fleet for use by our Solid Waste Division. This equipment purchase was budgeted for \$300,000 on a 5-year lease with annual payments of \$60,000. There is no trade-in included with this purchase, the old truck will be put into service for other divisions around Public Works and kept on standby as a backup to reduce downtime in the event of mechanical problems with any other unit. Use by other divisions is much less constant than with Solid Waste, which should give the old truck another 5-10 years of useful life within our fleet. Public Works staff recommends purchase of the 2027 Freightliner 114SD with the Galbreath Hoist as bid by Westlie Truck Center for a total cost of \$236,080.

MOTION BY: Robert Baer
To approve the truck bid award to Westlie Truck Center for \$236,080.

SECONDED BY: Joe Ridl

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

F. Farm Land Lease Renewal

Interim Public Works Director Jacob Waldo presents a Land Lease Renewal with Randy Hondl. He states this agreement between the City of Dickinson and Randy Hondl to lease a portion of property within the following description for farming purposes:

NW1/4 of Section 16, Township 139 North, Range 96 West of the 5th P.M., Stark County, North Dakota, comprising of approximately 111 acres

The annual rent for this property is \$40.00/acre (total \$ 4,440.00) for the term of 1-year effective February 10, 2026. Public Works staff recommends approval.

MOTION BY: Robert Baer

SECONDED BY: Joe Ridl

To approve the farm lease renewal with Randy Hondl.

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0

Motion declared duly passed

5. **PUBLIC SAFETY**

A. EMS Update

Fire Chief Jeremy Presnell presents an update EMS Report. He thanks everyone for their patience in regards to some of the data as it has been quite a bit of work to start an ambulance service. He breaks down the budget and projects \$1.62 million revenue in 2026. They do receive reimbursement for training from the State. They are currently holding an advanced EMT course that the State will reimburse 95%. He states Mondays and Tuesday are the busiest days of the week for EMS calls. He states they are reporting to calls very quickly. There have been 1,233 transports. Chief Presnell states there are big things coming as the City is going to partner with DSU to bring in a new paramedic program in August. DSU will pay the instructor cost and the city will utilize their equipment. The Fire Department is really excited to kick this off.

President Scott Decker states this is great news. The Fire Department has great community involvement with all the players. President Decker appreciates all that the staff does and he hears a lot of good things about the Fire Department.

Police

A. No Report

6. **COMMUNITY DEVELOPMENT SERVICES**

A. 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. She states there have been no changes since the first reading and no public comments received. Staff recommends approval of this text amendment.

MOTION BY: Russ Murphy

SECONDED BY: Joe Ridl

To approve second reading and final passage 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 5, Nay 0, Absent 0

Motion declared duly passed

B. Gate City Bank Dickinson Revitalization Program Annual Renewal

City Planner Natalie Birchak states in 2025 Gate City Bank partnered with the City of Dickinson to establish the Dickinson Revitalization Program, designed to assist homeowners pursuing major or minor home renovations through offering low-interest loans. The City saw a total of six (6) applicants utilize approx. \$220,800 through this program in 2025. Gate City Bank has approved the City of Dickinson for \$1 million available to residents applying for loans through the Dickinson Revitalization Program in 2026. The program is available on a first-come, first-serve basis.

MOTION BY: Russ Murphy

SECONDED BY: Robert Bear

To approve the renewal of the Gate City Bank Dickinson Revitalization Program Annual Renewal.

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

C. East Water Tank Bid Award

Senior Engineer Kris Keller presents a notice of award to Maguire Iron Inc (Maguire). Maguire submitted a bid of \$175,000 for the project as designed and specified. This is \$152,000 below the engineer's estimate. Five (5) bids were opened for this project. The next step in this project is contract development which will be brought to the commission after engineering and legal review. The Notice of Award was reviewed by the City Attorney. The project will be funded by GPT. The City Engineering staff recommends approval.

MOTION BY: Jason Fridrich

SECONDED BY: Russ Murphy

To approve the East Water Tank Bid Award

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

D. Various Transportation Structures Project Contract to SRF Consulting

Engineer and Community Development Director Joshua Skluzacek presents a task order with SRF Consulting Group, Inc. (SRF) to perform engineering services for the City of Dickinson Project Number 202615, the Various Roadway Structures project for a time and materials fee as specified in the contract of \$39,210.68. This contract is in reference to the proposal received through a request for proposal where three proposals were received. SRF scored the highest score based on their proposal for the project. The City Attorney has reviewed the contract with no comments. Director Skluzacek reviews the scope of work. He states individual structures are inspected every other year and as far as repairs he is not sure when the last time repairs were completed. He will take action on inspections.

MOTION BY: Robert Baer

SECONDED BY: Russ Murphy

To approve the various transportation structures project contract to SRF Consulting.

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

E. 202417 – 5th Street SE NDDOT Bid Award Contract

Engineer and Community Development Director Joshua Skluzacek presents a bid agreement with the North Dakota Department of Transportation (NDDOT) for NDDOT project SU-5-983(068), PCN 24205, City of Dickinson project number 202417. The total project bid as specified in the agreement is \$1,888,035.10. The City Attorney has reviewed this agreement with no comments. The project bid opening occurred on Friday February 6, 2026 and was administered through the NDDOT bidding process where a total of three bids were received. BEK Consulting, LLC was the low bid and was approximately 7% under the engineer's estimate for the project. The city engineering staff recommends approval.

MOTION BY: Jason Fridrich

SECONDED BY: Russ Murphy

To approve the 202417-5th Street SE NDDOT Bid Award Contract.

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

F. 202417 – 5th Street SE NDDWR Grant Award

Engineer and Community Development Director Joshua Skluzacek presents an agreement for cost-share reimbursement with the North Dakota Department of Water Resources (DWR) grant which was approved by the State Water Commission at the February 12, 2026 meeting. One of the scopes of work for the project is to extend the watermain approximately 670 feet to loop the system to the existing watermain in 6th Ave. SE. The municipal water supply cost share maximum is 60% from the DWR, and 40% from the City of Dickinson. Based on the agreement, the grant not to exceed amount is **\$198,780**. Both construction and construction engineering costs are eligible cost share items. The City Attorney has reviewed the agreement with no comments. The City Engineering staff recommends approval.

MOTION BY: Jason Fridrich

SECONDED BY: Joe Ridl

To approve the 5th Street SE NDDWR Grant Award

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

G. Resolution for Sanitary Sewer and Water Service Voluntary Special Assessment.

Engineer and Community Development Director Joshua Skluzacek presents a Resolution for the 2026 Sanitary Sewer and Water Service Special Improvement District. This Resolution is to create the sanitary sewer and water service special improvement district of the City of Dickinson and authorizing the improvements and assessments as a voluntary funding option for all citizens. The SID is payable over a 10-year period at an interest rate of 4.1%. Special assessments paid in full by October 1, 2026, will not be charged interest and no penalty will be levied for paying the special assessments early. This can only used on existing homes and not new homes. Construction will occur during the construction season of 2026.

MOTION BY: Joe Ridl

SECONDED BY: Russ Murphy

To approve Resolution No. 12-2026

RESOLUTION NO. 12 - 2026

A RESOLUTION CREATING A 2026 SANITARY SEWER AND WATER SERVICE IMPROVEMENT DISTRICT OF THE CITY OF DICKINSON AND AUTHORIZING THE IMPROVEMENTS AND ASSESSMENTS

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

H. MSA Update with KLJ Engineering

Engineer and Community Development Director Joshua Skluzacek presents for consideration is a master service agreement (MSA) with KLJ Engineering, LLC utilizing the Engineers Joint Contract Documents Committee (EJCDC) form. This is an update to their existing MSA which was executed in January 2018 utilizing a prior version of the EJCDC form. Some of the key changes from the prior version to the new version of the EJCDC form are: updated/increased insurance limits, minor changes and updates to the standard language for the terms and conditions, and the use of documents. The benefits of having a MSA versus providing individual project contracts are; consistent terms and conditions regardless of the project, clarity to the obligations and rights of both parties which reduces potential conflicts, and reduced review time by staff for future project contracts. The City Attorney has reviewed the document. The City Engineering staff recommends approval.

MOTION BY: Jason Fridrich
To approve MSA Update with KLJ Engineering.

SECONDED BY: Robert Baer

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

I. General Consulting Task Order to KLJ Engineering

Engineer and Community Development Director Joshua Skluzacek presents for consideration is a task order with KLJ Engineering LLC to perform general services. This task order will be under the new MSA which is also on the March 3, 2026 City Commission Meeting agenda. Typical tasks that have been requested under the general services task order are anticipated to be survey and engineering requests as needed to review: updates to our transportation network model utilizing VISTRO software from our recently completed transportation master plan project, easements, legal descriptions, utility information, signage, and other miscellaneous needs of the engineering department. The city engineering staff recommends approval.

MOTION BY: Joe Ridl
To approve general consulting task order to KLJ Engineering

SECONDED BY: Russ Murphy

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

J. Grant Writing Service Task Order Amendment to KLJ Engineering

Engineer and Community Development Director Joshua Skluzacek presents a task order amendment for KLJ Engineering LLC to perform grant writing services for 2026 for an hourly not to exceed amount as specified in the contract of **\$68,260.00**. The individual projects will fund the grant writing services which were included in the 2026 capital improvement project budget. Included in the scope of work are the following tasks: Public Training Facility; Review 2026-2030 CIP/new grant funded priority projects; Urban grant funding project – flex application and misc. support services/on call grant writing. The city engineering staff recommends approval.

MOTION BY: Robert Baer
To approve the grant writing service task order amendment to KLJ Engineering.

SECONDED BY: Russ Murphy

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0
Motion declared duly passed

K. Monthly Report

Engineer and Community Development Director Joshua Skluzacek states it is been a busy start to the new year. He reviews the number of building permits and projects. He states there is good progress on a number of different projects. The City is also getting a lot of data collection done and projects matures. He states GIS has received a new staff member, Ryan Fell whom comes from Wisconsin and has a minor with some computer science. He reviews the credits associated with the quote for programs. These credits have not been used in the past. He states the city will make a more interactive map functionally.

President Scott Decker asks about the beginning of the reconstruction of the East Broadway Dam and demolishing the old dam. He is concerned about the fish kill and if the fish will be removed and transported some other local lake.

Senior Engineer Kris Keller will visit with Game and Fish to find out the answers to this.

7. PUBLIC HEARING – 5:00 P.M.

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

City Planner Natalie Birchak and Community Development staff is requesting 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. 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. City Staff has not received any phone calls in regards to these changes. Staff recommends approval of this text amendment.

Commissioner Robert Baer asks Ms. Birchak if she is talking about semis. He is aware of residents that have semis that are part of their towing of recreational vehicles. Planner Birchak states is the vehicle part of the recreational vehicle definition that is one way that it would be construed. If a semi would have to be in garage and not on driveway. Weight restrictions of over 10,000 lb.

Commissioner Russ Murphy states are you eliminating heavy recreational vehicle. Class A motor homes. Area of where we need to look at it. It is not commercial. I think that is where we might get some push back. Class A home owner and not being able to be parked that there. It is heavy vehicle but not classed as a recreational vehicle. Commissioner Murphy questions if the City looking at weight or class first? Class a motor homes parking on their lots. Those types are deemed at recreational vehicles and not only about weight.

Planner Birchak states heavy vehicle would take precedence. If we allow for that differential between heavy recreational and heavy vehicles. This could be used to tow and try to slip that under recreational vehicle even though it is over 10,000. Can change up the wording about motor homes.

City Attorney Christina Wenko states the City can revise this and say something under recreational vehicle – recreation vehicle as defined is not deemed to be heavy vehicle.

Commissioner Murphy questions heavy vehicle or recreational first.

Planner Birchak states heavy vehicles not in residential. Excuse them from the definition.

President Scott Decker states the only thing the snow removal equipment, bobcat, front end loader, he doesn't want this to be in code violation because they brought skid steer in to clean driveway. For some kind of language that we are not having just pettiness over storage of those types of vehicles.

Attorney Wenko states personal vehicle has separate definition. I don't believe a tractor falls under that. Question – do you want to allow it and if so for how long. Bobcat to clean snow and if it sits there for six months, we are trying to avoid this. These are complaint based. Building dept are going to be actively looking out for tractors. Can add or excuse something if you desire to do so.

Commissioner Joe Ridl states if we don't designate a tractor it is going to fall under heavy vehicle. I would look from not taking 10,000 lb.

Planner Birchak states this might hamper how this is enforced or affective. Some tractor is around 15,000 lb. Tractor would be under 10,000 lb.

Commissioner Ridl states if you are not going to control them all. Definition of tractor otherwise fall under heavy vehicles.

Commissioner Jason Fridrich questions why do we even have a heavy vehicle in a residential. No heavy vehicles at all. This would include bobcats, loaders, thinking on this. No commercial or heavy vehicles in the driveway. Get away from commercial vehicles in their driveway. Commercial in over 10,000 weight and we are done.

Commissioner Murphy states a definition of vehicle is what and when you look at does that include tractor, either eliminate what they are

Commissioner Fridrich states commercial vehicles that exceed 10,000 lb. used commercial application or business. No one is driving a semi on the weekend for fun. Get rid of commercial vehicles and equipment exceed 10,000. You cannot cover everything.

Commissioner Ridl states restriction to go up in weight to help cover all basis. 15,000 lb. would help a lot of bigger stuff. A semi that pulls horse trailer, heavy semi that has a very large sleeper that they are going to use for rodeoing. These would be on streets.

Planner Birchak states don't allow in residential area right now. Don't think they will permit them in the city limits. Keeping 10,000 would be more like keeping them out.

Commissioner Ridl states then would be recreational or commercial.

Commissioner Fridrich states if the City goes up to 20,000 lb. semis would be included.

Commissioners Murphy agrees with Commissioner Fridrich to include anything used for commercial over that amount.

President Scott Decker states snow removal equipment can be stored temporary.

Planner Birchak states yes snow removal okay.

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

Resident Jeff Ficek appreciates what Commissioner Fridrich cut through extra wording and make this simple. Everything is complaint is covered in city code. Can't park vehicle more than 48 hours. Parks on lot on preapproved parking pad need to move it. Unless they have money to put in parking pad you got control. All of this again is layering more regulation on top of regulation and isn't working. Look at those laws or eliminate those or brings in new law to solve problem. Complaint driven – inherently unamerican in the first place. The law is for everyone not only that has the complaint. That is how justice system is created. Reconsider this, private property, city ordinances that are there already how is that different as a rec vehicle. Making a differentiation on private property versus commercial semi. Doesn't make sense to me. Definition change. Then we have been allowing illegal stuff all along why have law prevent in first place if it was never enforced in the first place. Complaint based is not how to handle the law.

Commissioner Fridrich states the City is not changing any of the law. Cleaning up definition. He states laws are not changing all vehicles are not allowed. Recreational vehicles are but commercial semis are not allowed or tractors or nothing.

President Decker states defining what this is. He does agree when City needs to have a better enforcement. Satisfied by changing definition of what a commercial vehicle is but evening applied back to snow removal. I don't want this to turn into a gripe fest.

President Scott Decker closes the public hearing at 5:30 p.m.

Commissioner Robert Baer needs clarification as I have friends that have semi that pull their RV and they are part of the package. Would they not be allowed to park that semi to pull their 5th wheel? Actual recreational semi-trucks that pull their trailers. Where does that particular semi fall into?

Commissioner Jason Fridrich states that are a commercial truck they are hooking up. Does it exceed 10,000. Do they need a commercial license to drive then yes it would be considered a semi?

Commissioner Joe Ridl states anything with a def cab filter is over 10,000 lb.

Engineer and Community Development Director Joshua Skluzacek states taking out the heavy vehicle portion and not include it as necessary not what we have been focusing on. Define commercial vehicle over 10,000 empty gross weight using as top of page and then 10,000 empty gross weight does not associate with the recreational definition at bottom of page, look at information related to temporary use of snow removal equipment.

Resident Matt Rothstein what about vehicles that are 26,001lb empty weight. Oil field vehicles are over 10,001 lb.

Planner Birchak states base vehicle is 9,000 lb. with no adjusted weight. Empty weight not factor what is inside.

MOTION BY: Jason Fridrich
To approve first reading of Ordinance No. 1849

SECONDED BY: Russ Murphy

ORDINANCE NO. 1849

**AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 62,
RELATING TO PERSONAL, COMMERCIAL, RECREATIONAL, AND
HEAVY VEHICLES DEFINITIONS AND STANDARDS**

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

9. PUBLIC COMMENTS NOT ON AGENDA
None

10. COMMISSION COMMENTS
None

11. ADJOURNMENT

MOTION BY: Joe Ridl
Adjournment of the meeting was at 7:00 P.M.

SECONDED BY: Russ Murphy

DISPOSITION: Roll call vote... Aye 5, Nay 0, Absent 0
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 24, 2026