

**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, and Suzi Sobolik

Telephone: None

Absent: Robert Baer

**1. PLEDGE OF ALLEGIANCE**

**2. ORDER OF BUSINESS**

MOTION BY: Suzi Sobolik SECONDED BY: John Odermann  
To approve the December 5, 2023, Order of Business as presented with an addition of E. under Administration of Findings of Fact, Conclusions and Order for 405 2<sup>nd</sup> Avenue West; Dickinson, ND.

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 November 21, 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. Chapter 4 Amendment – Legacy Square Fee**

City Administrator Dustin Dassinger presents a Chapter 4 Amendment in regards to Legacy Square. This change will remove the percentage from 4.08.06. He states that prior to the bid process the percentage will need to be approved by the Commission annually.

MOTION BY: Suzi Sobolik SECONDED BY: John Odermann  
To approve first reading of Ordinance No. 1790.

**ORDINANCE NO. 17960**

**AN ORDINANCE AMENDING AND REENACTING ARTICLE 4.08.06 OF THE MUNICIPAL CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO THE LEGACY SQUARE CONCESSION LICENSE**

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

**B. Black Market Vape and Smoke Dickinson Inc.**

City Administrator Dustin Dassinger presents a tobacco renewal license for 2024 for Black Market Vape and Smoke Dickinson, Inc. He states this is located at 456 15<sup>th</sup> Street West. He states this business started in December, 2022.

MOTION BY: Jason Fridrich SECONDED BY: John Odermann  
To approve the 2024 tobacco license for Black Market, Vape and Smoke, Dickinson, Inc.

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1

Motion declared duly passed

**C. I-94 Speed Study Presentation**

City Administrator Dustin Dassinger presents the I-94 Speed Study. This study was requested by the residence along I-94. Administrator Dassinger states the traffic study was completed between three exits. The results of the study states that NDDOT recommends no change on I-94 between the three exits. No further action will be taken on this matter.

**D. Report – IT Update**

IT Director Aaron Meyer gives a shoutout to his amazing staff for all their help and dedication. Director Meyer reviews Municode. Director Meyer states staff have been using the meeting module since June with no complains. There are six different websites. This went live in October. He states this provides a fully searchable library. IT Meyer reviews projects such as fiber optic at Public Works Site, antenna and camera maintenance. He states there are 9 intersections with cameras. He also visits about the door access system conversation. He states Nessus Tenable vulnerability scanning which patched over 3,000 vulnerabilities since May. He also updates the commission on computer replacement project and city wide WIFI updates.

**E. Findings of Fact, Conclusions and Order - 405 2<sup>nd</sup> Avenue West; Dickinson, ND**

City Attorney Christina Wenko presents a Finding of Fact, Conclusions and Order for 405 2<sup>nd</sup> Avenue West in Dickinson, ND. She states following a demolition hearing early in the date the City Commission has recommend to proceed forward to determine property has damaged structure and pursuant to the city code and submit written findings. She iterates the evidence was submitted by city staff and findings of the property to be a dangerous structure and needs to be demolished. Ms. Wenko does state the property owners does have 30 days to appeal. She states the Commission has decided to allow PennyMac 30 days to get a bid to demolish. If PennyMac does not carry through then the city will demolish the property.

MOTION BY: Jason Fridrich

SECONDED BY: John Odermann

To approve the Findings of Fact, Conclusion and Order for 405 2<sup>nd</sup> Avenue West, Dickinson, ND.

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

**5. PUBLIC WORKS**

**A. Burns and McDonnell Agreement for Baler Building Expansion**

Deputy Public Works Director Aaron Praus presents a Burns and McDonnell Agreement for the baler building. He states this agreement is professional services, engineering services throughout the duration of the baler building expansion project. This does not include any geotechnical work. These was one change to the contract and this was the increase of liability insurance to \$5 million dollars. This addition to insurance will cost the city \$15,000 additional dollars. The total cost of the agreement is \$901,000.

MOTION BY: John Odermann

SECONDED BY: Suzi Sobolik

To approve the Burns and McDonnell Agreement for the Baler Budling Expansion.

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

**6. PUBLIC SAFETY**

**A. Fire Department**

**Reports:**

**1. Monthly Police Report**

Assistant Fire Chief Mark Selle presents the October Fire Department Report. He discusses the breakfast that was held for the community as they served around 400 people.

He reviews the 166 calls for service for the month, 66% of the calls were EMS calls. Assistant Fire Chief Selle states Station 1 had responded to 68% of the calls. He is happy to report the response calls are below the recommended time for October. Training is almost complete for the year. There were 44 routine inspections completed, 171 fire prevention activities and this was quite busy because of Fire Prevention week. The Fire Department did visit with 2,800 students and 250 people from the neighborhood visits.

**B. Police Department**

**Reports:**

**1. None**

**7. COMMUNITY DEVELOPMENT SERVICES**

**A. Readiness Center Rezone**

City Planner Matthew Galibert presents a rezone for the Readiness Center. Planner Galibert states this property is for the ND National Guard site. This property is owned by the City of Dickinson. There are plans for a Public Safety Center on the west side of the property to be constructed. This is the second reading with no changes from the first reading.

MOTION BY: Suzi Sobolik   SECONDED BY: Jason Fridrich  
To approve second reading and final passage of Ordinance No. 1788.

**ORDINANCE NO. 1788**

**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

**B. Public Hearing – Readiness Center FLUM**

City Planner Matthew Galibert presents the Readiness Center FLUM for the City of Dickinson. He states this FLUM would amend the future land use map. This is provided for a second reading with no changes from the first reading.

MOTION BY: Jason Fridrich   SECONDED BY: Suzi Sobolik  
To approve second reading and final passage reading of Ordinance No. 1789.

**ORDINANCE NO. 1784**

**AN ORDINANCE AMENDING THE FUTURE LAND USE MAP**

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

**E. 2024 Watermain and Lead Service Line Replacement Project SID Creation**

Engineering and Community Development Director Josh Skluzacek presents the 2024 watermain and lead service line replacement project SID. This is a preliminary engineer report and special improvement district. This project would be paid through the road maintenance fund. This is one of the projects in the 2024 capital improvement project budget. This area would be 5<sup>th</sup> Avenue West from Villard to 2<sup>nd</sup> Street West; 7<sup>th</sup> and 7<sup>th</sup> Avenue West. These could include street improvements that are identified as curb, gutter and sidewalks which are in poor condition. This resolution also gives the authority to the City to assess residents for this project construction. The bid opening will be in March, 2024 and estimated to cost \$655,229.43. Director Skluzacek along with city staff recommend approval. He states there will be a public engagement meeting in early January.

MOTION BY: Suzi Sobolik   SECONDED BY: John Odermann  
Adopt Resolution No. 35-2023.

**RESOLUTION NO. 35-2023**

**A RESOLUTION CREATING THE 2024 WATERMAIN AND LEAD SERVICE LINE REPLACEMENT PROJECT SPECIAL IMPROVEMENT DISTRICT NO. 202402-1, 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 0, Absent 1  
Motion declared duly passed

**F. NDDOT Urban Maintenance Form**

Engineering and Community Development Director Josh Skluzacek presents a 2023 Maintenance Certification for urban federal aid projects. This standard form is related to projects that have been receiving federal aid. It ensures that all federal air projects have been inspected and are being maintained in a good and safe condition.

MOTION BY: John Odermann  
To approve the NDDOT Urban Maintenance Form.

SECONDED BY: Jason Fridrich

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

**G. FHWA Urban Area Boundary Resolution**

Engineering and Community Development Director Josh Skluzacek states designation with the Federal Highway Administration takes into account the 2020 census date. NDDOT states areas that have designated data to strongly recommend urban area boundary and future annexations and the city would like to move in the same direction. This would include the entire city limits. This resolution does not increase any land and the city is not obligated to any maintenance. The city may utilize federal dollars when maintenance is needed for maintain the roadways.

MOTION BY: Suzi Sobolik  
Adopt Resolution No. 36-2023.

SECONDED BY: Jason Fridrich

**RESOLUTION NO. 36-2023**

**A RESOLUTION APPROVED FINAL URBAN AREA BOUNDARY**

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

**H. EBL NHU-5-094 (162) 907 – Bid Concurrence**

Engineering and Community Development Director Josh Skluzacek presents a bid concurrence letter to accept for micro-surfacing Interstate 94 East Business route from 10<sup>th</sup> avenue East from I-94 interchange. This project is scheduled to be during the 2024 construction season. The bid was 686,201.72 and city cost of 10% of the bid which is allocated in the 2024 project allocation of \$100,000.

MOTION BY: John Odermann  
Adopt Resolution No. 37-2023.

SECONDED BY: Suzi Sobolik

**RESOLUTION NO. 37-2023**

**A RESOLUTION AUTHORIZING A BID CONCURRENCE WITH THE NORTH DAKOTA DEPARTMENT OF TRANSPORTATION'S PROJECT REGARDING THE I-94 EAST BUSINESS ROUTE MICRO-SURFACING**

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. Public Comments not on Agenda**

None

**9. COMMISSION**

No discussion.

**ADJOURNMENT**

MOTION BY: Suzi Sobolik

SECONDED BY: John Odermann

Adjournment of the meeting was at 5:15 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: December 19, 2023