

I. CALL TO ORDER

President Gene Jackson called the meeting to order at 4:30 PM.

II. ROLL CALL

Present were: President Gene Jackson, Commissioners Joe Frenzel, Klayton Oltmanns, Carson Steiner and Scott Decker.

Absent: None

1. ORDER OF BUSINESS

MOTION BY: Joe Frenzel SECONDED BY: Klayton Oltmanns
To approve the June 20, 2016 Order of Business as presented.

DISPOSITION: Motion carried unanimously.

2. CONSENT AGENDA

A. MOTION BY: Klayton Oltmanns SECONDED BY: Joe Frenzel
B. Approval of meeting minutes from June 6, 2016
C. Approval of Accounts Payable (via email)

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

3. TIMETABLE AGENDA

5:00 P.M.

PUBLIC HEARING – SPECIAL USE PERMIT – THEODORE ROOSEVELT PRESIDENTIAL LIBRARY

Planning Director Walter Hadley presents The Theodore Roosevelt Foundation and Dickinson State University request for a Special Use Permit for the Theodore Roosevelt Library. The site is generally located adjacent to Empire Street, State Avenue North, 13 Avenue West, and Fairway Street and is described as an unplatted parcel of land consisting of approximately 30 acres in the NW ¼ of Section 4, Township 139 North, Range 96 West. The application was heard at the June 15, 2016 planning Commission meeting with no public concerns voiced. The application was recommended for approval by the Commission with conditions and Staff would recommend approval as well.

President Gene Jackson opens the public hearing at 5:03p.m. Hearing no comments the public hearing is closed at 5:04 p.m. and the following motion is made.

MOTION BY: Klayton Oltmanns
Adopt Resolution 17-2017

SECONDED BY: Carson Steiner

RESOLUTION NO: 17 – 2016

**A RESOLUTION APPROVING A SPECIAL USE PERMIT TO THE
THEODORE ROOSEVELT PRESIDENTIAL LIBRARY
FOUNDATION TO BUILD THE THEODORE ROOSEVELT
PRESIDENTIAL LIBRARY IN A PUBLIC ZONE**

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

4. GENERAL ISSUES/FINANCE

A. Personnel Manual Change for Pay Scale

City Administrator Shawn Kessel first wants to let the Commission know the City is starting a new procedure tonight to increase communication level with audience and channel 19. The showing of a slide during all matters and has been provide more informational purposes only.

City Administrator Shawn Kessel presents an ordinance to the Commission that right now required to provide all of the employees of the city of Dickinson with 90 day notice to change the manner in which they are paid, pay periods, we are requesting 30 days. Mr. Kessel states the City is trying to lower the number of times paid per month. Only change. No changes from first reading.

President Gene Jackson asks for public comment. Hearing none the following motion is made.

MOTION BY: BY: Carson Steiner SECONDED BY: Klayton Oltmanns
To approve second reading and final passage of Ordinance No. 1614.

ORDINANCE NO. 1614

**AN ORDINANCE AMENDING AND RE-ENACTING SECTION
29.08.04080 OF THE CITY CODE OF THE CITY OF DICKINSON,
NORTH DAKOTA, RELATING TO PERSONNEL
COMPENSATION.**

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

B. Sign Ordinance

Planning Director Walter Hadley presents the second reading of a sign ordinance amendment in order to comply with the freedom of speech in the First Amendment according to the Supreme Court Ruling, exemptions in the sign ordinance must be content neutral. Regulations targeted at a specific subject

matter is a violation even if it doesn't discriminate against viewpoints. The proposed ordinance makes revisions to the current sign code to comply with that ruling such as changing limitations to be for specific events without regulating what is on the signs during those events. City Staff and the Planning Commission recommend approval. There are no changes from the first reading.

President Gene Jackson asks for public comment. Hearing none the following motion is made.

MOTION BY: BY: Klayton Oltmanns SECONDED BY: Joe Frenzel
To approve second reading and final passage of Ordinance No. 1615.

ORDINANCE NO. 1615

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 39.10.30, OF THE CITY CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO GENERAL SIGN AND STREET GRAPHICS REGULATIONS.

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

C. Financial Report

Accountant Morrey provided a snapshot of the City's current financial condition.

MOTION BY: Klayton Oltmanns SECONDED BY: Joe Frenzel
To approve May, 2016 Financial Report as presented.

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

D. Long Term Debt Report

City Administrator Shawn Kessel presents the long term debt for the City of Dickinson. City Administrator Shawn Kessel outlines all places incurred debt and what repayment source. Bonded debt is the WRCCC and ice center expansion which included the payment for a new outdoor pool and a second sheet of ice and enclosure and basketball spaces, and others. Mr. Kessel discusses the pledged 30% of the 1%, the Wells Fargo which was used to secure funding sources if needed. Mr. Kessel discuss the revolving loan fund. He states the total indebtedness with Community Center and water treatment is \$92,794,138 but 13,500,000 that can be used yet if needed. On the flip side Mr. Kessel shows payments and amortization schedules which would be \$4.4 million to pay each year. Oil impact primary repayment source and advocate continuing commitment of \$7.75 million for 4 continuous sessions as they would pay off our debt as it relates to current debt.

President Gene Jackson states this interests him and it will be a decision of each commission at budget time to decide these items. Mr. Gene Jackson states he thinks there is a lot to be said to get this debt done earlier than later. Numbers are approximations to present this concept to pay debt off early. In spite of downturn in sales tax revenue and oil tax revenue I think the city can be reasonably confident the future session will be seeing at least this amount coming to Dickinson. There is more work to be done in Dickinson and the large items are storm water and airport. Mr. Jackson thinks it is a really worthwhile goal to get rid of debt at a faster pace to make that decision.

E. Reports

1. GFOA and Questica Conference

Administrator Shawn Kessel states that Accountant Robbie Morey and he attended the GFOA and Questica conference in Canada which had fantastic sessions.

2. Abatement Meeting – June 28, 2016 at 10:00 a.m.

3. Special Commission Meeting – June 28, 2016 at 1:30 p.m.

4. Thank you – NE Fire Dept., Taylor Senior Citizens, Best Friends Mentoring Program

5. 2015 Southwest Wester Annual Operating Report

City Administrator Shawn Kessel updates the Commission on the Deputy City Administrator interviews.

5. PUBLIC SAFETY

A. Fire Department

A. Reports

1. None

B. Police Department

A. Reports:

1. None

6. ENGINEERING

A. 19th Street West – NDSU Temporary Construction Easement

City Engineer Craig Kubas presents a temporary easement to construct the road (19th St.) to the new Middle School. This is the standard NDSU temporary easement form used by the city and NDSU in the past. As with all easements with NDSU, the City needs to sign the easement before it is sent to NDSU. KLJ and City staff have been working with NDSU for some time now and City Staff recommend approval.

MOTION BY: Scott Decker

SECONDED BY: Carson Steiner

To approve the 19th Street West NDSU Temporary Construction Easement.

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

Motion declared duly passed.

B. Projects:

1. Project Updates:

City Engineer Craig Kubas updates the Commissioners on the following projects:

1) 40th Street Waterman; ND22/21st Signal; West Gravity Phase III and Water; Villard Street Waterman Replacement; State Avenue Railroad bridge; Crooked Crane Trail; State Avenue and River Drive Boosters Station; Fisher's East Side 2nd Street Project; Koch/Country Oaks Estates Lighting; Museum Drive; East Water Tank 12" feeder main; East .5 million gallon Water Tank; Lift Station 14 and Force Main; Lift Station 5; Landfill Cell 3B-4; 9th Street Reconstruction.

President Gene Jackson states it would be worthwhile to know the fruition that started five years ago on the Comprehensive Plan especially with water and sewer. Mr. Jackson states the City certainly is not finished in Dickinson but good working conditions. He states most of this is due to oil impact but feels the neighbors should feel good about the systems in Dickinson. President Jackson states this summer will put a cap on the projects.

7. PUBLIC WORKS

A. Braun Intertec Proposals

1. Non Destructive Testing for Paving

Public Works Director Gary Zuroff presents the Braun Intertec proposal for Non Destructive Testing of Paving at West Ridge Phase I. The concrete paving on West Ridge Phase I is experiencing significant settlement. The City recently removed and replaced some of the concrete we observed voids between the concrete pavement and the subgrade of 4 to 12 inches. The City has requested that Braun Intertec provide us this proposal so we can determine the extent of the voids under the West Ridge concrete streets. The testing will be a combination of Ground Penetrating Radar, Concrete Coring, Sounding, and visual observations. The estimated fee is \$6,142.00 for the services and City staff recommends approval.

MOTION BY: Carson Steiner

SECONDED BY: Klayton Oltmanns

To approve Braun Intertec Non Destructive Testing for Paving.

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

Motion declared duly passed.

2. Proposal of Geotechnical Evaluation

MOTION BY: Klayton Oltmanns SECONDED BY: Joe Frenzel
To approve Braun Intertec Geotechnical Evaluation for Testing.

B. Reports:

Public Works Director Gary Zuroff introduces Adam Ballesteros whom is the new Water Department Manager. Mr. Ballesteros has been on the Planning and Zoning Commission for the past two years and looks forward to the new position.

A. Final Plats

Planning Director Walter Hadley presents the Theodore Roosevelt Foundation and Dickinson State University requests for a Preliminary/Final Plat for the Theodore Roosevelt Library Addition. The site is generally located adjacent to Empire Street, State Avenue North, 13th Avenue West, and Fairway Street and is described as an un-platted parcel of land consisting of approximately 30 acres in the NW ¼ of Section 4, Township 139 North, and Range 96 West. The application was heard at the June 15, 2016 Planning Commission meeting with no public concerns voiced. The application was recommended for approval by the Commission with conditions and Staff would recommend approval as well.

RESOLUTION NO: 18 – 2016

**A RESOLUTION APPROVING FINAL PLAT ENTITLED
THEODORE ROOSEVELT PRESIDENTIAL LIBRARY
ADDITION, STARK COUNTY, NORTH DAKOTA.**

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

2. Public Safety Center Addition

Planning Director Walter Hadley presents an amendment for the Public Safety Center which is an existing facility. This is a replat 40' easement utility easement that was not recorded with plat was completed to provide future utilities to the west. The City of Dickinson has requested a Preliminary/Final Plat for the Public Safety Center Addition Plat. The site is generally located just north of 21st Street West and immediately adjacent and west of the newly constructed portion of State Avenue and is described as an un-platted parcel of land consisting of approximately 7.5 acres in the SE ¼ or Section 29, Township 140 North, Range 96 East. The application was heard at the June 15, 2016 Planning Commission meeting with no public concerns voiced. The application was recommended for approval by the Commission with Conditions and Staff would recommend approval as well.

MOTION BY: Klayton Oltmanns
Adopt Resolution 19-2016.

SECONDED BY: Scott Decker

RESOLUTION NO: 19 – 2016
**A RESOLUTION APPROVING FINAL PLAT ENTITLED PUBLIC
SAFETY CENTER ADDITION
STARK COUNTY, NORTH DAKOTA.**

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

3. Prairie Meadows

Planning Director Walter Hadley presents a request for a Preliminary/Final Subdivision Plat for the Prairie Meadows Addition. The site is generally located on the corner of the Highway 22 truck bypass and 21st Street West and is described as an un-platted parcel of land consisting of approximately 13 acres in the West ½ of the NW ¼ of the NW ¼ of Section 32, Township 140 North, and Range 96 West. The application was heard at the June 15, 2016 planning Commission meeting with no public concerns voiced. The application was recommended for approval by the Planning Commission with Conditions and Staff would recommend approval as well.

MOTION BY: Carson Steiner
Adopt Resolution 20-2016.

SECONDED BY: Klayton Oltmanns

RESOLUTION NO: 20 – 2016
A RESOLUTION APPROVING FINAL PLAT ENTITLED
PRAIRIE MEADOWS SUBDIVISION
STARK COUNTY, NORTH DAKOTA

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

9. BUILDING

A. Reports:

1. None

10. COMMISSION

None

11. PUBLIC ISSUES OF CITY CONCERN NOT ON THE AGENDA

None

12. ADJOURNMENT

MOTION BY: Klayton Oltmanns

SECONDED BY: Scott Decker

Adjournment of the meeting at approximately 5:45 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

Scott Decker, President
Board of City Commissioners

Date: July 5, 2016