

I. CALL TO ORDER

President Dennis W. Johnson called the meeting to order at 5:15 PM.

II. ROLL CALL

Present were: President Dennis W. Johnson, Commissioners Bill Reitmeier, Joe Frenzel and Carson Steiner

Absent was: Commissioner Rhonda Dukart

STANDARD MOTIONS

1. ORDER OF BUSINESS

MOTION BY: Carson Steiner **SECONDED BY:** Bill Reitmeier

To approve the December 3, 2007 Order of Business as presented.

DISPOSITION: Motion carried unanimously.

2. CONSENT AGENDA

MOTION BY: Carson Steiner SECONDED BY: Joe Frenzel

A. Approve minutes of regular meeting dated November 19, 2007;

B. Approval of Extended Service Contract with Vanguard Appraisals, Inc. for Assessor Web.

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

Motion declared duly passed.

TIMETABLE AGENDA

N/A

NON-TIMETABLE AGENDA

4. GENERAL ISSUES/FINANCE

A. ALCOHOLIC BEVERAGE CODE AMENDMENT

City Attorney Matthew Kolling stated he revised the alcoholic beverage ordinance based upon discussions at the last City Commission meeting. He stated he eliminated all reference of ownership percentage and removed the restriction that a person can only own one on/off sale alcoholic beverage license. Commissioner Steiner stated the revised ordinance is the direction the City should proceed and suggested the City hold a public hearing prior to consideration of second reading and final passage.

MOTION BY: Carson Steiner SECONDED BY: Bill Reitmeier

To approve first reading (and waiver thereof) of Ordinance No. 1346 and direct staff to advertise a public hearing on this ordinance during the December 17th meeting.

ORDINANCE NO. 1346

AN ORDINANCE AMENDING AND RE-ENACTING SECTIONS 4.08.100 AND 4.08.120 OF THE CITY CODE OF THE CITY OF DICKINSON, NORTH DAKOTA RELATING TO ALCOHOLIC BEVERAGES.

DISCUSSION: President Johnson asked City Attorney Kolling if the amendment would allow a person to own all on/off sale alcoholic beverage licenses issued by the City. Attorney Kolling stated with the amendment, a person could own all licenses. City Administrator Sund stated the City Commission would still have the authority to reject a transfer if they chose to limit the number of license one person could own. President Johnson directed staff to schedule a public hearing for December 17th.

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

Motion declared duly passed.

B. 2008 ALCOHOLIC BEVERAGE LICENSES

President Johnson stated the City received 2008 Alcoholic Beverage renewal applications.

MOTION BY: Joe Frenzel SECONDED BY: Bill Reitmeier

To approve the following alcoholic beverage license renewals for calendar year 2008:

On-Off Sale Commercial Liquor Licenses: Army's West, Inc., B.P. Marsh Enterprises, Inc.; D&J Liquor, Inc.; Jerry A. Johnson, Joe Koffler, TH Investments, LLC; Maverick Saloons, Inc.; Ottonomics, Inc.; Paragon Bowl, Inc.; Don and Linda Paul; Patricia Pender; Southview Liquors, LLC; The Rock, Inc. and Vintage Liquors, Inc.

Lodge of Club Liquor Licenses: Brotherhood of St. Anthony; Dickinson Eagles Club, Inc. and Elks Lodge 1137.

Motel or Hotel Liquor License: Grand Dakota Hospitality, LLC and Shivam LLC.

On-Sale Restaurant Liquor License: Applewest, Inc.; El Sombrero, Inc.; Sanford's Grub & Pub of ND Inc. and Dickinson Investments LLC.

Beer and Wine: Classic Lanes, Inc. and Jeremy Ross.

Restaurant Beer Only: Happy Joe's Pizza & Ice Cream Parlor, Inc. and Wong's and Tse's, Inc.

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

5. PUBLIC SAFETY

N/A

6. PUBLIC WORKS - ENGINEERING

A. URBAN/REGIONAL ROADS PROGRAM

City Engineer Shawn Soehren provided an update to the five year NDDOT Urban/Regional Roads proposed projects based upon conversation with NDDOT. He stated he has revised the proposed Regional projects to align with NDDOT projects.

MOTION BY: Joe Frenzel SECONDED BY: Bill Reitmeier

To approve the proposed five-year plan for Urban/Regional Projects.

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

B. REZONE PARCEL IN SPRINGWOOD 2ND ADDITION (L 1, 2, 3 B4)

City Engineer Soehren stated the property proposed for rezoning is located north of water tower hill on the corner of 4th Avenue East and 7th Street East. He stated the rezone consists of three adjoining lots and the petitioner requests the lots be rezoned from R1 (single family) to R2 (medium density). President Johnson asked if there was any public comment regarding the ordinance, no public comment was received. Commissioner Frenzel stated he would not be able to participate in voting on the Ordinance as his firm is associated with Big K Homes.

MOTION BY: Bill Reitmeier SECONDED BY: Carson Steiner

For second reading and final passage of Ordinance No. 1344:

ORDINANCE 1344

AN ORDINANCE AMENDING THE DISTRICT ZONING MAP FOR REZONING AND RECLASSIFYING DESIGNATED LOTS, BLOCK OR TRACTS OF LAND WITHIN THE CITY LIMITS, CITY OF DICKINSON, NORTH DAKOTA.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 1 (Dukart), Abstain 1 (Frenzel).
Motion declared duly passed.

C. REZONE PARCEL IN SPRINGWOOD ADDITION (L8 & 9, B2)

City Engineer Shawn stated the property proposed for rezoning is located north of water tower hill on the corner of 4th Avenue East and 7th Street East. He stated the petitioner requests rezoning of the lots from R1 (single family) to R2 (medium density). President Johnson asked if there was any public comment regarding the ordinance, no public

MOTION BY: Carson Steiner SECONDED BY: Bill Reitmeier
For second reading and final passage of Ordinance No. 1345:

AN ORDINANCE AMENDING THE DISTRICT ZONING MAP FOR REZONING AND RECLASSIFYING DESIGNATED LOTS, BLOCK OR TRACTS OF LAND WITHIN THE CITY LIMITS, CITY OF DICKINSON, NORTH DAKOTA.

President Johnson stated he and Commissioner Steiner reviewed Administrator Sund's compensation. He stated it is their opinion that the City Administrator's salary is below market and that a market adjustment along with a cost of living and performance adjustment warrants an increase of \$5,000 to an annualized salary of \$85,000 effective

MOTION BY: Joe Frenzel SECONDED BY: Carson Steiner
To accept Johnson and Steiner's recommendation and increase City Administrator Greg Sund's salary by \$5,000 to an annualized salary of \$85,000 effective December 1, 2007 and an additional \$5,000 to an annualized salary of \$90,000 effective June 1, 2008.
DISCUSSION: Commissioner Reitmeier stated while he does not agree with a \$10,000 increase for Administrator Sund, it is not because of the job he does but that it is too big of a step at one time.
DISPOSITION: Roll call vote...Aye 3, Nay 1 (Reitmeier), Absent 1 (Dukart)
Motion declared duly passed.

ADJOURNMENT

MOTION BY: Bill Reitmeier SECONDED BY: Carson Steiner
For adjournment of the meeting at approximately 5:44 PM.
DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1.
Motion declared duly passed.

Cindy Selinger, Assistant to City Administrator

Greg Sund, City Administrator

Dennis W. Johnson, President
Board of City Commissioners

Date: _____