

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,
Commissioners Jason Fridrich, Suzi Sobolik and Robert Baer

Telephone: None

Absent: None

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

MOTION BY: Jason Fridrich

SECONDED BY: John Odermann

To approve the March 19, 2024 meeting as presented.

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

3. CONSENT AGENDA

MOTION BY: Robert Baer

SECONDED BY: Suzi Sobolik

A. Approval of Meeting Minutes dated March 5, 2024.

B. Approval of Accounts Payable, Commerce Bank and Checkbook

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

4. ADMINISTRATION/FINANCE**A. ABM Printer Contracts**

IT Director Aaron Meyer presents four printer contracts. He states two contracts are for replacement of existing units and the museum is adding a large format printer that was approved in the budget last year. Director Meyer states this contract is \$500 more than the previous year. The contract was reviewed by the attorney.

MOTION BY: Suzi Sobolik

SECONDED BY: Robert Baer

To approve the ABM Printer Contracts as presented.

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

B. Commercial and Residential Tolerance Level

City Assessor Joe Hirschfeld presents the Board of Equalization Sales Tolerance. Assessor Hirschfeld is looking for a directive on setting valuations for the 2024 valuation year. He states the State Board of Equalization has again set the tolerance range from 90-100%. He states before sales ratio the commercial properties have a sales ratio of 88.9% and residential properties have a sales ratio of 86.9%.

President Scott Decker would like to say close to 90%. To stay at the low end of valuations.

Commissioner John Odermann agrees with President Decker to go on the low end of the valuations.

After sales ratio City Assessor Joe Hirschfeld states, he would like to stay with the commercial at 92.6% and residential go to 96.3% which would be with Vanguard's recommendation on commercial and to lower residential to be closer to 90%.

MOTION BY: John Odermann

SECONDED BY: Jason Fridrich

proactive. There were 13 call outs for February for investigations. There were multiple overdoses deaths in February. There has been an increase in sexual assaults. He discusses notable incidents. Deputy Chief Hanson states that there has been an increase in DUI arrests. Deputy Chief Hanson states there were 88 behavior health calls which is slightly lower and shows a good sign. There are a lot of good programs in place in helping with treatment and early warning signs. Two larger scale trainings were held which included a leadership – based company training and world of de-escalation. He also reviews the animal shelter which do a good job in replacements and returning animals. He states Officer Abby Johnson has received the 2023 Traffic Safety Officers of the Year. Also, Officer Andy Stidman received honors for Drug Recognition Expert. Deputy Police Chief Hanson states these officers are very valuable to the City. He states Officer Stidman did come to the hospital and did Code Black and they were blown away with the professionalism and how he walked through the explanation and professionalism with clear communications. Deputy Police Chief Hanson states he is a keeper.

7. COMMUNITY DEVELOPMENT SERVICES

A. Special Use Permit – Geo Chemicals, LLC
City/County Planner Steven Josephson presents a Special Use Permit for Geo Chemicals, LLC. This Special Use Permit to allow for above-ground chemical storage in the General Industrial (GI) zoning district. The property is legally described as Lots 2 & 3, Block 2, Replat of Dickinson Industries Subdivision within the City of Dickinson’s Extra-Territorial Zone. Planner Josephson states both Planning and Zoning Commission and City staff recommend approval subject to conditions.

MOTION BY: Jason Fridrich
Adopt Resolution No. 14-2024.

SECONDED BY: Suzi Sobolik

RESOLUTION NO. 14 - 2024

A RESOLUTION APPROVING A SPECIAL USE PERMIT TO GEO CHEMICALS, LLC FOR A CHEMICAL STORAGE FACILITY LOCATED AT 4637 WEST VILLARD, DICKINSON, ND IN THE EXTRATERRITORIAL ZONE

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

B. 2024 Road Maintenance Road Bid

Engineering and Community Development Director Josh Skluzacek presents the 2024 road maintenance bid. He states there was one bid received for \$5,974,174.92. Differences noted are longer haul distances for higher grades of oil affecting prices for asphalt pavement, labor and union rates have increased, and traffic control for a project with this footprint will be more complex. The assessable concrete costs, however, were close to the engineer’s estimate with sidewalk and driveway replacement costs only 1% over engineer’s estimate and curb and gutter replacement costs being 5 percent under engineer’s estimate. Therefore, the changes to the individual SID amounts will be minimal. Director Skluzacek states the construction is planned to be completed during the 2024 construction season. The project was budget in the 2024 and the city will be using GPT. He states two-way traffic will be maintained during the construction.

MOTION BY: Jason Fridrich
To approve the 2024 Road Maintenance Bid.

SECONDED BY: Suzi Sobolik

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

C. 2025 Road Maintenance Task Order

Engineering and Community Development Director Josh Skluzacek presents a task order with KLJ Engineering LLC to perform engineering services for the 2025 Road Maintenance project for an hourly not to exceed amount as specified in the contract of

\$260,000.00. This contract is in reference to the proposal received through a request for proposal where three proposals were received. KLJ Engineering LLC was scored the highest and awarded the project. The City Attorney has reviewed this contract. The City will be using GPT to pay for the project.

MOTION BY: Suzi Sobolik
To approve the 2025 Road Maintenance Task Order.

SECONDED BY: Robert Baer

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

D. Final Plat – Heart River Bottoms Final Plat

Engineering and Community Development Director Josh Skluzacek presents a final plat for Heart River Bottoms. He states this is 17.35 acres and would like to split the parcel in two. Director Skluzacek states a significant amount of this property is impacted by the flood plain. The access to this property is out of the Deer Run Drive.

MOTION BY: Jason Fridrich
Adopt Resolution No. 15-2024.

SECONDED BY: Robert Baer

RESOLUTION NO: 15 - 2024
A RESOLUTION APPROVING FINAL PLAT ENTITLED
HEART RIVER BOTTOMS MINOR SUBDIVISION
STARK COUNTY, NORTH DAKOTA

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

E. Final Plat – South Cemetery Second Subdivision

Engineering and Community Development Director Josh Skluzacek presents a final plat for South Cemetery Second Subdivision. A request to approve a Preliminary Plat for Dickinson South Cemetery Second Subdivision being a parcel of unplatted land located in the south half of the southwest quarter of the northwest quarter (S1/2SW1/2NW1/4) of Section 16, Township 139 North, Range 96 West, located in the City of Dickinson's ETZ. The site consists of +/- 7.60 acres.

MOTION BY: Robert Baer
Adopt Resolution No. 16-2024.

SECONDED BY: Suzi Sobolik

RESOLUTION NO: 16 - 2024
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

F. 2024 Watermain Replacement Task Order

Engineering and Community Development Director Josh Skluzacek states one bid was received for the 2024 Watermain Replacement bid. The bid was for \$4,284,098 dollars. This would be approved contingent upon the NDDEQ approval. The City does not anticipate significant changes to the SID amounts presented to the public for those impacted. Most attribute is the mill and overlay. There are three locations in the sanitary sewer and this will be replaced along with completing the mill and overlay. The grant was 60% and the city would be responsible for about \$2 million. This would reduce the SID amount. The project was for 2024 and within the budget.

MOTION BY: Jason Fridrich
To approve the 2024 Watermain Replacement Task Order.

SECONDED BY: Suzi Sobolik

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

G. 2025 Watermain Replacement Task Order

Engineering and Community Development Director Josh Skluzacek states two proposals were received for the 2025 watermain replacement task order. He states Apex Engineering scored the highest and awarded the project. This project is part of the capital improvement budget. The city is planning an SID with this project.

MOTION BY: Suzi Sobolik
To approve the 2025 Watermain Replacement Task Order.

SECONDED BY: Robert Baer

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

H. SRF Contract – 10th Avenue East – Museum to 21st Street East

Engineering and Community Development Director Josh Skluzacek presents an SRF Contract for 10th Avenue East – Museum to 21st Street. This task order is with SRF Consulting for engineering services. There were five total proposals that were received. This project will be paid for by GPT. Once the design is gone through the city will continue to look for funding.

MOTION BY: Robert Baer
To approve the SRF Contract for 10th Avenue East – Museum to 21st Street

SECONDED BY: Jason Fridrich

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

I. Moore Engineering Contract – 10th Avenue East – Villard to Museum

Engineering and Community Development Director Josh Skluzacek presents a contract with Moore Engineering Contract for 10th Avenue East – Villard to Museum. He states there were seven proposals for this project and Moore was the highest scoring proposal and awarded the project. The City has reviewed the contract. The project will be paid with GPT funds. There will be rectangle flashing beacon at Museum Drive. The goal is to be ready for this fall.

MOTION BY: Jason Fridrich
To approve the Moore Engineering Contract for 10th Avenue East – Villard to Museum.

SECONDED BY: Suzi Sobolik

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

J. North Industries Street/Storm SID

Engineering and Community Development Director Josh Skluzacek presents a task order approval for engineering services for the street and storm water reconstruction to Highlands Engineering and Surveying, PLLC. The task order is for a time and materials estimate not to exceed the amount of \$94,650.00. A legal review of this task order has been completed. Director Skluzacek states this project was included in the 2024 capital improvement project budget for a total installed cost estimate of \$1,000,000.00. This project is to include a SID for the street and storm water project. Approximately 7,750 LF of street improvements is included with the project at an approximate 26-foot width. The project is anticipated to be bid ready before the spring of 2024 with the intent of being constructed during the 2024 construction season. The project is to include street and storm water re-construction following the water main and sanitary sewer improvements which are to be completed by mid-July 2024. He states he has met on this project with Commissioners Baer and Odermann. He states the city has not provided many services in this area for the amount of property taxes these individuals are paying. The resolution will move forward with the SID process.

MOTION BY: Robert Baer
Adopt Resolution No. 17-2024.

SECONDED BY: Suzi Sobolik

RESOLUTION NO. 17 -2024

A RESOLUTION CREATING THE NORTH INDUSTRIES IMPROVEMENTS STREETS AND STORMWATER PROJECT SPECIAL IMPROVEMENT DISTRICT NO. 202316-1, 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 5, Nay 0, Absent 0
Motion declared duly passed

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

A. Public Hearing – Woodworth Future Land Use Map Amendment

City/County Planner Steven Josephson presents a request to amend the Future Land Use Map from Industrial to Agricultural for a parcel of unplatted land located in the SW ¼ of Section 11, Township 139N, Range 96W, located in the City of Dickinson's ETZ. The site consists of +/- 27.83 acres. Planner Josephson states they would like to buy this property and to farm it. They would also live on the farm. Planner Josephson states City staff recommend approval.

President Scott Decker opens the public hearing at 5:06 p.m. Hearing no comments, the public hearing was closed at 5:08 p.m. and the following motion was made.

MOTION BY: Suzi Sobolik

SECONDED BY: John Odermann

To approve first reading of Ordinance No. 1794.

ORDINANCE NO. 1794

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP

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

B. Public Hearing – Rezone Request – Woodworth

City/County Planner Steven Josephson presents a rezone request from Industrial to Agricultural for a parcel of unplatted land located in the SW ¼ of Section 11, Township 139N, Range 96W, located in the City of Dickinson's ETZ. The site consists of +/- 27.83 acres. These individuals would live on the farm and to farm it. Planner Josephson states City staff recommend approval.

President Scott Decker opens the public hearing at 5:10 p.m. Hearing no comments, the public hearing was closed at 5:11 p.m. and the following motion was made.

MOTION BY: Suzi Sobolik

SECONDED BY: John Odermann

To approve first reading of Ordinance No. 1795.

ORDINANCE NO. 1795

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

C. Public Hearing – Easement Vacation – State 9th Addition

Engineering and Community Development Director Josh Skluzacek presents an easement vacation for State 9th Addition. The plat was last seen at the last commission meeting.

The eastern 4' of the existing is being vacated. There was a bit of a mix-up on the advertising for this agenda. The whole process of an easement vacation and all utilities were notified. City staff recommend approval.

President Scott Decker opens the public hearing at 5:12 p.m. Hearing no comment, the public hearing was closed at 5:13 and the following motion was made.

MOTION BY: Robert Baer

SECONDED BY: Suzi Sobolik

Adopt Resolution No. 12-2024.

RESOLUTION NO: 12- 2024

A RESOLUTION APPROVING VACATION OF A UTILITY EASEMENT WITHIN THE STATE AND EIGHT ADDITION, CITY OF DICKINSON, NORTH DAKOTA

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

D. Public Hearing – Easement Vacation – Block 1, Highway Department Addition

Engineering and Community Development Director Josh Skluzacek presents an easement vacation which will vacate 355-feet of an existing 20-foot-wide easement that runs North-South through the Block 1 of the Highway Department Addition to allow for a future building which is to be constructed within this vacated area. Since MDU has an existing gas line through this existing easement, a proposed u-shaped easement is being provided for the relocation of this gas line as shown by the sketch included with the vacation petition. This easement includes all public utilities even though MDU is the only one with utilities here currently. The city engineering and development team staff recommends app

President Scott Decker opens the public hearing at 5:15 p.m. Hearing no comments, the public hearing was closed at 5:16 and the following motion was made.

MOTION BY: John Odermann

SECONDED BY: Suzi Sobolik

Adopt Resolution No. 13-2024.

RESOLUTION NO: 13- 2024

A RESOLUTION APPROVING VACATION OF A UTILITY EASEMENT WITHIN THE HIGHWAY DEPARTMENT ADDITION, CITY OF DICKINSON, NORTH DAKOTA

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

E. Public Comments not on Agenda

No Comments

9. COMMISSION

No Comments

ADJOURNMENT

MOTION BY: Suzi Sobolik

SECONDED BY: Jason Fridrich

Adjournment of the meeting was at 6:05 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: April 2, 2024