

I. CALL TO ORDER

President Dennis W. Johnson called the meeting to order at 4:30 PM.

II. ROLL CALL

Present were: President Dennis W. Johnson, Commissioners Gene Jackson, Klayton Oltmanns, Joe Frenzel and Carson Steiner

Absent: None

STANDARD MOTIONS

1. ORDER OF BUSINESS

MOTION BY: Klayton Oltmanns SECONDED BY: Gene Jackson

To approve the May 16, 2011 Order of Business as presented.

DISPOSITION: Motion carried unanimously.

2. CONSENT AGENDA

MOTION BY: Gene Jackson SECONDED BY: Joe Frenzel

- A. Approval of minutes of regular meeting dated May 2, 2011
- B. Approval of Accounts Payable List (Check No.76202-076379)
- C. Approval of Certified Local Government Grant for the Historic Preservation Grant Funds from the State Historical Society ND
- D. Approval of Resolution for Development Impact Fees for Country Oaks
- E. Approval of Gaming Site Authorization Renewals
- F. Approval of Board of Equalization meeting minutes dated May 3, 2011
- G. Approval of Trane Contract – City Hall
- H. Approval of surplus of the Elgin Street Sweeper and C-60 Chevrolet
- I. Approval of Pledged Securities report dated April 28, 2011

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

TIMETABLE AGENDA

5:00PM

APEX ENGINEERING – PRESENTATION OF WASTEWATER TREATMENT PLANT

Mike Berg and Karla Olson from APEX give an overview of last month's population projection workshop which suggests treatment alternatives and issues with current facility and explorations of reuse potential. Berg states this was a population workshop as there were no studies directed towards the Dickinson population but numbers of studies were used as reference points. Reference points such as annual building permits, water usage and job openings were items used for potential city growth projections. Reference points support fairly fast population growth rate over 5-7 years which will be followed by a slower rate of growth. Berg states a possibility for 25,000-28,000 people in the next 5-7 years. Stating in the 2009 projections the best estimate looked like an aggressive population of 26,180, now that population would take the existing pond system and expand it. The big benefits mostly would be cost and less labor. Now looking at numbers for the future in 5-7 years and growing more in 20 years indicates a maximum capacity of 28,000 people. Berg states there is a potential to outgrow the pond facility in 5-7 years. There is a risk of doing a \$12 million dollar expansion and needing to start over in 5-7 years. Berg indicates another alternative would be a mechanical plant. This plant would have operational

flexibility to meet population changes. Drawbacks of a mechanical plant are that it is a much higher capital cost. A \$22 million facility could increase the monthly utility bill per user by \$16-17. There is a much higher operation and maintenance cost with mechanical, much higher electricity cost and testing much more extensively.

President Johnson feels if the population reaches 26,000 a mechanical plant would be a greater road to go.

Commissioner Frenzel does agree with 25,000 numbers for the population.

Commissioner Oltmanns questions why the City would take a \$12 million dollar risk in expanding to come back to citizens and say that we spent the money and need to spend money to upgrade. Oltmanns feels the City should look at matrix of full mechanical plant at this time.

President Johnson feels if the City does this improperly we could end spending \$34 million.

Commissioner Jackson questions the reuse location practically for an oil company where they would need to go to get the water. Jackson feels the population projections are a bit euphoric. Jackson feels the City is saying at 26,000 we have to go to mechanical. He feels there is probably a percentage chance that we will reach 28,000 so it is borderline if we should have a mechanical plant. Jackson feels the City should review other reasons for a mechanical plant other than population as he acknowledges the increase cost is very significant.

City Planner Ed Courton feels the extra capacity could be used as an economic benefit or enhancement. Courton explains many industries review to see if there is available capacity in a sewer system to handle their industry. If the City expands will there be additional capacity. Courton explains commercial and industrial facilities use a ton of water.

President Johnson feels the more money you can put down on the project the better off the City will be. Johnson states with a project like this the City would try to use oil impact funds, ½ cent sales tax money, economic development from 1% sales tax for economic development or any bulk water sales. Johnson doubts if the City will have to finance the entire project. He feels the City could get close to 50% of what would need to be funded. He feels the City needs to go down the path of mechanical plant.

Commissioner Oltmanns feels we need to address immediate needs as the City is over capacity. Oltmanns states the City does not know what the years are going to hold. If the City err on the side of a mechanical plant and if the population increases we are okay. Oltmanns feel the City has the ability to fund the project now, resources to do it right now if population is high or not and not leave the later commission in debt.

City Engineer Soehren feels that it makes good sense to go the direction of a mechanical plant. Soehren states the City definitely has some discharge issues right now and will have the same concerns in the future. The population is a challenge to get a grasp on but looking at flow data we are definitely seeing a huge increase in loading. Permit numbers are not probably the same as last year and not necessarily correct because we have seen a bottle neck in accomplishing

inspections and getting permits out. Soehren states all indications are strong in the economy in Dickinson.

Mike Berg feels the City is in a very strong position to resell this wastewater. Apex has met with the Department of Health in the hopes of using the water for fracking. Berg states water quality requirements are not that severe and the City should have no problem meeting the requirements to resell the water. There is a tremendous amount of demand for water. As a group we will decide on the most likely 20 year population. Also the City needs to decide what is the most optimistic and pessimistic scenario and design a plan. Berg states all plans, data and other information and documentation is City property.

Karla Olson discusses the population and the payback on the plant. She feels the estimate of 26,000 people is the right choice. A mechanical plant would be more feasible if the population would get to 35,000. Olson states the population number is what the City needs to decide on first and then move ahead with the development. Ms. Olson discusses viable options for selling the water.

NON-TIMETABLE AGENDA

4. GENERAL ISSUES/FINANCE

A. FINANCIAL REPORT THROUGH APRIL, 2011

Finance Director Tina Johnson highlighted the April, 2011 financial report.

President Johnson would like to see more of the reserve accounts combined such as were previously done with the water/wastewater fund. He would like Ms. Johnson to review the solid waste and others that could be combined.

MOTION BY: Carson Steiner

SECONDED BY: Joe Frenzel

To accept the April, 2011 Financial Report as presented.

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

Motion declared duly passed

B. REPORTS

1. Budget Calendar

Administrator Kessel presents a tentative calendar for the budget work session. The 2012 City Commission budget work session will be held on August 15, 2011. Kessel states this year the Commissioners will be presented with a three year budget. We would like to provide you with this because of population influx in our community and drastic impact on capital improvements and staffing.

President Johnson states to save the date of August 15, 2011 for the budget meeting.

2. Dickinson Transit Facility Express Table

Administrator Kessel presents a Dickinson Transit Facility Express Table which is a construction schedule provided by Tooz Construction.

3. Convention and Visitors Bureau Memo

Administrator Kessel presents a letter that he had written to the Convention and Visitors Bureau in regards to the Occupancy and Hospitality Tax. The CVB Board will meet with the Commissioners on May 24, 2011.

4. Staffing Update

Dan Ingram, who is the new Dickinson Museum Director comes from Iowa and has 20+ years of working with the museums. He has a BA in American Studies and a MA from the University of Wisconsin.

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

B. REZONING PETITION – LOTS 5-11, BLOCK 1 AND ALL OF BLOCK 5 OF COUNTRY OAKS

City Planner Ed Courton presents the rezoning petition from Sullivan Construction of Country Oaks. This petition is for Lots 5-11, Block 1 and all of Block 5, Country Oaks.

Commissioner Frenzel did abstain from the vote.

MOTION BY: Carson Steiner SECONDED BY: Gene Jackson
To approve the second reading and final passage of Ordinance No. 1416

ORDINANCE NO. 1416

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 4, Nay 0, Absent 0, Abstain 1.
Motion declared duly passed

C. NORTH DAKOTA DOT STORM SEWER PERMIT

City Engineer Shawn Soehren presents a permit from the North Dakota Department of Transportation for the 18th Avenue East Urban Roads Project which requests the construction of a storm sewer outlet.

MOTION BY: Klayton Oltmanns SECONDED BY: Joe Frenzel
To approve the North Dakota Dept. of Transportation 18th Avenue East Storm
Sewer Outlet Permit.

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

D. 2011 SIDEWALK IMPROVEMENT DISTRICT

City Engineer Shawn Soehren stated bids were opened for the 2011 Sidewalk Improvement District Contract. He stated two bids were received with Winn Construction being the lowest responsible bidder at \$73,450.00. Tooz Construction had the bid for the past two years. Winn Construction had the bid several years ago.

Mr. Soehren recommended if someone in the community would be interested in using this pricing and financing through the City they should call the City Engineer at City Hall.

MOTION BY: Carson Steiner SECONDED BY: Gene Jackson
To award the 2011 Sidewalk Improvement District Contract to Winn Construction
in the amount of \$73,450.00.

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

E. Reports:

- 1. Planning and Zoning Commission Meeting Minutes – April, 2011**
Presented for informational purposes only.

- ## 2. Code Enforcement Report – April, 2011

City Engineer Shawn Soehren presents the April, 2011 Code Enforcement Report which indicates there are five commercial structures as compared to the three last year. Soehren states single family housing is down from last year. The valuation of projects is much higher which indicates the projects are much larger and take more staff time. The building permits are possibly three to four weeks behind.

3. Board of Adjustment Meeting Minutes – May, 2011

Presented for informational purposes only.

4. Extra-Territorial Extension

City Engineer Shawn Soehren presents an Extra-Territorial Map which shows the current city limits and the potential city limits. Soehren states the Northside annexation extends the jurisdiction approximately one mile, this cuts in the middle of a subdivision. Soehren is reviewing the proper way to handle this situation. The extra-territorial extension is currently allowing the City to be further south then the Century Code allows. Soehren states the majority of changes are in the North and Northwest portion of the city. An ordinance will be presented at the next meeting for the first reading.

Engineer Soehren states the City is working closely with the County on this issue.

7. CITY COMMISSION

None

**8. PUBLIC ISSUES OF CITY CONCERN NOT ON THE AGENDA
ADJOURNMENT**

None.

MOTION BY: Gene Jackson SECONDED BY: Klayton Oltmanns
For adjournment of the meeting at approximately 6:10 PM.
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:

Shawn Kessel, City Administrator

Dennis W. Johnson, President
Board of City Commissioners

Date: _____