

I. CALL TO ORDER

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

II. ROLL CALL

Present were: President Scott Decker, Commissioners Jason Fridrich, Suzi Sobolik and Robert Baer

Telephone: None

Absent: Vice President John Odermann

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

MOTION BY: Suzi Sobolik

SECONDED BY: Robert Baer

To approve the November 7, 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: Suzi Sobolik

A. Approval of Meeting Minutes dated October 17, 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. Class A Liquor License – Final Final**

City Administrator Dustin Dassinger presents a Class A liquor license for Final Final. City Staff have reviewed the application and there are two members that are under the age of 21. Administrator Dassinger states there is nothing in the code that would restrict a minor from having liquor license.

MOTION BY: Suzi Sobolik

SECONDED BY: Jason Fridrich

To approve the Class A Liquor License for Final Final.

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

B. Tobacco License – Final Final

City Administrator Dustin Dassinger presents a Tobacco license for Final Final. Staff recommends approval.

MOTION BY: Suzi Sobolik

SECONDED BY: Jason Fridrich

To approve the Class A Liquor License for Final Final.

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

C. Gaming Site Authorization

City Administrator Dustin Dassinger presents a Gaming Site Authorization for Final Final. Dickinson Youth Activities have applied to have the gaming license at this establishment at 640 12t Street West. Staff recommends approval.

Commissioner Robert Baer does have some concerns with two owners being under the age of 21. He is questioning whether they can be part owners of a gaming site. He states this is a trust issue and Commissioner Baer has an issue with that. He feels the City is opening up a can of worms for underage to own a business when they are not of legal age to sell. He states the next thing is someone whom is under 18 will want to open a vape shop. He feels this is a morel issue.

City Attorney Christina Wenko states there are no restrictions. Obviously because these individuals are under the age of 21, they will be prohibited and need to adhere to the law. She is hoping this is not an issue and hope the owners adhere to the laws.

President Scott Decker states they know whom cannot be on the premises. This is just an interest in the business and they are giving the business funds. If they risk their name for the business, otherwise there will be prosecution.

City Attorney Christina Wenko states if the City is made aware of a potential violation that could be a reason for suspension of the license. The City does have the ability to monitor the premises.

Attorney Jordan Selinger has been working with the City and had discussion about the owners being under 21. He states one of the owners has 1% of 10% and the other one has a little bit of an ownership. This will not be a problem.

MOTION BY: Suzi Sobolik
To approve the Gaming Site Authorization for Final Final.

SECONDED BY: Jason Fridrich

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

D. Marketing and Events Coordinator Job Description

HR Director Shelly Nameniuk presents a Marking and Events Coordinator Job Description. She states this is a new position for 2024 and was approved in the 2024 budget. She states this position is full time and reviews the duties and requirements for the job. This title will be a Grade 14 and non-exempt.

MOTION BY: Robert Baer
To approve the Marketing and Events Coordinator Job Description

SECONDED BY: Suzi Sobolik

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

5. PUBLIC WORKS

A. Barr Engineering Agreement

Interim Deputy Public Works Director Aaron Praus presents a Barr Engineering Agreement which is part of the permit to operate the landfill and observe the burn at the landfill. This requirement is to fulfill the obligation of having a landfill permit. The cost of this is \$4,500 dollars and will be a one-day observation. Interim Deputy Public Works Director Praus states this is a series of 3 watches of 15 minutes each and 1 ½ hours in between the burns to observe the burn.

MOTION BY: Jason Fridrich
To approve the Barr Engineering Agreement.

SECONDED BY: Robert Baer

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

6. PUBLIC SAFETY

A. Fire Department

Reports:

1. Monthly Report

Fire Chief Jeremy Presnell presents the September Monthly Report which had 164 calls for service which is slightly higher at 28% increase. A 120 EMS calls and states Station 1 has the majority of calls. Response times show Station #1 to be good and Station #2 a little less as they were responding to Station #1 area calls as Station #1 was busy. He states firefighter training is right on track and will meet the 100% needed for the year.

B. Police Department

Reports:

1. None

7. COMMUNITY DEVELOPMENT SERVICES

A. Highlands Engineering Task Order – North Industries Street and Storm Water Improvements.

Engineering and Community Development Director Skluzacek presents a Highlands Engineering Task order for North Industries Street and Storm Water Improvements. Director Skluzacek states the roads are in poor condition with the water and sewer going in and the bid package for 2024. This project is a capital improvement plan for 2023 and the city is looking to have a special improvement district. He states the proposed project to the property owners will be far less cost to them than in 2023.

MOTION BY: Jason Fridrich

SECONDED BY: Suzi Sobolik

To approve Highlands Engineering Task Order for North Industries Street and Storm Water Improvements.

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

B. KLJ Task Order – Grant Writing Services

Engineering and Community Development Director Skluzacek presents a Task Order from KLJ for grant writing services. He states this task order would not exceed \$78,150. There were no successful grants in 2023. The contract is not associated with any grant award.

MOTION BY: Suzi Sobolik

SECONDED BY: Robert Baer

To approve the KLJ Task Order for Grant Writing not to exceed \$78,150.

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

C. Apex Engineering Task Order Amendment – 2024 Watermain and Lead Service Line Replacement

Engineering and Community Development Director Skluzacek presents the 2024 watermain and lead service line replacement task order from Apex Engineering. He states Apex was previously awarded the project and upon a site review they looked at curb, sidewalk and gutter along with driveways. He states some of the concrete was broken and would not hold water. The marked concrete needed to be replaced and looked at the cost. This would be more a special use permit with road maintenance project for 2024.

Commissioner Jason Fridrich states if the City does a mill and overlay in 2023 and then in two years does a concrete replacement the residents will have specials again. Commissioner Fridrich does not agree with putting in this special improvement district. He states a special improvement district has been coordinated with the cost of the road maintenance and not water and sewer improvements. He states if the city is going to mill and overlay maybe the concrete should be completed at the same time. He states in order to put the pipes in the ground the concrete needs to be removed and then when the watermain comes in the concrete needs to be torn out. He is concerned that the residents

will be assessed now and then in two years. Commissioner Fridrich states if the City is going to do the mill and overlay in 2 years then everything should be done together now. Commissioner Fridrich does have a problem with specializing a water main replacement.

President Scott Decker is asking if all this work can be done at one time to include the road. He is concerned about the settling.

Commissioner Robert Baer is concerned there will be complaints from citizens about how uncomfortable the roads will be. He states the residents will have to wait 2 years and he feels it should be completed all at one time.

MOTION BY: Suzi Sobolik
SECONDED BY: Robert Baer
To approve the Apex Engineering Task Order Amendment but to come back next meeting with mill and overlay totals.

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

D. Demolition – 405 2nd Avenue West

Code Enforcement Officer Stewart is requesting a date for a demolition of 405 2nd Avenue West in Dickinson, ND. She states the property has been unfit since January, 2021. Officer Stewart states this property has been vacant and no water since 2018 and the foundation of the building is failing. She is requesting a date for the Commission to meet in regards to this property.,

City Attorney Christina Wenko states the City needs to give notice to the property owner and the bank as they are the lien holder. She states this is a unique property and is going through a foreclosure Ms. Wenko was hoping the bank would take action but it appears they are looking at marketing the property.

MOTION BY: Jason Fridrich
SECONDED BY: Robert Baer
To approve the date of December 5, 2023 at 3:00 p.m.

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

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

A. Swearing in of Youth Commission

President Scott Decker swore in the Dickinson Youth Commissioners officers for the City of Dickinson. President Decker swears in Dilica Contreras, Hannah Doll, Cassie Hauck, Ariel Hecker, Bria Kilwein, Talon Nadvornik and Tierney Yoder. He welcomes them all to the City and is looking forward to the Commission and the Youth Commission getting together and work on some items.

B. Swearing in of Police Officers

Police Chief Dustin Dassinger introduces four new Police Officers for the City of Dickinson. He introduces Ariaiah McClintic, Coleman Bodle, Kenneth Finlayson, and Chandler Wanner. President Scott Decker swore in the four new officers for the City of Dickinson. President Scott Decker states this is a proud day for Dickinson to swear in four new officers.

C. Public Haring – Rezone – TCB Subdivision

Engineering and Community Development Director Joshua Skluzacek presents a rezone for TCB Subdivision. He states while working through the process it was identified that the narrow strip in Lot 1 had a different zoning district and after further review there was really no explanation of why that showed up on the maps. It was recommended to the application to rezone the entire lot from GC to CC.

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

MOTION BY: Robert Baer

SECONDED BY: Suzi Sobolik

To approve first reading of Ordinance No. 1787.

ORDINANCE NO. 1787

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

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

E. Public Comments not on Agenda

Darren Lee Hanson states he has read in the Dickinson Press about bringing recycling to commercial buildings and apartments. Mr. Hanson is wondering when this will be taking place.

President Scott Decker states the City is concerned about contamination in apartment buildings garbage and recycling. He states the biggest concern is the blue bins are containing garbage and then they are contaminated. He feels apartments will be a challenge.

9. COMMISSION

President Scott Decker states he has received all of Administrator Dassinger's evaluations and will be asking to have an executive session at the next commission meeting to discuss the parameters in the contract that need to be adjusted.

ADJOURNMENT

MOTION BY: Suzi Sobolik

SECONDED BY: Robert Baer

Adjournment of the meeting was at 5:45 P.M.

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 21, 2023