

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 Robert Baer,
Commissioners Jason Fridrich, John Odermann and Joe Ridl

Telephone: None

Absent: None

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

MOTION BY: Robert Baer

SECONDED BY: Jason Fridrich

To approve the August 6, 2024 meeting as presented.

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

3. CONSENT AGENDA

MOTION BY: John Odermann

SECONDED BY: Jason Fridrich

A. Approval of Meeting Minutes dated July 16, 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. DSU Funding Request – Ag Building**

City Administrator Dustin Dassinger states this item was on the last commission agenda and was tabled. He states DSU's original ask from the City was \$2 million. Administrator Dassinger states this is a great project. Administrator Dassinger is asking City Commission to hold off on this project. He states the whole picture of upcoming projects, too many unknowns that could have budgetary impacts and to hold off on any budgetary impacts at this time.

Commissioner Robert Baer agrees with Mr. Dassinger. He states right now we need to hold back on spending money and how the property tax is going to be on the ballot. He states if the City proceeds with the funding this, we will be robbing Peter to pay Paul, funding of terminal of airport and dinosaur museum. Wait for property tax and go from there.

President Scott Decker states if the City does decide on giving them money this has nothing to do for property taxes. This funding would come from the 30% of the 1% and this is put towards economic development. This revenue is from \$2 to 2.4 million per year. This contribution has nothing to do with property tax. Property tax goes solely to general fund to fund the operating. Also, the City does have the Future Fund.

Commissioner John Odermann tends to agree with all Commissioners as the importance is the unknowns. He would like to visit with DSU about the community use of the aspect of that facility. 4H days used to be at the building and curious that 4H achievement days will be held there again.

Commissioner Jason Fridrich is in support of the project. He states DSU is an important part of the City but the City does have a responsibility to be watching our spending

especially with the unknowns and property tax. After that vote we can take a look at it. Right now, hold off.

Commissioner Joe Ridl does agree with holding off as well. He looks at this and realizes this is \$2 million dollar request right now, wouldn't it be better to let the people decide opposed to us 5 to decide.

President Scott Decker states that when it comes to economic development that is why we are elected. President Decker states the residents voted for the 1 cent to be toward economic development. He suggests the City hold off funding and have discussion again in December before going into next year.

City Attorney Christina Wenko states this item could be brought back second meeting in November for vote.

B. Group Commission Pictures – August 20, 2024 at 3:30 p.m.

City Administrator Dustin Dassinger states the photographer will be at City Hall at 3:30 p.m. for group pictures and individual pictures of the Commissioners.

C. Finance Tech Job Description

Deputy City Administrator Linda Carlson states the Finance Tech Job Description was tabled from the last meeting until the City met with two Commissioners. This was carried out and the recommendation to go forward is to update the Finance Supervisor and post internally and externally. Also, no action is requested on the Finance Tech Job Description at this time. The Deputy Finance Director to be reclassified with changes listed below: Title change, realigning responsibilities, supervision of Finance and Utility Billing and responsibilities include budget creation and annual audit preparation, overseeing the financial of grant administration, collaborating with all departments, debt, bonds, loans, overseeing the financials of the city, capital infrastructure and depreciation of fixed assets. This position would require a Bachelor Degree in Finance, Business or related field. There would be no change to Grade level of Grade 17 with an exempt status.

MOTION BY: Robert Baer

SECONDED BY: John Odermann

To approve the Deputy Finance Director Job Description

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

D. 2025 Tax Levy Statement

Deputy City Administrator Linda Carlson presents the 2025 Tax Levy Statement that needs to be sent to the County Auditor. She presents the City mills that have been requested from 2018-2025. The City is allowed 105 mills for the general fund. The mills are based on the valuation and this valuation amount that includes construction and value of sales. She states the estimated city taxable value would be \$140,461,879. Total dollar to be levied is \$5,724,000.00 and the break down of tax levy dollars: City General Fund \$4,600,304.96; Dickinson Area Public Library @ 4 mills \$ 561,847.52; and Dickinson Airport @ 4 mills \$ 561,847.52.

MOTION BY: Joe Ridl

SECONDED BY: John Odermann

To approve the 2025 Tax Levy Statement.

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

5. PUBLIC WORKS

A. No Report

6. PUBLIC SAFETY

A. Fire

1. No report

B. Police

1. No report

7. COMMUNITY DEVELOPMENT SERVICES

A. Chapter 14 Code Amendment – Floodplain Model Ordinance

Engineer and Community Development Director Joshua Skluzacek presents this as Floodplain Management Ordinance to repeal and replace the existing Ordinance. The new model ordinance is the recommended ordinance for all communities to adopt in North Dakota being it meets all Federal and State requirements for communities due to the Flood Insurance Rate Map update for Stark County. This is the second reading and no changes from the first reading.

MOTION BY: Robert Baer

SECONDED BY: Jason Fridrich

To approve second reading and final passage of Ordinance 1800.

ORDINANCE NO. 1800

AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 14 OF THE CITY CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO FLOOD PREVENTION

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

C. Chapter 7 Amendments – Penalty Updates

City Attorney Christina Wenko presents Chapter 7 amendments which are done through the Building and Codes Department. Attorney Wenko states in order to be uniform throughout the code and make it easier to locate and understand these changes will be made. She states the language will be changed to the conviction fine of \$1,000 and charge with a misdemeanor. The change will be a misdemeanor no matter what and this will be consistent within the chapter.

MOTION BY: Jason Fridrich

SECONDED BY: Robert Baer

To approve second reading and final passage of Ordinance 1801.

ORDINANCE NO. 1801

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 7.180 OF CHAPTER 7 OF THE MUNICIPAL CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO PENALTIES FOR BUILDING VIOLATIONS

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

D. Chapter 20 Amendments – Weeds

City Attorney Christina Wenko presents Chapter 20 amendments which pertain to weed control. She states this pertains to the height of the plant growth. Attorney Wenko states this language will be added into the chapter to clarify the growth when citizens ask for the code. This code does go along with the international code. She states the international property maintenance code for weed control cannot exceed 10". There are no changes from the first reading.

Commissioner Robert Baer states that the City needs to keep cutting our own property before we make others cut theirs.

MOTION BY: Joe Ridl

SECONDED BY: John Odermann

To approve second reading and final passage of Ordinance 1802.

ORDINANCE NO. 1802

AN ORDINANCE AMENDING AND RE-ENACTING ARTICLE 20.08 OF THE CITY CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO WEEDS

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

E. Chapter 21 Amendments – Mobile Home Parks

City Attorney Christina Wenko presents Chapter 21 amendments which pertain to mobile home parks. This would amend and reenact housekeeping alphabetize section and it will remove appeal section; incorporates reference to mechanical code and adds a penalty section. This outlines very clearly the penalty section to maintain consistency. Ms. Wenko has made a few minor adjustments to the ordinance to make it clearer. She has added specific reference to suspension or revocation. Opportunity for individuals to have an appeal and if no appeal is taken the City would be able to suspend or revoke their license. She states the penalty operating without a license is a Class B and state level is infraction. This will give a better understanding on how the City is going to address mobile home and camp ground license. There have been no other changes that have been and recommend approval.

MOTION BY: John Odermann
To approve second reading and final passage of Ordinance 1803.

SECONDED BY: Joe Ridl

ORDINANCE NO. 1803

AN ORDINANCE AMENDING AND RE-ENACTING ARTICLE 21.40 AND ARTICLE 21.50 OF THE CITY CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO MOBILE HOME COMMUNITY LICENSE AND CAMPGROUND LICENSE

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

F. Chapter 24 Amendments – Nuisances

City Attorney Christina Wenko presents chapter 24 amendments which pertain to nuisances. She states this would amend the code quite a bit during property maintenance issues. This section does not have a designated penalty section. The City would like to main this section identical. She states this is for cleanup to make it clear in regards to the penalties for nuisances. This is the second reading and there have been no changes since the first reading and staff recommend approval.

MOTION BY: Jason Fridrich
To approve second reading and final passage of Ordinance 1804.

SECONDED BY: Robert Baer

ORDINANCE NO. 1804

AN ORDINANCE AMENDING AND RE-ENACTING ARTICLE 24.08 OF THE CITY CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO STORAGE OF JUNK, MAINTENANCE OF BLIGHTED STRUCTURES, ETC

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

**** Commissioner John Odermann left the Commission Meeting at 5:55 p.m.**

F. North Industries Street Contract Amendment with Braun Intertec

Engineer and Community Development Director Joshua Skluzacek presents a contract amendment with Braun Intertec for soil boring, sampling and testing of the SID area. The cost of this contract not to exceed is \$25,190. City staff recommends approval.

MOTION BY: Robert Baer
To approve Braun Intertec contract for North Industries

SECONDED BY: Joe Ridl

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

G. Voluntary Special Improvement District for 33 7th Avenue West

Engineer and Community Development Director Joshua Skluzacek presents a resolution to have a voluntary special improvement district for 33 7th Avenue West for sanitary sewer replacement. This would be a 10-year term at 5.9% interest. He states City staff recommend approval.

MOTION BY: Jason Fridrich
Adopt Resolution No. 35-2024.

SECONDED BY: Robert Baer

RESOLUTION NO. 35 - 2024
**A RESOLUTION CREATING A VOLUNTARY SPECIAL
ASSESSMENT FOR SANITARY SEWER SERVICE**

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

H. Introduction of New City Planner

Engineer and Community Development Director Joshua Skluzacek introduces Natalie Birchak. She has come from the State of Ohio and will be the City's new Planner.

Ms. Natalie Birchak states she is an Ohio State University graduate and has worked with the City of Delaware in housing and development and looks forward to working with the City of Dickinson.

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

A. Theodore Roosevelt Regional Airport 2025 Budget Presentation

Kelly Braun, Airport Manager presents preliminary budget for the airport. This report is for informational purposes only. He states the airport gets 4 mills from City and 1 from County and this is used for operating and then revenue from leases for others. Last couple of years been spot on with our budget projections and a not a whole lot left over at the end of the year. Mr. Braun states the presentation today states the airport has undergone terminal study and look at a new study. Study reuse or rehab current facility or better to build a new one. Airport alone cannot support this project

Tom Schauer from Mead and Hunt discusses the existing terminal which is 10,000 square feet and was built in 2001. The airport is hoping to maintain two charter services and flexibility. Mr. Schauer states the terminal is undersized due to increased passengers, TSA requirements and upgrading in aircraft from 50 to 76 passenger. Mr. Schauer states the terminal does not meet ADA requirements and existing structure was constructed before jet service. The airport is looking at new green field to the south of the runway. A new building to more adequately address future expansion, economic savings as LED lighting, and taking out complications of phasing. The new terminal would be 26,700 square feet and the cost of \$46.5 million. It would have a centralized corridor. He states the funding plan for the new terminal would be federal funding which is incredibly difficult and competition is extremely high. This airport is selling to FAA and asking for 25% of the project. In addition, they are trying to get additional state funding. The request is at \$12-15 million from the Federal and State \$30 million and the rest from local funding of \$2-5 million.

Mr. Braun states there is a 50-seat regional jet and are hoping for continued services at 76 seat aircraft. Building something in hopes that something will come. He states the demand

is already there. Flights are full every day. Mr. Braun states with new terminal and technology, they will be able to accommodate bags automatically. He states this is not a situation if it is here and we will look in future but it is to meet the demands of the community.

Commission Robert Baer believes the airport is actually put in a position that they need to build a new terminal and if they don't build jet waves than we could lose air service because air lines don't want to have their airlines subjected to outside air.

Mr. Braun states newer and larger aircraft would not be able to accommodate efficiency right now with walk up stair and would need a jet air walk up. The airport would like to expend these funds in 2026 and 2027. He states when they get grants from state and fed and spend funds them first and local spending last. The ask today is if we could get a letter of support from the commission supporting this project to take that forward.

MOTION BY: Robert Baer
To approve a letter of support from the City of Dickinson for the Regional Airport.

SECONDED BY: Joe Ridl

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

B. Public Hearing – Chapter 29 Code Amendment – Drug and Alcohol

Risk Management Specialist Greg Beck presents a Chapter 29 code update in regards to the Drug and Alcohol policy. Specialist Beck presents the revision of the drug and alcohol policy will make it easier to add new sections for different testing groups as determined by City Administration for the safety and welfare of all employees and making it easier to enforce the policy without confusion. This will in turn reduce the chance of liability to the City, by removing the chance of favoritism and the setting of precedence by how each case is handle. He states Civil Service has approved the policy and City Attorney has reviewed the policy and City Staff recommends approval.

President Scott Decker opens the public hearing at 5:31 p.m. Hearing no public comments, the public hearing is closed at 5:33 p.m. and the following motion is made.

MOTION BY: Jason Fridrich
To approve first reading of Ordinance 1805.

SECONDED BY: John Odermann

ORDINANCE NO. 1805

AN ORDINANCE AMENDING AND RE-ENACTING SECTION TWENTY-NINE (29) OF THE CITY CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING THE CITY'S DRUG AND ALCOHOL POLICY

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

C. Public Hearing – Chapter 29 Code Amendment – Probationary Period

HR Coordinator Shelly Nameniuk states currently the probationary period is 90 days and the City is looking to extend that to six months. The ability to extend it another 6 months up to one year if needed. If more than one year is needed for the probationary period this extension would need to be approved by the Administrator. She states 90 days is really tough for supervisors to have the ability to properly train the staff. Civil Service and City staff recommend approval.

Commissioner John Odermann questions why in the world would the City approve more than a year of probationary period.

City Administrator Dustin Dassinger states this would be a very rare occasional such if someone was sick or maternity leave or others.

President Scott Decker opens the public hearing at 5:36 p.m. Hearing no public comments, the public hearing is closed at 5:37 and the following motion is made.

MOTION BY: Joe Ridl

SECONDED BY: Robert Baer

To approve first reading of Ordinance 1806.

ORDINANCE NO. 1806

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 29.08.04060 – 15.22 OF CHAPTER 29 OF THE MUNICIPAL CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO PROBATIONARY PERIOD FOR EMPLOYEES

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

D. Public Comments not on Agenda

Mr. David Steinbach states he was reading about the agricultural building DSU and he is not quite sure why that involves economic development. He states DSU has an Ag building at the CTE and moved north to CTE complex and the City has already put forth \$2 million to that already. They have already gotten more room because they have moved and how does the college, state institution, and the state already have school trust lands has \$6 billion 790 million plus in a trust for education. Plus, they have \$10 billion in the legacy fund. Why should the city of Dickinson put \$2 million when the state has all this money sitting in limbo and every time a school needs something they are hitting up the residence. Don't understand how the city commission thinks they need to spend money on this project. When that was voted in it was also for property tax relief. Why not sure extra \$2 million dollars for the residents of Dickinson when you go and do the street improvements. They are coming through my area last year and marked up way more curb and gutter. How curb and gutter is a resident own in the front of his home. Mr. Steinbach states people told him it is a waste of time to voice his opinion and the Commission doesn't hear your concerns. He states this is the first time in 40 years that Mr. Skluzacek and KLJ came over and looked at curbs and gutters. Don't see how the curb and gutters are the property owner's expense. He states he finally got to use homestead credit and now his valuation of his house is raised. He feels that he has paid more in taxes then what he purchased it for. He feels there is something wrong with this system.

President Scott Decker states that 30% of the 1% would be for economic development. He states when you have very large oil field sector of buildings and complexes within the City and they close their doors is now worth zero that gets absorbed across all of the residents. The City is trying to constantly trying to get new businesses here. There is nothing the City can do if someone pulls a permit and decides not to build. There are facilities that are in the works to come here but we will not get any credit for them opening, a portion of that money was dedicated to Stark Development \$800,000 a year to promote economic development. The City is trying to bring new businesses here. New feed processing company to town soon. The City needs more houses and daycares to try to keep Dickinson viable.

9. COMMISSION

Commissioner Robert Baer thanks Mr. Skluzacek for completing the road construction on 15th Street this goes along Grand Dakota Hotel. He states this has nicely been done and it is not like off roading anymore and they did a fabulous job.

ADJOURNMENT

MOTION BY: Jason Fridrich

SECONDED BY: Robert Baer

Adjournment of the meeting was at 6:00 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: _____ August 20, 2024 _____