

I. CALL TO ORDER

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

II. ROLL CALL

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

STANDARD MOTIONS1. ORDER OF BUSINESS

MOTION BY: Carson Steiner SECONDED BY: Rhonda Dukart
to approve the January 3, 2005 Order of Business as presented with the addition of additional payables.

DISPOSITION: Motion carried unanimously.

2. CONSENT AGENDA

MOTION BY: Rhonda Dukart SECONDED BY: Bill Reitmeier

A. Approval of minutes of regular meeting dated December 20, 2004;

B. Approval to allow payroll deduction for Library Project donations;

C. Approval of Final Review and Acceptance form for the 2004 Landfill Improvements completed by Martin Construction, Inc.

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

Motion declared duly passed.

TIMETABLE AGENDA

N/A

NON-TIMETABLE AGENDA4. GENERAL ISSUES/FINANCEA. REAL ESTATE OFFER ON CITY OWNED PROPERTY

City Administrator Sund stated a real estate offer was received from Big K Homes, Inc. 6 a lot in Springwood 2nd Addition which currently does not have a for sale list price. Sund stated he was also not sure where the subcommittee is at in reviewing the prices of city owned property. City Assessor Riesinger stated the subcommittee has met but have not reviewed all properties and have discussed price ranges but not recommended a specific asking price. Sub-committee members Steiner and Frenzel recommended they meet again soon to finalize price reviewing. Commissioner Frenzel stated he would be unable to participate in discussions of the real estate offer from Big K Homes, Inc. as the agent is a member of his real estate firm. Based upon further discussions, the City Commission chose to take no action on the offer until the sub-committee finalized the asking prices on city owned properties.

B. TAX EXEMPTION REQUEST FROM BENEDICT COURT

President Johnson referenced prior meeting discussions whereby Benedict Court requested a property tax exemption. Commissioner Frenzel stated he and Commissioner Dukart participated in a committee meeting and recommend approval of the proposal listed in City Assessor Riesinger=s memo dated December 17, 2004. He stated he has met with representatives of Benedict Court and they also agree with the recommendation. He stated the recommendation was based upon Resolution No. 04-2003 which was in place at the time of the initial tax exemption request.

MOTION BY: Joe Frenzel

SECONDED BY: Rhonda Dukart

to grant a five year property tax exemption to Benedict Court as per City Assessor Jan Riesinger=s memo dated December 17, 2004; which is

2004 valuation =	\$1,799,000
less land value -	<u>16,900</u>
	\$1,782,100
less 1 st \$50,000 value - \$50,000	
	\$1,732,100
less 50% of above total	<u>- 866,050</u>
Total	\$ 866,050

Values taxed: \$16,900 + \$50,000 + \$866,050 = \$932,950

Tax savings \$22,123/year for five years = \$110,615 total taxes (assuming value and mill levy remains the same)

DISCUSSION: Commissioner Reitmeier stated should the Commission approve the exemption as proposed, they would not be following the North Dakota Century Code definition of granting tax exemptions. City Attorney Timothy Priebe stated the guidelines of the NDCC have not changed and it is the City Commissions discretion to determine whether the exemption creates an unfair advantage and whether it is in the best interest of the City.

DISPOSITION: Roll call vote...Aye 3 (Steiner, Frenzel, Dukart), Nay 2 (Johnson, Reitmeier), Absent 0.
Motion declared duly passed.

C. REPORTS:

1. Cash Management Proposal Update:

Director of Finance and Administrative Services, Tim Kessel, referenced RFP=s sent out 6 Cash Management/Investment proposals. He stated the deadline for submitting proposals were December 22. He noted several of the proposals had items he would like to further research and would request commission action at a future meeting.

2. 2003 Audit Report:

Director of Finance and Administrative Services, Tim Kessel, stated the 2003 Audit Report has been presented to the City Commissioner and Augie Ternes of the State Auditor=s Office will be at the January 18th City Commission to detail the report.

5. PUBLIC SAFETY

N/A

6. PUBLIC WORKS - ENGINEERING

A. FINAL PLAT OF KILWEIN WAL-MART

City Engineer, Shawn Soehren, requested commission approval of the final plat of Kilwein Wal-mart Subdivision. He stated the Planning and Zoning Commission reviewed the plat and recommended approval. Soehren noted the Resolution included language that if the sale to Wal-Mart does not go through, the plat would not be recorded.

MOTION BY: Bill Reitmeier SECONDED BY: Joe Frenzel
to authorize introducing Resolution 01-2005 for adoption:

RESOLUTION NO. 01-2005

**A RESOLUTION APPROVING FINAL PLAT ENTITLED KILWEIN WAL-MART
SUBDIVISION, CITY OF DICKINSON, STARK COUNTY, NORTH
DAKOTA, CONTINGENT UPON SALE OF PROPERTY.**

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

B. REPORT:

1. Planning and Zoning Commission Meeting minutes:

City Engineer Soehren referenced Planning and Zoning Commission minutes from December 15, 2004. He stated it is the desire of the Planning and Zoning Commission to

schedule a joint meeting with the City Commission and County Commission to review the State Addition Planning Study. All Commissioners were asked to forward their calendars to City Hall so a meeting could be scheduled.

7. PUBLIC WORKS - MAINTENANCE AND UTILITIES:

A. REPORTS:

1. Sewer Lift #1 Backup Claim:

Public Works Manager, Skip Rapp, stated he contacted the majority of the home owners affected by the Sewer Lift #1 sewer backup and asked they submit their bills to City Hall for consideration of reimbursement. He stated to-date approximately one-half of the individuals have submitted their bills. Rapp stated it was Sund=s recommendation that two City Commissioners be appointed to a committee to review the bills and determine reimbursement payments. Rapp noted discussion will need to be held regarding whether payment would be made based upon replacement or depreciated value. Commissioners Dukart and Steiner volunteered to participate in a committee consisting of themselves, Skip Rapp, Greg Sund and Tim Kessel.

8. ADMINISTRATION:

A. CITY ADMINISTRATOR REPORT:

1. SW Night at the Legislature:

Sund reminded Commissioners of the SW Night at the Legislature which will be held on Monday, January 31, 2005. Sund encouraged Commissioner participation.

2. Meeting Change Reminder in observance of Martin Luther King Day:

Sund reminded the Commission and public that the next regular City Commission meeting would be held on Tuesday, January 18, 2005 due to Martin Luther King holiday on Monday the 17th.

3. Other:

Sund stated a meeting was held today with Deb Jeannotte of Deb=s Cab. He stated she has been experiencing cell phone problems wherein she does not have services and the City has been researching alternate options. He stated Commissioner Dukart was aware of a repeater and radios at a very reasonable cost of \$1,200 and recommended the City proceed to purchase the needed equipment. Commissioner Reitmeier stated he also participated in the meeting and felt the equipment purchase by the City would be beneficial as the City would then own the equipment but would lease the equipment to the Cab Company. Sund stated discussion was also held as to visiting with NDDOT regarding consideration to obtain a 80/20% split on the purchase of the equipment once the Federal Transit Grant moneys become available. Johnson questioned the dollar amount intended to spend on the equipment. Sund stated the repeater and two radios would be \$1200 plus there would be the need for a phone line and the purchase of two more radios, he stated there would be a monthly tower rent fee along with installation of the equipment. Sund stated the monthly rent would be charged back to the operator once the business was financially able to reimburse for those charges. Commissioner Reitmeier thanked Commissioner Dukart for her efforts in researching the availability of the equipment at a minimal cost. He stated it was important the City Commission proceed to purchase the equipment as soon as possible as the current phone arrangements are not reliable. Commissioner Dukart stated she wished to clarify that the radio equipment that she located is not owned by Consolidated and that because Consolidated is no longer in the radio business, they would not be able to provide maintenance for the equipment. Dukart noted there were several businesses in town that could service the equipment.

MOTION BY: Bill Reitmeier SECONDED: Joe Frenzel

to authorize the City purchase the radio equipment and install it as discussed above at a cost not to exceed \$2,500.

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

