

To approve the tax abatement request from Joseph W. Kelley for 645 3rd Avenue West to reduce the 2009 valuation from \$64,100 to \$41,900 based on the condition of the property.

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

5:30 PM

**PUBLIC HEARING – APPLICATION FOR DRILLING AN OIL WELL-
ARMSTRONG**

City Engineer Shawn Soehren received a request from Armstrong Operating, Inc. to drill an oil well west of Dickinson. This oil well would be located on the SW ¼ Section 17, Township 139 North, Range 96 West. The Energy Committee recommends approval of this request. A screening concern was raised and since the oil well is further then one mile from the city limits a screen is not recommended. Therefore Mr. Soehren recommends approval of the application.

President Johnson opens the public hearing at 5:37. Hearing no public comments
President Johnson closed the hearing at 5:38.

MOTION BY: Gene Jackson SECONDED BY: Klayton Oltmanns
To approve the Armstrong Operating, Inc. Oil Well Permit.
DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0.
Motion declared duly passed

5:40 PM

LITTLE TYES POLICE DEPARTMENT GIVEAWAY

Police Captain Dustin Dassinger presented the Dickinson Police Department give away of a Little Tykes police car. Dassinger states Brenda Rettinger from Amidon won the police car and chose to donate it to Domestic Violence Shelter. Dassinger thanks Curt from Sure Sign for the logos and sign work. Darianne Johnson, Executive Director of the Domestic Violence and Rape Crisis Center graciously accepted the Little Tykes police car and states the kids will enjoy the car.

5:50 PM

PUBLIC HEARING – REZONING PETITION

City Engineer Soehren received a request to rezone Porter's Second Subdivision. This subdivision is directly south of North Industries and adjacent to highway 22. Braun Distributing did have some questions of rezoning to General Industrial so some compromise was made in regards to Block 1. With this compromise the Planning and Zoning Board recommends approval.

President Johnson opened the public hearing at 5:50 p.m. to gather input regarding Porter's Second Subdivision rezoning petition.

Hearing no comment President Johnson closed the public hearing at 5:51 p.m.

MOTION BY: Gene Jackson SECONDED BY: Klayton Oltmanns
To approve the first reading of Ordinance No. 1406.

ORDINANCE NO. 1406

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

6:00 PM

PAINTED CANYON ESTATES DEVELOPMENT IMPACT FEES

Administrator Kessel met with landowners Randy Steffan and Don Mayer to visit about the special assessments that could possibly be assessed to their property after the new development would occur in their area. Kessel provided several options to the Commission to consider which include approve impact fees, have the developer purchase their property, etc.

Cory Haller, developer, states Mayer and Steffan were offered a purchase price for their property and Haller was turned down.

Don Mayer who is a land owner states he was hopeful for a creative solution but apparently there is none at this time. He does not want to sell his property. Mayer's concerns are still for the existing citizens that are going to be impacted in adjacent areas. Mayer feels this should continue a rural residential area. He asks the City to protect the existing homes, business and lots and put all the cost on the developers and limit special assessment district. He does feel it is unfair to mitigate the cost to the citizens.

Randy Steffan who is also a land owner states he paid more than \$5,000 for his property and he is unwilling to sell if for less.

City Engineer Shawn Soehren states approximately \$45,000 will be the specials assessed to these two property owners. He states the \$369,000 does not show eliminating the curb and gutter. If eliminated it would reduce the cost by \$75,000 and would be a reduction of each lot of \$5,000.

President Johnson states in the Roers Subdivision he feels about \$15,000 per acre has been paid. He does feel the offer was above the market value for Mayer and Steffan's property. He feels if the Commission does pass the development impact fees the developers will no longer have an interest in purchasing the land from these two property owners. He feels the Commission is prepared to take a vote. Johnson feels with the energy impact that more and more housing is needed and it becomes a limiting factor.

Commissioner Oltmanns feels the developer should be responsible for all of the cost of the construction. He does not feel there should be a special incentive to the developer in this particular case. He does not feel there is a need to have incentives at this time in his area.

Commissioner Steiner is asking the developers to help with the influx of people coming into town.

Jody Arthaud, developer and owner of Missouri Basin states that his company brings in many people to this area and he does not feel that Dickinson wants to send out a message that they do not want to develop nor have people come live here. Arthaud states if Halliburton brings 400 employees to this area where will they live. Arthaud feels this project should just be moved forward.

President Johnson states if the City does not have a development impact fee program then the lot would be sold at a much higher price. Johnson asks Arthaud what would happen if the request was not granted.

City Administrator Shawn Kessel states Don Pedro's Family Mexican Restaurant has applied for a restaurant on-sale liquor license. The Police Department has completed background checks and recommends issuance of the license. The issuance should be contingent upon full license fee submittal.

MOTION BY: Klayton Oltmanns SECONDED BY: Carson Steiner
To approve the Restaurant On-Sale Liquor License for Don Pedro's Family Mexican Restaurant contingent upon payment of the 2011 liquor license.

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

B. GOVERNMENT AFFAIRS LIAISON

City Administrator Shawn Kessel created an Ad-Hoc team which consisted of Commissioner Oltmanns, Commissioner Landblom and Administrator Kessel. This team discussed the values of each proposal submitted for the Government Affairs Liaison. Based on those values, superior documentation, recommendation, experience and submittal brought forward the Ad-Hoc committee recommended Kadrmas, Lee and Jackson for the Government Affairs Liaison. KLJ's cost was one half cost of the other submittal. This liaison would work closely with the government, both State and Federal level.

Commissioner Oltmanns reiterated Kessel on both proposals, pros, cons and it was a decision of experience, 24 years versus 9 years at half the cost. Oltmanns is hopeful this company will facilitate what the City wants at a cost that could be justified.

Commissioner Landblom feels there is a stronger support system at KLJ and the one year contract will be to prove its value.

MOTION BY: Carson Steiner SECONDED BY: Rod Landblom
To approve Kadrmas, Lee and Jackson as the Government Affairs Liaison

DISCUSSION: Commissioner Jackson stated he would need to abstain from voting on the motion.

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

5. PUBLIC SAFETY

A. Reports: None.

6. PUBLIC WORKS – ENGINEERING

A. None

7. PUBLIC WORKS – MAINTENANCE AND UTILITIES

A. None

8. ADMINISTRATION:

A. City Administrator Report

1. Staffing Updates:

City Administrator Kessel reports 47 applications were received for the City Planner. The applications will be scored and turned over to Civil Service for review. Kessel reports Stark County has informed the City that they are not interested in participating in the selection of the City Planner. The Communication Specialist applications were received and will be scored. The Assessor and Museum Center Director positions have been opened and are accepting applications. The Police Officer and Street Maintenance positions have just been opened. Kessel reports the City is

moving forward in trying to fill the staff with excellent candidates.

Commissioner Jackson feels that a planner would keep very busy with the City and County work and it would be a better idea to have the County involved with the planner position.

2. Alternate Water Vendor Location

Administrator Kessel explains there is a water vendor located in downtown Dickinson. Having this water vendor downtown does put a strain in the roads with the large truck traffic. Kessel met with Mary Massad from Southwest Water and the City was informed that SW Water wants to be the sole owner/operator of a new water vendor. It was the City's intentions to provide wastewater to the oil industry. Kessel is not closing the door on this issue but this information certainly is a hurdle to work around. Kessel did state the water ordinance will be brought to the January 18, 2011 meeting.

Administrator Kessel states the Homeless Coalition has incorporated to a 501(c)3 and they now have intentions of using the building next to city hall for a homeless shelter. Twenty two items were identified that need to be completed before the home can be occupied. The only item not completed yet is the lead base paint removal or encasement. A donation was received to furnish the house.

Administrator Kessel also reports the armory's structural engineering has not been bid out yet on behalf of Ulteig Engineering. Kessel will be more concise next meeting on this issue.

9. CITY COMMISSION:

1. Snow Removal/Gates – Klayton Oltmanns

Commissioner Oltmanns expresses some concern about the snow removal in the City. Oltmanns states how fortunate the City has been for the past 10 years or so as the snow was not a big issue until the past three years. He is also concerned with the aging population in Dickinson that the City needs to do a better job in cleaning the streets. He does feel the residents do a good job in cleaning their driveways and sidewalks and then the City plows the residents in. He does suggest possibly turning the blades so that the snow is in the middle of the street and then removing the snow from the street. Oltmanns does show some slides which does show some fire hydrants that are buried. An area of concern is the snow emergency route and the amount of snow on this route. This is a concern for emergency vehicles. Oltmanns's slide show presented many areas of concern, roadways, mailboxes, trash collection, and fire hydrants. He feels snow gates are going to remedy the problem but not alleviate the snow in residential areas. He does know it will cost to remove the snow but feels over the past 10 years there may be some additional funds available for removal of the snow in the City. Another option he feels may benefit the City is to contract the snow removal versus hiring additional employees and more equipment. He would like for the City employees to have an opportunity to look at this situation and how snow is removed and to make a better situation not only for residents, fire and police safety, ambulance crews, etc. and the cost.

President Johnson would like Administrator Kessel and Engineer Soehren to respond to Commissioner Oltmanns concerns.

