

**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 John Odermann,  
Commissioner Robert Baer

Telephone: Commissioner Suzi Sobolik

Absent: Commissioner Jason Fridrich

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

MOTION BY: Robert Baer

SECONDED BY: John Odermann

To approve the January 23, 2023, Order of Business as presented with 7A becoming 7C and 7C becoming 7A.

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

**3. CONSENT AGENDA**

MOTION BY: John Odermann

SECONDED BY: Robert Baer

**A. Approval of Meeting Minutes dated January 9, 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. City Boards/Committee Appointments**

Deputy City Administrator Linda Carlson presents the following boards for appointment for Civil Service. She presents for appointment Peggy O'Brien. She states Ms. O'Brien wishes to fulfill the Civil Service Board opening for a 3-year term.

MOTION BY: John Odermann

SECONDED BY: Robert Baer

To appoint Peggy O'Brien to the Civil Service Board for a three-year term.

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

**C. Designation of depository Banks for Public Funds**

Deputy City Administrator Linda Carlson states a list of local banks to be approved by our City commission as potential depositories. Staff had asked local banks that wished to be on the list to send their most recent available year-end financial reports to us for documentation. The purpose of bringing this to our City Commission is to have certainty that any bank we would use is both financially sound and that our government deposits would be protected. The banks are all aware that a pledge of security is required for any public funds exceeding federal deposit insurance. Ms. Carlson states the city will provide this update every two years. Ms. Carlson listed the banks that participated. Deputy City Administrator Carlson states the city has a master plan with Bravera Bank. She states the City went through and RFP and upon selection Bravera was chosen.

MOTION BY: Robert Baer

SECONDED BY: John Odermann

Adopt Resolution No. 04-2024.

**RESOLUTION NO. 04-2024**



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

**B. Farm Lease – Hondl – 288 Acres**

Utilities Manager Duane Zastoupil presented a farm lease with Randy Hondl for 288 acres. This lease is for \$40 per acre and is for four years. This is the rotated land section for sludge. Manager Zastoupil states Hondl’s will spray both parcels to include the one they will not be seeding each year. This will help with the rotation of land and they will use their choice of spray. The city will rent the property to Hondl’s for \$35 dollars per acre and they will farm only one half at a time which comes out to \$17 dollars an acre. This will be a four-year contract.

MOTION BY: John Odermann  
SECONDED BY: Robert Baer  
To approve the farm lease with Hondl contract for 288 acres.

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

**C. Public Works Monthly Report**

Public Works Director Gary Zuroff presents his last monthly Public Works Report. He states the city has started to sell plots at the new cemetery. They also continue to sell niches and crypts. Director Zuroff states Building and Grounds employees have recertified in weed control. There were 1,459 services requests for the month. He reviews the air curtain burner and how this is being used. He states the overall water usage for 2023 is down due to the rainfall in 2023. Public Works Director Gary Zuroff thanks the Commissioners for the 2024 budget and feels due to this increase in pay they are full staffed since 2016. There is only one position in street open. Public Works Director Zuroff thanks the Commission and staff for the years and congratulates Mr. Aaron Praus as the new Public Works Director.

**6. PUBLIC SAFETY**

**A. Fire Department**

**Reports:**

1. None

**B. Police Department**

**A. Monthly Police Report**

Lt. Brandon Stockie presents the monthly Police Report which includes calls for service which is slightly down from 2022. There were 2,027 calls for service, 272 traffic stopes with 89 total accidents and 1 fatality. There were 191 arrests; criminal investigations had 6 callouts, 40 new cases in December and ended up with 32 at the end of the month. There were 125 behavioral health calls with 91 of them being welfare checks. Lt. Stockie updates the Commissioners on SRO calls for service for each school. He discusses the training hours, No Shave November and Shopping with a Cop for Christmas events.

**7. COMMUNITY DEVELOPMENT SERVICES**

**A. Special Use Permit- NDDOT SUP to allow a Maintenance Facility**

City Planner Matthew Galibert presents a Special Use Permit for a maintenance facility for the NDDOT. He states this facility would be used for fueling vehicles. They did discuss screening requirements. There was no public comment on this item.

MOTION BY: Robert Baer  
SECONDED BY: John Odermann  
Adopt Resolution No. 06-2024.

**RESOLUTION NO. 06 - 2024**

**A RESOLUTION APPROVING A SPECIAL USE PERMIT TO THE NORTH DAKOTA DEPARTMENT OF TRANSPORTATION FOR A FUEL STORAGE FACILITY LOCATED AT 1700 3rd AVE WEST, DICKINSON, ND 58601**

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

**B. Special Use Permit – Robertson’s Metal Recycling**

City Planner Matthew Galibert presents a Special Use Permit for Roberts Metal Recycling to allow for a heavy industrial use for a car shredder. The applicant also applied for an air quality permit. There will be a 20’ walled installed. Planner Galibert reviews the requirement of the SUP. They did receive a comment from the neighbors.

President Scott Decker is concerned of the noise issue and putting something up to dampen the noise. He states this is a conditional permit and will be reviewed annually. It is hopeful that the owners will keep this area as clean as possible as the materials look like you have a lot all of sudden.

MOTION BY: John Odermann  
Adopt Resolution No. 07-2024.

SECONDED BY: Suzi Sobolik

**RESOLUTION NO. 07 - 2024**

**A RESOLUTION APPROVING A SPECIAL USE PERMIT TO ALLOW FOR A HEAVY INDUSTRIAL USE (“AMERICAN PULVERIZER CAR SHREDDER”) IN THE GENERAL INDUSTRIAL (GI) ZONING DISTRICT. THE PROPERTY IS LEGALLY DESCRIBED AS LOT 6, BLOCK 2, ENERGY CENTER 1<sup>ST</sup> SUBDIVISION, CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA.**

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

**C. Rezone Request – Highway Department Addition**

City Planner Matthew Galibert presents for a second reading a highway department addition. This rezoning petition would enable the project to have a maintenance facility with a special use permit. This is in coordinate with NDDOT to trouble shoot some conditions and an appetite to relocate. City Planner Galibert states NDDOT is not willing to move.

MOTION BY: John Odermann  
To approve second reading and final passage of Ordinance 1791

SECONDED BY: Jason Fridrich

**ORDINANCE NO. 1791**

**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

**D. Fire Station Evaluation – Engineers- Architects, P.C. Contract**

Engineering and Community Development Director Josh Skluzacek presents a contract for Engineering Architect PC for the fire station evaluation for a fixed fee of \$72,000. The City did receive 4 proposals. The City attorney has reviewed the contract. This evaluation is part of the 2024 budget and American Rescue Act funding will be used. This building evaluation is for the existing Station 1 and possibly a new facility and space analysis. There will be no travel or related expenses for this project.

MOTION BY: Robert Baer

SECONDED BY: John Odermann



President Scott Decker opens the public hearing a 5:45 p.m. and hearing no public comments closes the public hearing at 5:47 p.m. and the following motion was made.

MOTION BY: Robert Baer  
Adopt Resolution No. 05-2024.

SECONDED BY: John Odermann

**RESOLUTION NO. 05 – 2024**  
**A RESOLUTION DETERMINING WRITTEN PROTESTS TO  
THE 2024 WATERMAIN AND LEAD SERVICE LINE  
REPLACEMENT PROJECT SPECIAL IMPROVEMENT  
DISTRICT NO. 202402-1**

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

**C. Public Hearing – State 9<sup>th</sup> Addition Future Land Use Map Amendment**

City Planner Matthew Galibert presented the FLUM map amendment for State 9<sup>th</sup>. He states the applicant would like to amend the Future Land Use Map for the land to be changed from commercial to residential. The applicant will develop the property to infill infrastructure. Planner Galibert had received no public comments and recommends approval.

President Scott Decker opens the public hearing at 5:49 p.m. Hearing no public comments, the hearing was closed at 5:51 p.m. and the following motion was made.

MOTION BY: Suzi Sobolik  
To approve first reading of Ordinance 1792.

SECONDED BY: Robert Baer

**ORDINANCE NO. 1792**  
**AN ORDINANCE AMENDING THE FUTURE LAND USE MAP**

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

**D. Public Hearing – Rezone Request – State 9<sup>th</sup> Rezone from CC to R-3**

City Planner Matthew Galibert presents a rezoning request for State 9<sup>th</sup> from Commercial to R3-High Density Residential. This rezoning would be to construct single family homes and duplexes. There would be 5 to 10 housing units. Planner Galibert states there was one public comment that expressed some concern with additional apartments in this area.

President Scott Decker opens the public hearing at 5:53 p.m. Hearing no public comments, the hearing was closed at 5:55 p.m. and the following motion was made.

MOTION BY: Robert Baer  
To approve first reading of Ordinance 1793.

SECONDED BY: Suzi Sobolik

**ORDINANCE NO. 1793**  
**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**

No Comments.

**9. COMMISSION**

Commissioner Robert Baer states during the cold spell there was a homeless shelter set up at SW District Health Unit. This ran for 1 ½ weeks with a total of 11 people served. There

were many donations and several companies came forward with donations. There were 3 in hotels as they had different needs. Commissioner Baer thanks SWDHU, United Way and CHI.

Commissioner John Odermann thanks Dr. Baer and United Way. He states CHI has been working on bringing a permanent mental health city shelter. There have not been any allocated funds as of yet. They have applied for a million-dollar grant for acquisition of a facility and potential renovations for the faculty and \$600,000 operational grant. This would be a partnership with United Way. They are slowly moving forward and once the grants is received there will be a better vision. The grant is through the State of ND.

President Scott Decker was asked to be on the committee for Highway 85 which is a highway from Canada to Texas. He states he was asked to attend a meeting in Washington from March 3 – 8, 2024. This would be for the safety and economy of North Dakota.

Commissioner John Odermann would like to congratulate Kelly Armstrong on running for the Governor in 2024.

**ADJOURNMENT**

MOTION BY: Robert Baer

SECONDED BY: John Odermann

Adjournment of the meeting was at 6:35 P.M.

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

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: February 6, 2024