

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 Jason Fridrich, Commissioners Nikki Wolla, Suzi Sobolik and John Odermann.

Telephone: None

Absent: None

President Scott Decker takes a moment of silence for City Engineer Craig Kubas whom had passed away over the past weekend.

1. ORDER OF BUSINESS

MOTION BY: Jason Fridrich

SECONDED BY: Suzi Sobolik

To approve the July 21, 2020 Order of Business as presented with the following changes: Diamond Acres 2018 and 2019 Abatement Application; Public Works presentations will be by Utilities Manager Greg Stack; under Commission to be American Bank Center RFP for architect; add Berger Electric for boring contract; Administration remove Library report.

DISPOSITION: Motion carried unanimously.

2. CONSENT AGENDA

MOTION BY: John Odermann

SECONDED BY: Nikki Wolla

A. Approval of meeting minutes dated June 23, 2020 and July 7, 2020

B. Approval of Accounts Payable, Commerce Bank and Checkbook

C. Approval of Montana-Dakota Utilities Firm Contracted Demand Agreement

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

3. ADMINISTRATION/FINANCE

A. Monthly Financial Report

Accountant Robbie Morey presents the monthly financial report.

MOTION BY: Suzi Sobolik

SECONDED BY: Jason Fridrich

To approve the Monthly Financial Report.

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

B. Citizen Interest Form

HR Coordinator Shelly Nameniuk presents a Civil Service Citizen Interest Form for Dr. Robert Baer. She states Civil Service has one opening and the term will end on 12/31/2021. Dr. Baer comes with great qualifications. Ms. Nameniuk states he has experience in interviews, hiring, discipline, firing and his goal is to work with other Civil Service members and employees. Ms. Nameniuk states City staff recommends approval as he would be a great asset.

MOTION BY: Jason Fridrich

SECONDED BY: Nikki Wolla

To approve Dr. Robert Bear to the Civil Service Commission with a term ending 12/31/2021.

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

F. Reports:

1. Elder Care Annual Report

Executive Director Colleen Rodakowski updates the Commission on Elder Care. She states Eldercare is housed in the public transit building which is owned by the City. She thanks the Commissioner for the building as it is wonderful to have the vehicles in the garage. She states Eldercare/Public Transit would not be able to operate without the City. She feels they are essential to the community. Ms. Rodakowski states Public Transit is the only transit for Sanford health plan, wheel chair accessible for transport, and Medicaid usage. They are used for work, medical, shopping and once a week they take medical trips to Bismarck. Eldercare/Public Transit is asking to have the same benefit for the next two years from the City of Dickinson. She states they have hit a high every day last year. She states they have 45,000 passengers last year. She tributes this increase to her staff for scheduling the drivers. Challenges have been hiring and retaining staff. The vehicles are getting a little older and 3 of them have not yet met the useful live. They are hoping for a van in 2020 and more busses. Ms. Rodakowski states safety is there number one goal. Their successes are breaking records and exceeding customer services. Their future needs are to increase funding and continue the relationships, retain and grow staff and adapt to the new market. She states during Covid passengers have decreased but now they are starting to see an increase. She also visits on the nutritional program. She feels regulations make it difficult to keep the sites open. At this time there are 24 meal sites. Last year they served 60,235 meals. Their goal is to secure funding for this program in order to keep meal sites open and retain staff. They do have a partnership with Country Kitchen and on Tuesdays they serve a meal free. Meals per month they serve is 6,500.

Commissioner John Odermann sees the passion and creativity that Ms. Rodakowski has for Eldercare/Public Transit. He gives her and her staff a lot of credit for doing a great job taking care of their customers.

2. Library Annual Report

Removed from agenda.

4. PUBLIC SAFETY

A. Fire Department

1. None

B. Police Department

1. None

5. ENGINEERING

A. Highlands Engineering Task Order 200122-01 – General Administration Engineering Services

Assistant City Engineer Loretta Marshik presents a task order for Highlands Engineering which would provide services for on-call and administrative services for public infrastructure projects. She states this cost normally is billed back to the developer. Ms. Marshik states this is a new agreement with working towards updating the City’s Chapter 34 code. This would be an hourly agreement.

MOTION BY: John Odermann

SECONDED BY: Jason Fridrich

To approve Task Order 200122-01 with Highlands Engineering for General Construction Administration Services.

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0

Motion declared duly passed

B. Multi-Party Construction and Funding Agreement with Venture and Cordova

Assistant City Engineer Loretta Marshik presents a Multi-Party Agreement for The Market Addition. This agreement is between the City of Dickinson, Venture Commercial, LLC, and

Cordova Construction, Inc. Ms. Marshik states this agreement requires the developer to provide financial security in the amount of \$184,259.40 to the City of Dickinson, 130% of the project construction cost per City of Dickinson Municipal Code.

Attorney Christina Wenko has been contacted by the financial institution that the parties have been working with and they do have funds available for financial security. They are all working through the forms that need to be completed prior to presenting the City the letter of credit or some other form of financial credit. Ms. Wenko states this is a matter of finalizing the fine print.

MOTION BY: Jason Fridrich
SECONDED BY: Suzi Sobolik
To approve the Multi-Party Construction and Funding Agreement with Venture Commercial and Cordova Construction.

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

6. **PUBLIC WORKS**

A. SRF Resolution for Reuse Pipeline Project #201905

Utilities Manager Greg Stack presents and SRF Resolution for the Reuse Pipeline Project #201905 to change the signature name from Engineer Craig Kubas to Public Works Director Gary Zuroff. This form is a standard by ND Department of Environmental Quality.

MOTION BY: Nikki Wolla
SECONDED BY: John Odermann
Adopt Resolution 29-2020

RESOLUTION NO. 29-2020

Resolution authorizing filing of application with the North Dakota Department of Environmental Quality for a loan under the Clean Water Act and/or the Safe Drinking Water Act.

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

B. Meter Interface Units and Fixed Base Upgrades Agreement for Project #202003

Utilities Manager Greg Stack states the City is replacing many of the interface units as they are failing as they are 15-20 years old. The project is taking new interface units and integrating into an internet system and read them remotely. This change will save the City many man hours on the monthly cycle with reading meters. Manager Stack states that the City spends about 12-14 hours per cycle each month to read meters. He states if a home owner does not want the boxes in the house the City will work with the homeowners to place the box on the outside of their house.

MOTION BY: Suzi Sobolik
SECONDED BY: Nikki Wolla
To approve the Meter Interface Units and Fixed Base Upgrades Agreement for Project #202003.

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

7. **PLANNING**

A. Western Wellness Foundation, Inc. for Grant Writing Services

Planning Director Walter Hadley presents a grant writing service contract which would have Western Wellness write grants for the City for the downtown project. Staff supports this contract. These are three sources that could be used this year. Planning Director Hadley states without some help writing grants the City would not have time to write them. This grant would be used for physical improvements such as streetscape improvements.

MOTION BY: John Odermann

SECONDED BY: Jason Fridrich

To approve the Western Wellness Foundation, Inc. for Grant Writing Services.

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

8. BUILDING

A. Reports:

1. None

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

1. Public Hearing - Chapter 29 Ordinance Amendments

1. Drug and Alcohol

HR Coordinator Shelly Nameniuk presents an ordinance that is related to the drug and alcohol policy. She states this is the second reading.

President Scott Decker opens the public hearing at 5:21 p.m. Hearing no public comment the public hearing was closed at 5:22 p.m. and the following motion was made.

MOTION BY: Nikki Wolla

SECONDED

BY:

Suzi

Sobolik

To approve second reading and final passage of Ordinance No. 1696

ORDINANCE NO. 1696

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 5, Nay 0, Absent 0
Motion declared duly passed

2. On-Call Pay for Employees

HR Coordinator Shelly Nameniuk presents an ordinance amending the code relating to on-call pay for employees. Ms. Nameniuk states this relates to employees who are on call and are able to resolve the issue remotely and providing overtime pay for those hours spent resolving the issues remotely. This is the second reading.

President Scott Decker would like to see a report on the amount of calls that use the on-call for employees. He would like this report added to the consent agenda. He would like to have this report detailed by department and for what the purpose is. This would help the Commissioners in understanding this ordinance.

President Scott Decker opens the public hearing at 5:25 p.m. Hearing no public comment the public hearing was closed at 5:26 p.m. and the following motion is made.

MOTION BY: John Odermann

SECONDED BY: Jason Fridrich

To approve second reading and final passage of Ordinance No. 1697

ORDINANCE NO. 1697

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 29.08.04070 OF ARTICLE 29 OF THE CITY CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO THE ON-CALL PAY FOR EMPLOYEES

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

3. Human Resources Grievance Procedure

HR Coordinator Shelly Nameniuk presents an ordinance amending the code in relation to Human Resources Grievance Procedures. She states since the City Administrator is the final decision maker on grievances, there currently is no protocol if the grievance is

against the City Administrator. This will add clarification to this policy. Ms. Nameniuk states this is the second reading and final passage with no change.

President Scott Decker opens the public hearing at 5:27 p.m. Hearing no public comment the following motion is made.

MOTION BY: Suzi Sobolik
To approve second reading and final passage of Ordinance No. 1698

SECONDED BY: Jason Fridrich

ORDINANCE NO. 1698

AN ORDINANCE AMENDING AND RE-ENACTING SECTION TWENTY-NINE (29) OF THE CITY CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO HUMAN RESOURCES GRIEVANCE PROCEDURES

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

Public Comment not on Agenda

None.

10. COMMISSION

A. Odyssey Theaters

Deputy City Administrator Linda Carlson states Odyssey had purchased a small parcel from the post office and now they would like for the City to purchase the property back. She states this is a 9x30.84' parcel. This is assessed at \$1,210. Bryan Sieve is asking for the City to make an offer.

Commissioner Jason Fridrich questions why the City would need this piece of property as it is the alley and not worth anything.

President Scott Decker states the future use of the report and if the new owner would like that piece of property then they should purchase it from Odyssey.

Commissioner John Odermann states this should have a clean transaction next time and if we don't see any value in it maybe purchase it for a \$1 so not to worry about it in the future. This could hamstring future developing of the lot.

Attorney Christina Wenko states Odyssey has over \$40,000 in legal fees to acquire this parcel.

Commissioner Jason Fridrich is guessing this small piece of property is going to cost the City more than \$1,000. He states the City can offer \$1,000 but doesn't think Odyssey will take that amount.

MOTION BY: John Odermann
To approve offering Odyssey the assessed value of \$1,210 for the piece of property they purchased from the post office in the parking lot south of City Hall.

SECONDED BY: Jason Fridrich

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

B. American Bank Center Architect RFP

President Scott Decker states City Hall is moving to the old American Bank Center and renovations need to happen to get security measures in place. There needs to be modification to the current Christian book store and they will be moving out soon. The portion of the insurance center at this time will become the new commission chambers. The purpose is to install immediately is safety features as a permanent metal detection

system. This will be used for a commission room and court room. He states the City is looking for an RFP to give the City some proposals.

MOTION BY: Jason Fridrich
To approve the City to move forward with an RFP for the new city hall renovations.

SECONDED BY: Nikki Wolla

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

Berger Electric Lines

Deputy City Administrator Linda Carlson states with the security issues, IT issues and state line a fiber optic line needs to be bored to the new city hall. Ms. Carlson is asking for additional line for the library. These lines would start from the Stark County Courthouse to the library and to the fire station #1 and to the new city hall. She states once it is connected one line would save us a yearly cost. The proposed amount from the court house to new city hall would be \$50,000. The proposal on paper for all fiber lines would be \$101,000 for all three new fiber lines. This would save us in the long run. She states the reason for the proposal now is that this cannot be done in the wintertime. Deputy City Administrator Linda Carlson states these funds will be coming from the Development Impact Fees.

MOTION BY: Jason Fridrich
To approve the Berger Electric boring contract for fiber optic lines to the new city hall.

SECONDED BY: Nikki Wolla

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

ADJOURNMENT

MOTION BY: Suzi Sobolik
Adjournment of the meeting at approximately 6:05 P.M.

SECONDED BY: Nikki Wolla

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:

Linda Carlson, Deputy City Administrator

Scott Decker, President
Board of City Commissioners

Date: August 4, 2020