



Motion declared duly passed

**D. Beer and Wine Only On Sale Liquor License – Battle Bunker**

City Administrator Dustin Dassinger states Bunker Battle would like to apply for a beer and wine only on sale liquor license. They are located at 30 7<sup>th</sup> Street West LL34 Administrator Dassinger states a background check was completed and the city recommends approval. This is a gaming store.

MOTION BY: Jason Fridrich

SECONDED BY: Suzi Sobolik

To approve Beer Only Liquor License for Island Cuisine.

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

**E. Class A Liquor License Reinstate – Army’s West**

City Administrator Dustin Dassinger states Army’s West would like to reinstate their 2023 liquor license. Currently Final Final has a city license but not a state license. Administrator Dassinger states with the delay in the background checks Army’s would like to reinstate their 2023 liquor license. Army’s would continue to hold the license until the transaction happens at the State level. This is the recommendation after a visit with the State. Army’s West liquor license will be reinstated until the State approval of Final/Final State Liquor License.

Attorney Jordan Selinger states that Mike Armstrong owns Army’s West. The sale transaction is still moving forward but with the out of state owners there has been a delay in this transaction. The State says it could be 2-3 weeks yet. The city is requesting having Army’s license reinstated with the contingency with State approval of Final/Final.

MOTION BY: Suzi Sobolik

SECONDED BY: Jason Fridrich

To approve the reinstatement of Army’s West liquor license for 2023.

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

**F. Tobacco License Renewal – Army’s West**

City Administrator Dustin Dassinger states Army’s West would like to reinstate their 2023 Tobacco License.

MOTION BY: John Odermann

SECONDED BY: Suzi Sobolik

To approve the reinstatement of Army’s West tobacco license for 2023.

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

**G. Class A. Liquor License Renewal for 2024 – Army’s West**

City Administrator Dustin Dassinger states Army’s West would like to renew their liquor license for 2024. This license would be terminated immediately upon State approval of Final/Final. This application was reviewed and a background complete and the city recommends approval.

MOTION BY: John Odermann

SECONDED BY: Jason Fridrich

To approve the renewal of Army’s West Liquor License for 2024.

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

**H. Tobacco License Renewal 2024 – Army’s West**

City Administrator Dustin Dassinger states Army’s West would like to renew their tobacco license for 2024. This license would be terminated immediately upon State approval of Final/Final. This application was reviewed and the city recommends approval.



MOTION BY: Robert Baer

SECONDED BY: John Odermann

To approve the reappointment of Shawn Soehren to the Airport Board for another five-year term.

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

**L. January, 2024 Commission Meeting Discussion**

City Administrator Dustin Dassinger visits about changing the January, 2024 commission meetings to a different date as the first one is the 2nd of January. He states moving these dates to the 9<sup>th</sup> and 23<sup>rd</sup> would allow city staff to gather information for the meetings.

MOTION BY: Robert Baer

SECONDED BY: Jason Fridrich

To approve the changing of the January, 2024 meeting dates to January 9, 2024 and January 23, 2024.

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

**M. Fiber Contract**

IT Director Aaron Meyer states in order to better support the city's wireless infrastructure network, the city is working on adding a dedicated fiber line to the NW Water Tank on States Ave. This connectivity would serve to eliminate connectivity issues experienced during weather events both rain and snow. The NW Water Tank site serves as a central hub for the West Lift Station Septage Receiving Station as well as many of our intersections throughout the city. Similar to our other fiber contracts, this contract would be reevaluated/renewed every 5 years.

MOTION BY: Suzi Sobolik

SECONDED BY: John Odermann

To approve the fiber contract for the NW water tank.

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

**N. Vanguard Appraisals Contract Renewal**

Deputy City Assessor Deb asks for approval on three contracts from Vanguard. She states the City Attorney has reviewed the contracts. These contracts would be for six years. This would provide an overall cost. The first contract is for annual achieving of assessing data. The second contract adds a pictometry model and the third is to add an additional user to the program. There is an opt out clause which we would have the option of terminating the agreement upon notice to the other party.

MOTION BY: Suzi Sobolik

SECONDED BY: Jason Fridrich

To approve the Vanguard annual archive contract for six years.

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

MOTION BY: John Odermann

SECONDED BY: Robert Baer

To approve the Vanguard contract with the addition of a pictometry model for six years.

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

MOTION BY: Robert Baer

SECONDED BY: Suzi Sobolik

To approve the Vanguard contract to add on another user for six years.

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

Motion declared duly passed

**O. Monthly Financial Report**

Deputy City Administrator Linda Carlson presents the monthly Financial Report. Ms. Carlson states the total cash on hand is around the same amount as last month. The current interest rate did rise at 3.71%. There were no changes to the investments. The sales tax is up this month but no explanation for this. This is the largest amount the City has seen over the past 7 years and is up over a million dollars. Ms. Carlson did call the State Treasurers Office and they did say there was an increase in online sales. Hospitality and Occupancy tax was also up for November. Oil Impact revenue was down slightly. She discusses revenue and expenses.

MOTION BY: Robert Baer

SECONDED BY: Suzi Sobolik

To approve the monthly Financial Report.

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

**P. 2024 Annual Fee Schedule**

Interim Public Works Director Aaron Praus presents recommended proposals to the fee structure for 2024 for solid waste fees. He states it is the recommendation to increase the solid waste fee for 2024 for single family of \$21 from \$19. Each additional container would be \$10.50 increase and with multiple units it would increase. Also proposing a 10% rate increase for commercial solid waste collections. Household tipping fees and construction fees at the landfill will go from \$55 dollars a ton to \$60 a ton. All these increases would start in 2024.

Deputy City Administrator Linda Carlson states these are the only changes for 2024.

MOTION BY: Jason Fridrich

SECONDED BY: Suzi Sobolik

Adopt Resolution No. 38-2023.

**RESOLUTION NO. 38-2023**

**A RESOLUTION AMENDING CITY OF DICKINSON FEE SCHEDULE**

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

**Q. HR Monthly Report**

HR Director Shelly Nameniuk presents the monthly HR report. Ms. Nameniuk reviews the open positions and promotions.

Deputy City Administrator Linda Carlson states the Library Director position has been approved by the HR system but the Library Director position has to be approved by the Library Board first and then approved by City Commission.

**5. PUBLIC WORKS**

**A. Monthly Public Works Report**

Deputy Public Works Director Aaron Praus presents the monthly Public Works report. He reviews services provided by Public Works. He informs the Commissioners the city will be ready to start selling Dickinson South Cemetery plots tomorrow for \$900 and \$1,000 per lot. He reviewed October request for services. He states the Forestry Beautification meeting will be held in March, 2024. He updates the Commissioners on happenings in the Public Works Department along with new staff. He also states the City received a \$1,500 grant from MDU for ECO community to help support the Kids Camp.

**6. PUBLIC SAFETY**

**A. Fire Department**

**Reports:**

**1. None**



President Scott Decker opens the public hearing at 5:01 p.m. Hearing no public comment, the hearing was closed at 5:02 p.m. and the following motion was made.

MOTION BY: Suzi Sobolik

SECONDED BY: Robert Baer

To approve second reading and final passage of Ordinance No. 1790.

**ORDINANCE NO. 17960**

**AN ORDINANCE AMENDING AND REENACTING ARTICLE 4.08.06 OF THE MUNICIPAL CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO THE LEGACY SQUARE CONCESSION LICENSE**

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

**B. Public Hearing – 2024 Road Maintenance SID District 202401-1**

Engineering and Community Development Director Joshua Skluzacek presents the 2024 Road Maintenance SID project. He states the City has gone through the SID process as City Ordinance and Century Code. He has received no feedback or protest in this district.

President Scott Decker opens the public hearing at 5:04 p.m.

Arlan Hofland of 690 9<sup>th</sup> Avenue SW questions why the homeowner would have to pay for the curb. He does understand why the home owner would have to pay for the sidewalk and city would pay for the pavement but the home owner would be assessed the curb, gutter and sidewalk. He is questioning why the homeowner is responsible for this as the city is normally runs the curb and gutter. He states this special seems to be high. Mr. Hofland questions who determines which sections of his sidewalk need to be replaced. He states that there is section of the sidewalks have no cracks and it is supposed to be replaced and he questions why would he have to pave for this. He would like to be shown why this area would need to be replaced. He states there are a lot of people in this area that have these concerns.

Commissioner John Odermann states that the city has done this in coordinate for standards practice since 2019. The cost of the pavement is picked up and the city is allowing the concrete cost to the residents. ADA needs to be in compliance.

President Scott Decker states that instead of assessing the street cost to the resident it came to the determination that the City would pay for the street and the resident would pay for curb, sidewalk and gutter.

Commissioner Jason Fridrich states in the past the City had paid for the sidewalks, curb and gutter and now the streets the City pay. He questions why the City would replace sidewalk that is not bad. If the sidewalk is broken or missing then they need to be replaced. The homeowner has the right to have the property reviewed by staff and maybe mud jacked instead of replacing the sidewalk. Commissioner Fridrich states the homeowner can also hire their own contractor. Every municipality sidewalk curb and gutter are the homeowner's responsibility.

Engineering and Community Development Director Joshua Skluzacek states that maybe the ADA compliance does not need to be paid by the homeowner. Also, if the panels are raised then the City will look for that and for ADA. He states normally the sidewalk is to be ADA compliant.

Commissioner John Odermann states that the City has heard these complains in the past years. Property owners do not feel that their sidewalks are in need to be replaced. He does feel KLJ does go out and review the sidewalks. They will have them replaced if they are not in compliance but Commissioner Odermann does look at some sidewalks and he doesn't think they need to be replaced. Commissioner Odermann feels this needs to be rereviewed and put on as a timeline as this puts KLJ in a bad spot and property owner in a bad spot.



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: January 9, 2023