

**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

Telephone: None

Absent: None

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

MOTION BY: Robert Baer

SECONDED BY: John Odermann

To approve the January 24, 2023 Order of Business as presented with an addition under Administration of E. Police Chief Position and F. RFP for Museum Expansion. The City would also like to remove item 6B – Houston Engineering Task Order.

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

**2. CONSENT AGENDA**

MOTION BY: Jason Fridrich

SECONDED BY: Suzi Sobolik

**A. Approval of meeting minutes dated January 24, 2023**

**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. Introduction of Danielle Kappel – Library Director**

City Administrator Dustin Dassinger introduces the new Library Director Danielle Kappel. She is originally from Denver. She started in 2015 at the Dickinson Middle School. Administrator Dassinger welcomes her to the City of Dickinson.

Ms. Danielle Kappel states she has been the Dickinson Middle School Librarian for the past 7 ½ years. She is excited to start this new adventure and to jump in and get going.

**B.1. City of Dickinson Retirement Saving Plan Third Amendment/Certification**

Deputy City Administrator Linda Carlson presents a certification and a 3<sup>rd</sup> amendment to the DC Plan for the City. She states this is an updated version of the secure act. This amendment includes that parents are able to withdraw up to \$5,000 dollars following a birth or adoption without penalty. She along with staff are recommending this approval.

MOTION BY: Robert Baer

SECONDED BY: John Odermann

To approve City of Dickinson Retirement Saving Plan Third Amendment/Certification

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

**2. Chapter 32 Amendment – Retirement**

Deputy City Administrator Linda Carlson presents a red lined of Chapter 32 of the Municipal Code. She states for employees who stayed in the DC plan, after closing on 12/31/2018, the city was to match the same contribution rate plan as the new NDPERS Plan. This change was never noted in the municipal code. This change to the code was an oversight. The city, employer side, has been paying 7% since 1/1/2019.

MOTION BY: John Odermann

SECONDED BY: Suzi Sobolik

To approve first reading of Ordinance No. 1768

ORDINANCE NO. \_\_\_\_\_ 1768

**AN ORDINANCE AMENDING AND RE-ENACTING SECTIONS 32.08.100, 32.08.310, 32.12.310 AND 32.20.100 OF THE MUNICIPAL CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO RETIREMENT**

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

**C. Job Description – Seasonal Events Programming Assistant**

HR Director Shelly Nameniuk presents a job description for the Seasonal Events Programming Assistant. She states this assistant would be a new position to help the Marketing Events Director with programming in the new Legacy Square. She reviews the duties. She states this is a seasonal position and a Grade 11 and a non-exempt position. Staff is recommending approval.

Marketing and Events Director Joel Walters states at this time it is not expected to be a full time position. The city will gauge of what will be needed in the future and provide assistance. This will come from his budget.

Commissioner John Odermann reviews the essential duties but it seems that one person will be doing all the duties. He is wondering if other people will be hired to help with the programming.

HR Director Shelly Nameniuk states the city did hire one Facility Operator specifically to help with the square. The city may have one 40 hour week seasonal employee so there will be more than one person helping out in the square. She states as for the funding of a seasonal help there is a bucket and all seasonal help funding comes out of one bucket.

Commissioner John Odermann is hoping that the community has some volunteers.

MOTION BY: John Odermann   SECONDED BY: Jason Fridrich  
To approve the Seasonal Events Programming Assistant job description.

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

**D. Reports:**

**1. HR Monthly Report**

HR Director Shelly Nameniuk updates the Commissioners on the open positions for the City of Dickinson. She states there are several interviews coming for the positions but more positions open to include seasonal. Ms. Nameniuk states there are several people whom have been moving up to other positions and this is exciting for staff for moving up in the organization. She states the city does have a lot of opportunity in the city.

**E. Police Chief**

City Administrator Dustin Dassinger thanks the Commissioners for the process of hiring a Police Chief. He also thanks all the panels for interviewing. He states there were 3 very good candidates. Administrator Dassinger had met with President Scott Decker and discussed the ranking that was provided to them from the panels. City Administrator Dustin Dassinger recommends hiring Interim Police Chief Joe Cianni as the next Dickinson Police Chief.

President Scott Decker thanks the community members, commissioners, staff, and others who participated in the interview process. He states the city had three solid candidates that made every panel think a little bit differently but, in the end, Chief Cianni shined through. President Decker along with Commissioners welcome Chief Cianni on board.

Police Chief Joe Cianni states after the grueling process of interviews he doesn't know if he has anything left in the tank. Chief Cianni states he is humbled and honored to be entrusted in this role and to lead the fine young men and women of the Police Department.

He appreciates the trust the Commissioners and the city has given him and hopes to live up to their expectations.

MOTION BY: John Odermann

SECONDED BY: Robert Baer

To approve the hiring of Interim Police Chief Joe Cianni as the new Dickinson Police Chief.

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

#### **F. RFP Museum Expansion**

Museum Director Robert Fuhrman presents to the commission the recommendation of the committee charged with reviewing the proposals generated by architectural firms in response to the RFP for the museum expansion. He states three firms did present to the museum committee members which included members of the Museum Advisory Board, City Commissioners, senior Museum Staff, and Director Fuhrmann. He states the proposals were comparable in the scope of work. The bids ranged from \$14,800 to \$65,000. Director Fuhrman along with the panel and staff recommend GT Architecture of Dickinson at a cost of \$14,800 for the project.

Commissioner John Odermann asks why the broad range of bids. He is also wondering about pursuing a construction manager at risk.

Museum Director Robert Fuhrmann states that 2 of the firms came in tight and the other one was quite expensive. They even checked to compare apples to apples. One company was charging four times as much for the same services. Director Fuhrmann would like to have this completed prior to June as that is when Mr. Fowler will be going out to the field for the summer.

City Administrator Dustin Dassinger states this project does need a construction manager.

Commissioner Suzi Sobolik questions about approving something like this with the downtown square and it was approved too soon. She is hesitant to approve this tonight and still go with a construction manager at risk.

City Administrator Dustin Dassinger states there is no actual contractor at this time. This is only in the preliminary design. When the City finalizes the design then a project manager can be sought out.

Commissioner Jason Fridrich state all firms did a great job of presenting. GT did a great job. He states GT had some thoughts in to the design and during the conversation. Commissioner Fridrich did leave prior to the decision being made as he wanted to be surprised this evening.

MOTION BY: Jason Fridrich

SECONDED BY: Robert Baer

To approve hiring GT Architects for \$14,800 for the Museum expansion.

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

#### **4. PUBLIC SAFETY**

##### **A. Fire Department**

**Reports:**

1. None

##### **B. Police Department**

**Reports:**

1. None

#### **5. COMMUNITY DEVELOPMENT SERVICES**

## **A. Engineering**

### **1. KLJ Task Order – 2023 Road Maintenance Project**

Engineering and Community Development Director Skluzacek presents a KLJ Engineering Task Order for the 2023 Road Maintenance formerly 2023 Mill and Overlay. He states this is for professional services consisting of preliminary engineering, design, bidding and construction administration associated with the mill and overlay. He states the total amendment is \$85,000 and the total is \$102,500 for the task order. The specific project had an RFP a couple of years ago and the original dollar amount was \$200,000 for the RFP. Mr. Skluzacek states the recommendation in the future is to move in the direction of an RFP. He will verify the hourly rate structure that is in place.

Commissioner John Odermann questions the hourly rate as it is quite a round number. He states that rarely does his paycheck come out with 00 at the end. He states this is a really strong estimate that will not exceed but will probably not come in under either.

Engineering and Community Development Director Skluzacek states this is a pretty common way to approach standards is to not exceed. He states it is now the city's job to control scope, schedule, cost, etc. as a direct oversight. Internally the city took the right steps in evaluating streets that have been paved each year and what is required for chip seal and crack sealing rather than handling them toe scope and tell us what to do.

Commissioner John Odermann states this is a good explanation and now it is the city's job to manage the project.

MOTION BY: Jason Fridrich

SECONDED BY: Robert Baer

To approve the KLJ Task Order for the 2023 Road Maintenance Project.

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

### **2. 15<sup>th</sup> Street West – The District Bid Approval**

Engineering and Community Development Director Skluzacek presents a bid approval for the District which is 15<sup>th</sup> Street West. He states this project was approved last year and part of that was a commitment in development agreement for the city to share a cost not to exceed \$450,000 in the extension of 15<sup>th</sup> Street West. The bids were open and Cordova Construction was the lowest bid.

Commissioner John Odermann states this is almost \$1,000 per linear foot. This is a significant investment.

Commissioner Jason Fridrich states it has been 10 years ago till now and the price per foot has tripled.

MOTION BY: Suzi Sobolik

SECONDED BY: Jason Fridrich

To approve the 15<sup>th</sup> Street West – The District Bid approval.

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

## **Reports:**

### **1. Monthly Report**

Engineering and Community Development Director Skluzacek presents his monthly report. He discusses permits and fees. The number of permits is slightly down but the fees are up due to the larger projects. He discusses the reopening of the Planner position. Director Skluzacek discusses the projects to be bid in spring such as the transportation master plan, 2023 annual road maintenance, Dickinson south cemetery, Legacy Square parking lot, water and lead service replacement. Director Skluzacek states the drainage ditch erosion repair and Legacy Square projects are on their way. He states the GIS

information that is available on the website. He states the information that is on the website, people have funneled through paper documents and now it is readily available at the fingertips of the public.

**B. Planning**

**Reports:**

1. None

**C. Building/Code Enforcement**

**Reports:**

1. None

**6. PUBLIC WORKS**

**A. Water Reclamation Facility Tractor Lease**

Utilities Manager Zastoupil presents a facility tractor lease. He states this is a contract renewal but he has asked for 3 year contract at \$63,000. They are looking at changing the way they are leasing and now going through Source well. He states this tractor is used for operations, biosolids, sludge collection from wastewater treatment and applied to fields. He states these tractors are not cheap and they hold their value.

MOTION BY: Robert Baer

SECONDED BY: Suzi Sobolik

To approve three three year contract for the facility tractor lease.

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

**B. Houston Engineering Task Order – Dickinson Landfill Cell 3B-5 Project 202313**

Removed from agenda

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

**A. Public Hearing – Rezone Request – Red Rock Ford**

Interim Planner Steven Josephson presents a rezoning request from Red Rock Ford as they want to move and under the current zoning the way the parcel is split they want to place it all into one zone. Planner Josephson states the final plat will be appearing this February before the Planning and Zoning Commission and will be brought forward to the next commission meeting with the second reading of the rezoning. This is 42.99 acres from general commercial to general industrial

President Scott Decker opens the public hearing at 5:02 p.m. Hearing no public comments, the hearing is closed at 5:03 p.m. and the following motion is made.

MOTION BY: Jason Fridrich

SECONDED BY: Suzi Sobolik

To approve first reading of Ordinance No. 1769

**ORDINANCE NO. 1769**

**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 5, Nay 0, Absent 0  
Motion declared duly passed

**B. Public Comments not on Agenda**

Resident Jeff Ficek states that he was not at the last commission meeting but he did hear about the logo change for the city. He is dismayed and disgusted about the whole process. He is happy The Dickinson Press wrote an article. Unfortunately, he didn't see any evidence of the logo in The Press. He is perplexed about the logo. He didn't realize there was a process going on to have this changed. He said he read in The Press that it is to be ready for the TR Presidential Library. Mr. Ficek stated that the city had a cowboy on a

bucking horse and when he sees the new logo he is trying to wrap his head around the process.

President Scott Decker states the logo was never the City of Dickinson's logo as it was the CVB's logo and they stopped using it a few years ago. President Decker doesn't now how the City of Dickinson equates to the bucking horse as the bucking horse is associated with Killdeer High School. He states we have been the Queen City and Western Edge. He states the city needs to be prepared for the presidential library. He states if there was concern by the Commissioners they could have asked to table the topic.

Mr. Jeff Ficek thanks for the response to the question. He does not connect the new logo with the library.

Commissioner John Odermann states over the last couple of years the city has been talking about signage and he feels that is when the conversation picked up steam and what the branding should look like. It was a little accelerated but it has been something that the city staff has been thinking about for a long time. He states since having Mr. Walters come on board this has accelerated.

President Scott Decker has asked for suggestions of the city flag and city seal. This has been in discussion for almost two years and no one has stepped forward. President Decker would like to see the seal on the front of the building. He states the city has a marketing person now and wants to rebrand and with the new square going up which needs a logo and wants something to sell in the city. He states regardless of how everyone feels in this city there is no place to stay in Belfield or Medora and the visitors will stay in Dickinson. President Decker states the city needs to make ourselves more attractive to people outside of ND. He states the city needs to put the best face on the city.

Mr. Jeff Ficek states personally he likes the old logo. He knows a great number of people who like the old logo. He has not heard from anyone whom has seen the new logo like the logo.

Marketing and Events Director Joel Walters thanks Mr. Ficek for his comments and if he or anyone has any comments or wants him to explain the details on what they see he would be happy to do this. He states the rebranding is broader than the logo.

Ms. Peggy Obrien suggests that when the city is speaking about the city seal or flag, possibly make this a contest. This would give the community a sense of belonging and buy in and there are a lot of talented people. Ms. Obrien states to possibly attach a prize to the winner.

Commissioner John Odermann states with the Youth Commission it sounds like this is going to be a different angle with Administrator Dassinger coming to the meeting and remind the youth on things like this. This will be a good change in a lot of ways as they are running their own show now. This branding would be for the Youth Commission also.

Ms. Mickey Thompson states she runs a Facebook for SW ND homeschoolers and she states what Ms. O'Brien states is a great idea. She said she would like for the youth to get involved. Possibly advertise this on social media as that is where the crowd is.

President Scott Decker states what the people in this community have brought to the world is astonishing for a city of this size and promote that and put it on display.

#### **10. COMMISSION**

Commissioner John Odermann is asking city staff about if anyone has approached the city on a TIF. How does the city promote the TIF. He states the city does have good incentives but how is the city making the people aware of this program.

City Administrator Dustin Dassinger states he has been dealing with a developer. This developer has been in front of the city commission in the past and it does involve a TIF.

We have just received information from this developer and a request will be coming forward. Possibly the city could revamp the website to add this section into it. Also, to partner with Stark Development

Engineering and Community Development Director Skluzacek states he has been making some presentations in regards to these programs.

Deputy City Administrator Linda Carlson states she was contacted today for a new development with TIF in the ETZ. She states it does not apply in the ETZ and that came through Stark Development.

Commissioner John Odermann states to possibly check with Stark Development to see if there is something the Stark County Commission would be interested in.

**ADJOURNMENT**

MOTION BY: Jason Fridrich

SECONDED BY: Suzi Sobolik

Adjournment of the meeting 5:50 P.M.

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: February 21, 2023