

I. CALL TO ORDER

President Scott Decker called the meeting to order at 4:30 PM

II. ROLL CALL

Present were: Vice President John Odermann, Commissioners Jason Fridrich, Suzi Sobolik and Robert Baer

Telephone: None

Absent: President Scott Decker

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

MOTION BY: Robert Baer

SECONDED BY: Suzi Sobolik

To approve the March 5, 2024 meeting as presented.

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

3. CONSENT AGENDA

MOTION BY: John Odermann

SECONDED BY: Jason Fridrich

A. Approval of Meeting Minutes dated February 20, 2024.

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. 2023 Year-End Unaudited Financial Report**

Deputy City Administrator Linda Carlson presents the 2023 Year-End Unaudited Financial Report. She states this report is in compliance with the ND Century Code. The general fund has been balanced out for 2023. The special revenue budget and the actual budget is pretty much in line. She states this does not include encumbrances or cash balance. The debt service budget is the community center and capital leases.

MOTION BY: Jason Fridrich

SECONDED BY: Suzi Sobolik

To approve the Monthly Financial Report as presented.

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

B.2023 Year-End Encumbrances and Amendments

Deputy City Administrator Linda Carlson presents the 2023 year-end encumbrances report. She states there are no amendments for 2023 to 2024. She reviews the encumbrances such as building and codes; community development and engineering; technology, and museum.

MOTION BY: Suzi Sobolik

SECONDED BY: Jason Fridrich

Adopt Resolution No. 08-2024.

RESOLUTION NO. 08-2024**A RESOLUTION APPROVING THE 2023 YEAR – END ENCUMBRANCES AND AMENDMENTS**

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

C. Commission Retreat/Work Session

Commission Retreat/Work Session date set for April 25, 2024 from 9-2 p.m.

D. HR Monthly Report

HR Director Shelly Nameniuk updates the Commission on the monthly HR Report. She discusses open positions, positions that are in the interview stage and background stage.

5. **PUBLIC WORKS**

A. None

6. **PUBLIC SAFETY**

A. Fire Department

Reports:

1. Monthly Report

Fire Chief Jeremy Presnell updates the Commission on the monthly Fire Department report. He states there were 148 calls for service. February is normally a low number month. Chief Presnell states the largest number of calls are EMS calls. He states response times are slightly over the benchmark in both stations. The response times are still good. There were 418 company training hours and 715 total hours of training in February. There were 152 fire inspections and this is a fairly busy month. Chief Presnell states they have had donations from Marathon for disposable gear such as gloves, etc.

B. Police Department

Reports: None

7. **COMMUNITY DEVELOPMENT SERVICES**

A. Renaissance Zone Application

City Planner Steven Josephson presents a request for a Renaissance Zone Project at a property with at address of 446 18th Street West and legally described as Lots 4 & 5, Block 2, 2nd Replat of Prairie Hills 1st Addition Subdivision. This is the old supermarket from the mall off of 3rd Avenue West. There will be extensive renovations to this project. Once approved by the State the applicant can start renovations. This approval would allow the property owner to have the same assessed value for 5 years. He states both Planning and Zoning Commission and City Development staff recommend approval.

MOTION BY: Jason Fridrich
Adopt Resolution No. 09-2024.

SECONDED BY: Suzi Sobolik

RESOLUTION NO. 09-2024

**A RESOLUTION APPROVING A RENAISSANCE ZONE APPLICATION
BY MILLCO DICKINSON, LLC**

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

B. Final Plat – State 8th

City Planner Matthew Galibert presents a final plat for State 8th Addition. This final plat is Lots, 4, 5, and 6, Block 1 of State 8th Addition. The applicant seeks to re-plat the three existing commercial lots into eight lots. Three of the proposed lots would front onto Fairway Street and would accommodate commercial development. The remaining five lots would access 8th Street West. The proposed lots located on the north side of 8th Street West would be rezoned from Community Commercial (CC) to High Density Residential (R-3) with lots intended to accommodate 5-10 residential units with front yard lines along 8th Street W. This is 53,000 square feet across five lots. This plat was approved by Planning & Zoning. The applicant and the Park District Board have agreed to cash in lieu of dedication. This Community Commercial works well with residential. This would basically joining the residential neighborhood.

Commissioner Robert Baer states there is a lot to the East of that plat and why not rezone that area to be residential also as it seems to be an expansion of State Addition and make the whole area residential at the same time.

Commissioner Jason Fridrich states the corner lot has a different ownership and they would have to make the application to the city to rezone the area. He states Roers still own that last piece of property. Commissioner Fridrich is concerned of the access to the street.

MOTION BY: Jason Fridrich
Adopt Resolution No. 11-2024.

SECONDED BY: Suzi Sobolik

RESOLUTION NO. 11-2024
**A RESOLUTION APPROVING FINAL PLAT ENTITLED THE STATE
9TH ADDITION
STARK COUNTY, NORTH DAKOTA**

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

C. State 9th Addition Future Land Use Map Amendment

City Planner Matthew Galibert presents a Future Land Use Map for lots 4-8, State 9th Addition Subdivision. The applicant seeks to retain the Commercial FLUM designation along the north of the property whilst amending the south portion to Residential, along 8th Street W on the south face of the block. described as Lots 4-8, Block 1, of the proposed State 9th Addition Subdivision. The proposed lots to be rezoned total approximately 1.2 acres. This property is located immediately to the north side of 8th Street West and adjacent to the Sanford West Dickinson Clinic. It is situated approximately 350 ft west of 23rd Ave W and 1,150 ft east of the I-94 West Business Loop.

MOTION BY: Suzi Sobolik
To approve second reading and final passage of Ordinance 1792.

SECONDED BY: Jason Fridrich

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.Rezone Request – State 9th Rezone from CC to R-3

City Planner Matthew Galibert presents a rezoning request for State 9th 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. This is the second reading with no changes from the first reading.

MOTION BY: Suzi Sobolik
To approve second reading and final passage of Ordinance 1793.

SECONDED BY: Robert Baer

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. Task Order – Highlands Engineering - 5th Street SE Roadway Improvements

Engineer and Community Development Director Joshua Skluzacek presents a task order with Highlands Engineering for 5th Street SE from 3rd Avenue West to 6th avenue Southwest. The cost of this project will not exceed the hourly rate which is listed in the contract. Six proposals were received and Highlands Engineering scored the highest on this project. This project will be paid for using GPT funds. The project was initially

scoped and submitted to the NDDOT for federal highway administration financial aid. This would be an 80/20% share with the city.

MOTION BY: Jason Fridrich
To approve the SRF Engineering Services contract.

SECONDED BY: Suzi Sobolik

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

F. SRF Engineering Services Contract – 9th Street West and 5th Avenue West
Engineer and Community Development Director Joshua Skluzacek presents a task order for the engineering services for 9th Street West and 5th Avenue West. This contract is not to exceed the amount listed in the contract. There were five proposals for this project. SRF Consulting Group had scored the highest and awarded the project.

MOTION BY: Suzi Sobolik
To approve the SRF Engineering Services contract.

SECONDED BY: Jason Fridrich

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

G. Task Order – Apex Engineering
Engineer and Community Development Director Joshua Skluzacek states three bids were received for the 1st Street East – Sims Street to 4th Avenue East task order. He states this task order would be to perform engineering services for the above address. The total project cost is listed in the task order. The project will be paid out of the GPT. The scope of work would be project management, field surveying, field studies, etc. This is the first phase of the project for the future street repairs, lighting and storm water.

MOTION BY: Robert Baer
To approve the Apex Engineering Task Order.

SECONDED BY: Suzi Sobolik

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

H. Sims Bid Award – BEK Consulting, LLC.
Engineer and Community Development Director Joshua Skluzacek presents the Sims Street Bid award. He states that this mill and overlay would be from 9th Street East to the southern right-of-way limit of 10th Avenue E. One bid was received totally \$5,337,824. This was 6% over the engineering estimate. The differences were noted to be general conditions and mobilization of bid items. The bid award is contingent upon final review of the State of ND Environmental Quality. This project is to be completed in the 2024 season.

MOTION BY: Suzi Sobolik
To approve the award of the Sims Street Bid to BEK Consulting, LLC.

SECONDED BY: Robert Baer

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. Heart Saver Hero Award

Emergency Manager Alayne Decker presents a Heart Saver Hero Award. She states on December 18, 2023 a contractor at the West River Ice Center encountered a sudden medical emergency. Without delay, Steve Wiesing sprang into action, promptly administering CPR until the first responders arrived. Thanks to his rapid intervention Mr. Wiesing heroically saved a life. Ms. Decker states that in recognition of advancing the mission of the American Heart Association and Emergency Cardiovascular Care through a courage's act in an effort to save a life, Steve Wiesing is being awarded the AHA Heartsaver Hero Award.

Mr. Cory Hammond, whose life was saved, presented the award to Mr. Steve Wiesing.

B. Public Hearing – Right-of-Way Vacation – Baker Boy

City Planner Matthew Galibert presents a right-of-way Vacation for Baker Boy. This request to vacate the remainder of a dedicated right-of-way legally described as dedicated public right-of-way along all of Lot 7, West 100’ of Lot 6, & West 100’ of Lot 8, Block 2, A Replat of Dickinson Industries Subdivision, in the W1/2 of Section 7, Township 139 North, Range 96 West, Stark County, North Dakota. The purpose for this request is to further improve operations as the applicant deems fit at the Baker Boy industrial facility.

MOTION BY: Jason Fridrich
Adopt Resolution No. 10-2024.

SECONDED BY: Suzi Sobolik

RESOLUTION NO. 10-2024
**A RESOLUTION APPROVING VACATION OF A STREET WITHIN THE
EXTRATERRITORIAL ZONE OF THE CITY OF DICKINSON, NORTH
DAKOTA**

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

C. Public Comments not on Agenda
None

9. COMMISSION

Commissioner Robert Baer invites the public to attend a meet and greet the Commissioners on April 2, 2024 at 8:00 a.m. Coffee and donuts will be served. He also states he will not be at the next Commission Meeting as he will be at the NDLC Conference.

ADJOURNMENT

MOTION BY: Jason Fridrich
Adjournment of the meeting was at 5:35 P.M.

SECONDED BY: Suzi Sobolik

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: _____ March 19, 2024