

3. ADMINISTRATION/FINANCE

area that will be constructed. A background check was completed and the alcohol service area was reviewed by staff. City Administration recommends approval.

MOTION BY: Russ Murphy

SECONDED BY: Joe Ridl

To approve the Beer and Wine Only On-Sale Liquor License for the Rusty Lantern.

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

C. Stark County Purchase

City Administrator Dustin Dassinger states in March, 2026 the City of Dickinson and Stark County signed a purchase agreement where the County agreed to purchase the Law Enforcement Property and armory for a total of \$2,500,000. Prior to this agreement the City hired an independent appraisal for both properties and provided the appraisal to the county during negotiations. He states the purchase agreement also granted the county a due diligence period through October 1, 2026. Administrator Dassinger states the County's proposed value for the Armory is consistent with the City's independent appraisal. However, the proposed value for the Law Enforcement Center Property is \$540,000 below the appraised value, resulting in an overall reduction of \$830,000 from the purchase price established in the executed Purchase Agreement.

Administrator Dassinger presents the following options to the Commissioners regarding the future of the purchase agreement. Option 1: The City would maintain that the Purchase Agreement remains valid and enforceable and require the County to complete the transaction according to its terms. If the County fails to close as required under the Agreement, the City could pursue an action for specific performance, asking the court to require the County to fulfill its contractual obligations. Option 2: Accept the County's revised purchase price of \$1,670,000. This option would avoid litigation and allow the transaction to close; however, it would reduce the City's anticipated proceeds by \$830,000 and accept a purchase price for the Law Enforcement Center Property that is \$540,000 below its appraised value. Option 3: Counter offer which the City would reject the County's proposed purchase price while remaining willing to negotiate. The City would counteroffer a revised purchase price of \$2,210,000, representing the combined appraised value of the Law Enforcement Center Property and the Armory. This approach recognizes the independent appraisal obtained prior to execution of the Purchase Agreement and offers a reasonable compromise while protecting the City's financial interests. Option 4: Terminate the sale discussion and pursue alternative property strategies. The Commission would discontinue negotiations regarding the sale of the properties and direct staff to pursue alternative strategies for both properties. The City would evaluate long-term opportunities for the Armory, including municipal uses, redevelopment opportunities,

partnerships with other governmental entities, or marketing the property/ land to future purchasers. For the Law Enforcement Center Property, the Commission could authorize staff to negotiate a long-term lease agreement with Stark County.

Administrator Dassinger is requesting direction from the Commission regarding the preferred course of action so that appropriate negotiations or legal actions may proceed consistent with the Commission's direction.

President Scott Decker states he is very disappointed the route that the county has taken. He will not accept option #2. He states option #3 is that the City has already spent the money and got an appraisal. The county understood when they voted for the purchase agreement what the value was. He states the city is asking for above the value and the city is willing to negotiate down to the appraisal value.

Commissioner Jason Fridrich states they approved by vote of their commissioners on the purchase agreement.

City Administrator Dustin Dassinger states they approved the purchase agreement and it was signed off.

Commissioner Fridrich states no on option #1. He does agree with option #2 – accepting their offer is not something we should accept. Option #3 – counter at appraisal option. The city should go back at appraised value and hold firm and if they walk away the city can discuss its future.

Commissioner Russ Murphy would like to stay with option #3 and if this does not correct the issue then we can look at option #4.

Commissioner Joe Ridl does agree with option #3.

Commissioners Robert Baer states that anytime the City gets into a financial venture with the county the city ends up paying most of the bill. Such as the airport, library and several other occasions. Recently Commissioner Baer learned that one of the dams that is actually outside of city limits is a project that the city has to pay for. He states the county is not helping the city at all with the dam project. He feels this property is valuable and feels other businesses can look into purchasing this property at what the city is asking. The city should not give it away. He is leaning more towards option #4.

President Scott Decker suggests going with option #3 and then option #4.

Commissioners Jason Fridrich states the city did their background and due diligence and spent some money to come to this number. He states to step is down to the appraisal value but noting lower.

MOTION BY: Jason Fridrich
To approve Option #3 with Stark County.

SECONDED BY: Joe Ridl

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

4. **PUBLIC WORKS**

1. No Report

5. **PUBLIC SAFETY**

Fire

1. No Report

Police

A. Police Department

1. No Report

6. **COMMUNITY DEVELOPMENT SERVICES**

A. Rezone Request – Dickinson South Cemetery Rezone

City Planner Natalie Birchak presents for a second reading a request for a Zoning Map Amendment from Agricultural to Public for All of Blocks 1 through 8 of the Dickinson South Cemetery Subdivision, and All of Blocks 1 through 24 of the Dickinson South Cemetery Second Subdivision, in the City of Dickinson's Extra-Territorial Zone. The purpose of this rezone is to allow for the subdivision of the property into 120 1,000-square-foot lots for sale as cemetery plots. The site consists of +/- 11.39 acres. Ms. Birchak states there have been no comments since the first reading and recommends approval.

MOTION BY: Russ Murphy

SECONDED BY: Robert Baer

To approve second reading and final passage of Ordinance 1862.

ORDINANCE NO. 1862

**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 5, Nay 0, Absent 0
Motion declared duly passed

B. Final Plat – Dickinson South Cemetery Second Subdivision

City Planner Natalie Birchak states the City whom is the applicant is requesting approval of the Dickinson South Cemetery 2nd final major subdivision, being a parcel of land located in the S ½ of the SW ¼ of the NW ¼ of Section 16, Township 139 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone. The site is zoned Agricultural (AG). The site consists of +/- 7.59 acres. These parcels will be sold off as cemetery plots.

MOTION BY: Jason Fridrich
To approve Resolution No. 28-2026

SECONDED BY: Joe Ridl

RESOLUTION NO. 28 - 2026
A RESOLUTION APPROVING FINAL PLAT ENTITLED
DICKINSON SOUTH CEMETERY SECOND SUBDIVISION
STARK COUNTY, NORTH DAKOTA

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

C. I-94 WBL Chip Fog Seal Reimbursement Agreement with NDDOT

Engineer and Community Development Director Josh Skluzacek presents a for the Commission consideration is a reimbursement agreement with the North Dakota Department of Transportation for preliminary engineering for NDDOT project. The project estimate cost allocation is as stated: Federal Highway Administration (FHWA) cost participation of 80.93%, NDDOT cost participation of 9.07%, and City of Dickinson cost participation of 10% (of eligible bid items). The City Attorney has reviewed this contract with no comments. The project scope of work will include a chip and fog seal of Villard Street (West Business Loop) from the I-94 interchange to the intersection of State Avenue. The chip and fog seal are a widely accepted pavement management concept to preserve the life of pavements which seals the pavement surface and prevents water infiltration. The total installed project cost estimated is \$600,000. Preliminary engineering is estimated at \$35,000; construction is estimated at \$500,000, and construction engineering is estimated at \$65,000. Construction is scheduled for the 2028 construction season. The city engineering staff recommends approval.

MOTION BY: Robert Baer
To approve the Villard St-I-94 to State Avenue- NDDOT Preliminary Engineering Reimbursement Agreement.

SECONDED BY: Russ Murphy

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

D. Special Assessment Policy Resolution

Engineering and Community Development Director Josh Skluzacek presents for consideration is a resolution to adopt the new special assessment policy which is intended

to replace any prior policies adopted by the City of Dickinson, specifically the policy set forth in Resolution 39-2019. He states the policy was written to define the current and past process used for special assessments of sidewalks and driveway approaches; the purpose, responsibilities, and use of the policy are defined for clarity and consistency; the procedure section defines each step of the process and where the requirement comes from. The City Engineering staff recommends approval.

MOTION BY: Jason Fridrich
To approve Resolution No. 29-2026

SECONDED BY: Russ Murphy

RESOLUTION NO. 29 - 2026

A RESOLUTION ADOPTING A POLICY FOR SPECIAL ASSESSMENTS

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

E. 2027 Road Maintenance Project SID Resolution to begin Protest Period

Engineering and Community Development Director Josh Skluzacek presents a Preliminary Engineering Report (PER) for the 2027 Road Maintenance project (City Project Number 202701) Special Improvement District (SID) number 202701-1. The SID and paving portion of the project will be paid for with the road maintenance project funds which are included in the 2027 capital improvement project budget. The interest rate is proposed to be 4.1% which was the average daily 10-year Treasury Yield interest rate for the month of September 2025. The 2027 Road Maintenance Project is planned to be constructed to replace concrete curb and gutter, sidewalk and accessibility ramp construction, asphalt patching in areas of need, and an asphalt mill and overlay. The proposed SID will also replace deteriorating driveway approaches and sidewalks as well as correct deficiencies on pedestrian facilities where practical within the right-of-way. Construction for this project is scheduled for the summer of 2027, with the bidding anticipated for late fall or early winter of 2026. The preliminary opinion of construction cost for the street improvement portion of the project that will be included in the Special Improvement District is \$1,060,050.00 as specified in the PER vs. the total project cost estimate (including construction engineering services) for this project being \$8,490,589.51. The assessment amount for each property will be included in property taxes and paid back over 10 years at an interest rate of 4.1%. Those who pay their assessments in full by October 1, 2028, will not be charged interest or penalties. The City Engineering staff recommends approval.

MOTION BY: Jason Fridrich
To approve Resolution No. 30-2026

SECONDED BY: Robert Bear

RESOLUTION NO. 30- 2026

A RESOLUTION FOR THE 2027 ROAD MAINTENANCE PROJECT SPECIAL IMPROVEMENT DISTRICT NO. 202701-1 DIRECTING THE FILING OF AN ENGINEER'S REPORT REGARDING THE SAME, AND DECLARING THAT IT IS NECESSARY TO MAKE THE IMPROVEMENTS DESCRIBED THEREIN.

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

F. ND Department of Emergency Services – Cost Share Grant – East Broadway Dam

Senior Engineer Kris Keller presents a letter of support for cost sharing funding for the East Broadway Dam project. This letter is part of the Building Resilient Infrastructure and Communities grant program. The program requires a 25% local funding match, which can be cash or in-kind contributions. The project was approved with the 2026 capital improvement project budget, and it is to be paid for using Gross Production Tax (GPT). The City Attorney has reviewed the letter, and has no additional comments. The city engineering staff recommends approval.

MOTION BY: Russ Murphy
To approve Cost Share Agreement with the ND Dept of Emergency Services for the East Broadway Dam.

SECONDED BY: Joe Ridl

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

G. Baler Building Expansion – Recycle Conveyor from Fisher Industries

Senior Engineer Kris Keller presents a purchase agreement with Fisher Industries for a conveyor. This conveyor will be for the recycle bay of the Baler Building Expansion. The benefits to the city will be no contractor markup or sales tax on the purchase of the equipment. Additionally, purchasing the equipment now will eliminate the risk of price increases and maintain the expected delivery time. The purchase price of the equipment and installation is \$264,100. The City Attorney has reviewed the contract amendment. The City Engineering & Public Works staff recommend approval.

MOTION BY: Jason Fridrich
To approve the purchase of the recycle conveyor from Fisher Industries for the baler building expansion.

SECONDED BY: Russ Murphy

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

H. 2024-09 – Fire Station 1A – CMAR Agreement with JE Dunn

Senior Engineer Kris Keller presents a Task Order with JE Dunn for pre-construction Construction Manager At-Risk services. The scope of services for this task order is to provide the following:

- Schematic design phase cost estimate including:
- Assumptions, exclusions, contingencies, and escalation
- Cost Model for major building and site components
- Identify major cost divers

- Constructability review and input
 - Preliminary project schedule
 - Active participation in design/programming meetings and discussions
- Engineer Keller states JE Dunn has agreed to waive the fees for this task order. The City Attorney has reviewed the task order. The City Engineering & Fire Department recommend approval.

MOTION BY: Robert Bear
To approve task order from JE Dunn for Fire Station 1A.

SECONDED BY: Joe Ridl

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

I. Cost Share Agreement with ND Department of Water Resources for Mann's Dam

Senior Engineer Kris Keller presents for the Commission's approval an agreement with the ND Dept of Water resources for a cost share agreement for the final design of Mann's Dam. The cost share will be a total of \$253,245. The city's responsibility will be \$214,862. This represents a 54% cost share with the ND DWR. The project is included on the 2025-2027 DWR Water Development Plan which increases the probability of successfully being awarded the cost share. The funding will come from GPT.

MOTION BY: Jason Fridrich
To approve Manns Dam Project.

SECONDED BY: Russ Murphy

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

J. Task Order for Reuse Water Pipeline Feasibility Study – Bartlett and West

Senior Engineer Kris Keller presents a task order from Bartlett & West for a feasibility study for a reuse water pipeline. The study is to inform future decisions on the construction of a pipeline connecting the Water Reclamation Facility to a large industrial user in Richardton and returning waste water from the RTG communities. Considerations will include: A proposed reuse-water pipeline generally extending from the City of Dickinson Wastewater Reclamation Facility east to the Richardton area. Approximate pipeline length of 22 miles and anticipated pipe size in the range of 18 inches to 24 inches. Reuse water availability of approximately 1,500 gpm, to be validated. Available storage capacity of approximately 90 million gallons, representing a 30-plus-day reserve. Evaluation of a potential multi-community sanitary system serving Richardton, Taylor, and Gladstone. Planning-level cost information, subject to refinement through the study. Engineer Keller reviews the anticipated feasibility study scope with the commissioners. Engineer Keller states the timeline to conclude is in September, 2026 and final in late October/early November. He does state GEVO will be reimbursing the cost of the feasibility study to the City.

President Scott Decker recuses himself from the vote and turns over the item to Vice President Jason Fridrich.

Commissioner Robert Baer states this is a win win situation for the City and the city is not paying for the feasibility study.

MOTION BY: Robert Baer
To approve the Bartlett and West Task Order #2 – Reuse Water Feasibility study.

SECONDED BY: Joe Ridl

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

7. **PUBLIC HEARING – 5:00 P.M.**

A. Public Hearing – Special Use Permit – Dickinson South Cemetery Special Use Permit

Planner Natalie Birchak states the applicant is requesting approval of a Special Use Permit for a cemetery use in the Public zoning district for All of Blocks 1 through 8 of the Dickinson South Cemetery Subdivision, and All of Blocks 1 through 24 of the Dickinson South Cemetery Second Subdivision, in the City of Dickinson's Extra-Territorial Zone . The purpose of this rezone is to allow for the subdivision of the property into 120 1,000-square-foot lots for sale as cemetery plots. The site consists of +/- 11.39 acres. Staff recommends approval of this special use permit contingent on the approval of the associated FLP-004-2026 and REZ-003-2026.

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

MOTION BY: Robert Baer
To approve Resolution No. 31-2026

SECONDED BY: Joe Ridl

RESOLUTION NO. 31 - 2026

A RESOLUTION APPROVING A SPECIAL USE PERMIT TO THE CITY OF DICKINSON FOR A CEMETERY LOCATED ALONG 20TH AVE SW, DICKINSON, ND

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

8. **PUBLIC COMMENTS NOT ON AGENDA**

None

9. **COMMISSION COMMENTS**

Commissioner Russ Murphy thanks all the city staff and first responders for hard work and OT for roughrider days. He states the city is asking staff to step forthward when your family is here. Appreciate that and hard work.

Commissioner Jason Fridrich congratulates the staff and as it was a busy 4th of July for the city and staff did an amazing job.

President Scott Decker states everyone did a stellar job filling in helping out locally and federally delegation. Heard good things. Short lived concert on Thursday night but I tell you what Night Ranger put on a heck of a show and I met with them and they want to come back. We will come back in a heartbeat. They loved it here. They stated it was a pleasure working with city staff. Everything needed was taken care, great venue, want to come back. They feel they got a little bit putback for the show. Bang up job. Great things this weekend. Echo what other commissioners said appreciate all the hard work. Great 250th

11. ADJOURNMENT

MOTION BY: Russ Murphy

SECONDED BY: Jason Fridrich

Adjournment of the meeting was at 5:15 P.M.

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: July 21, 2026