

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 and Commissioners Jason Fridrich, Suzi Sobolik and Robert Baer

Absent: None

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

MOTION BY: Robert Baer

SECONDED BY: Suzi Sobolik

To approve the November 1, 2022 Order of Business as presented in addition to a 5:15 p.m. presentation by Dickinson State University.

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

2. CONSENT AGENDA

MOTION BY: John Odermann

SECONDED BY: Jason Fridrich

A. Approval of meeting minutes dated October 18, 2022 Commission

B. Approval of Accounts Payable, Commerce Bank and Checkbook

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

3. ADMINISTRATION/FINANCE**A. HR Job Description****1. Human Resources Generalist**

HR Coordinator Shelly Nameniuk presents a Human Resource Generalist job description. This position was approved in the 2023 budget and is a promotional opportunity. She states at this time she has two assistants and will be moving one to the HR Generalist. This position would include daily functions, hiring benefits, main emphasis on benefit administration and someone to be second in charge when Ms. Nameniuk is away. This position scored at a Grade 15.

MOTION BY: Robert Baer

SECONDED BY: Suzi Sobolik

To approve the Human Resources Generalist.

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

B. Reports:**1. City Prosecution Annual Review Presentation**

City Attorney Christina Wenko presents an annual review of the City Prosecution contract. She states there are 638 cases with 85 active cases at the end of the third quarter. She states these numbers are accelerating in 2022. Especially in the month of June, 2022 which is much higher than previous years. She states fines and fees are pretty steady and an average income over the last three years. Attorney Wenko states criminal cases shows the largest amount to be driving under suspension, driving under revocation/DUI and there is a very high level of disorderly conduct. Attorney Wenko states animal control cases are up and animal control is doing a good job at the shelter. Attorney Wenko states code violations have shown to be down slightly but she feels overall this is a good thing as it shows that residents are complying with city codes. Ms. Wenko highlights a few happenings from 2022 such as Judge Robert Keogh serving 40 years of Dickinson Municipal Judge. Also, there is an alarming statistic in 2022 of discharging firearms in the city limits. Also, city hall was evacuated in September due to a threat of violence directed at municipal court. She states some changes for municipal court will be online payments.

Attorney Wenko would like to give a big shout out to Amy in Municipal Court for getting municipal court up to speed with technology. The city will be examining what recreational marijuana and to see how this will affect the city. Attorney Wenko would like to thank Interim Police Chief Joe Cianni and his staff for having the same goal and to have open communication. This shows the dedication of the staff. She states as the City Prosecutor she could not be prouder of the Police Departments efforts. Attorney Wenko enjoys working along side them and the Clerk of Courts Office. Ms. Wenko states if marijuana goes into effect the city will need to take immediate steps to update the code.

President Scott Decker along with the Commissioners thanks Ms. Wenko for all she does.

4. PUBLIC SAFETY

A. Fire Department

Reports:

1. Monthly Report

Fire Chief Jeremy Presnell presents the Fire Departments monthly report to include 185 calls for the month of October which is pretty significant. This shows a 65% increase from 2021. The #1 call for service is EMS calls, second is false alarms, false calls and hazardous conditions. Fire Chief Presnell states the south fire station does get most calls. The response times this month were up a little bit due to the fact emergencies were not ones that needed lights and sirens therefore response times were up. There were 459 hours of training in October with 44 routine fire inspections and many other activities. Many activities were held during Fire Prevention Week. The department also took part in Trick or Trunk and seen over 3,000 kids.

Commissioner John Odermann states he liked the front of the PowerPoint with surrounding staff from the area and he likes the great work they do working with the other area departments.

B. Police Department

Reports:

1. None

5. ENGINEERING

A. Reports:

Reports:

1. Slope Stability Anchor Easement

Engineering and Community Development Director Skluzacek states staff have been working on the Slope Stability Anchor Easement. This area is directly below the Holiday Gas Station.

2. Monthly Report

Engineering and Community Development Director Skluzacek updates the commission on the engineering monthly report. Director Skluzacek states the department is working capital improvement projects. He states a job description for the promotion for 2023 will be brought to the commission soon. He states building and code fees are substantially up but permits are down slightly. The Building Inspector II interviews have been completed and offer been made and was declined. The city is going to take another look at the job description and to use this opportunity to improve this job description. Director Skluzacek states the Planner position is opened at this time and have received two applicants. Director Skluzacek discusses the 2022 mill and overlay project and the 2023 project.

B. Planning

1. Special Use Permits

a. Jacam Catalyst LLC – Storage of Hazardous Materials

Engineering and Community Development Director Skluzacek presents a special use permit for Jacam Catalyst LLC. This special use permit is to store chemicals for oil and

gas operations at 11108 32nd Street SW in the ETZ. This is currently zoned general industrial. They will be storing chemicals inside of the building. Director Skluzacek does review the conditions to the special use permit.

MOTION BY: Suzi Sobolik
Adopt Resolution No. 35-2022.

SECONDED BY: Robert Baer

RESOLUTION NO. 35-2022

A RESOLUTION APPROVING A SPECIAL USE PERMIT TO JACAM CATALYST, LLC FOR THE STORAGE OF HAZARDOUS MATERIALS

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

b. Geo Chemicals LLC – Storage of Hazardous Materials

Engineering and Community Development Director Skluzacek presents a special use permit for Geo Chemicals, LLC. This SUP will be to store 65,000 gallons of hazardous materials at 2367 West Villard Street. They plan on storing all chemicals outside of the building. Director Skluzacek does review the conditions.

MOTION BY: Jason Fridrich
Adopt Resolution No. 36-2022.

SECONDED BY: John Odermann

RESOLUTION NO. 36-2022

A RESOLUTION APPROVING A SPECIAL USE PERMIT TO GEO CHEMICALS, LLC FOR THE STORAGE OF HAZARDOUS MATERIALS

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

2. State Avenue Urban Roads Project – Acceptance of Bid

Engineering and Community Development Director Skluzacek presents the State Avenue Urban Roads project bid. There was only one bidder and that was Northern Improvement. Northern Improvements bid was slightly over the engineers estimate. The city's share of the project would be \$474,375.24. City staff recommend approval.

MOTION BY: John Odermann
To approve the Northern Improvements bid for State Avenue Urban Roads Project.

SECONDED BY: Suzi Sobolik

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

C. Building/Code Enforcement

Reports:

1. None

6. PUBLIC WORKS

A. South Heart Golf Course Reuse Water Agreement

Public Works Director Gary Zuroff presents a reuse water agreement with South Heart golf course. Director Zuroff states this is an exciting project to be working on with South Heart. He states they will use the connection for water and put water into a pond and use the water that way for the golf course. The city of Dickinson will oversee the construction and South Heart will pay for the project. The city's current charge is \$1.25 per 1,000 gallons. There is a .25 cent conveyance fee with Marathon and South Heart will have to work with Marathon on this. Dickinson can fill the pond as needed and they will have

changed to 5 days, amendment to mirror the ND Century Code. He discusses the added registration of microchips and failure to register animals will no longer be a court appearance as it will be a fee of \$50.

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

MOTION BY: Jason Fridrich
To approve first reading of Ordinance No. 1764.

SECONDED BY: Suzi Sobolik

ORDINANCE NO. 1764

AN ORDINANCE AMENDING AND RE-ENACTING SECTIONS 5.02.010, 5.04.055, 5.04.058, 5.08, 5.08.002, 5.08.004, 5.08.014, 5.08.018, 5.08.022, 5.08.030, 5.08.040, 5.12.010, 5.12.040, 5.12.080, 5.12.090, 5.12.100 AND ENACTING SECTIONS 5.04.056 AND 5.08.011 AND REPEALING SECTION 5.08.045 OF THE MUNICIPAL CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO CHAPTER 5 - ANIMALS AND FOWL

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

C. Dickinson State University Update

Dr. Steve Easton updates the Commissioners on several community projects for DSU. He discusses the CTE as it is functioning as an educational building. He states tech programs are very popular. There has been update to Lowman Hall and Pulver Hall on campus. Dr. Easton states the Sanford Sports Complex has the turf down now on the championship softball field. There are four fields on this complex. Dr. Easton visits about the pandemic and enrollment at the college but he states DSU is please to say the head count enrollment is up 9% at DSU. He feels the credit production for this up is that the tuition has been frozen. DSU feels this is a solid momentum and things are going very well. He feels this is a very competitive environment. DSU does have one capital project that they are going to be asking the State for funds and that is the ag building to include the indoor arena for classes and community events and the rodeo team. The state has ranked this project #5. Dr. Easton states there are several programs at the CTE such as welding, meat processing, diesel mechanics and others. Dr. Easton does thank the Fire Department and the Police Department for being great partners in setting up those programs. Dr. Easton along with DSU do appreciate all the support from the citizens and the Commission.

**D. Public Comments not on Agenda
None**

10. COMMISSION

Commissioner Suzi Sobolik invites all the City Commissioners to meet with Leadership Dickinson on December 7, 2022 for lunch. Commissioner Sobolik states there are 12 students this year. Ms. Sobolik will send out a formal invite closer to the event.

ADJOURNMENT

MOTION BY: Suzi Sobolik
Adjournment of the meeting 6:00 P.M.

SECONDED BY: Jason Fridrich

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:

Dustin Dassinger, Interim City Administrator

Scott Decker, President
Board of City Commissioners

Date: November 15, 2022