

**I. CALL TO ORDER**

President Scott Decker called the meeting to order at 4:30 PM.

**II. ROLL CALL**

Present were: President Scott Decker, Commissioners Nikki Wolla, Carson Steiner, Jason Fridrich and Sarah Trustem.

Absent: None.

**1. ORDER OF BUSINESS**

MOTION BY: Nicole Wolla

SECONDED BY: Sarah Trustem

To approve the September 17, 2019 Order of Business as presented.

DISPOSITION: Motion carried unanimously.

**2. CONSENT AGENDA**

MOTION BY: Carson Steiner

SECONDED BY: Jason Fridrich

**A. Approval of meeting minutes dated August 28, 2019 and September 3, 2019.**

**B. Approval of Accounts Payable, Commerce Bank and Checkbook.**

**C. Approval of Prestige Worldwide PRV Maintenance Proposal.**

**D. Approval of July Financial Report.**

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

**3. ADMINISTRATION/FINANCE****A. Sales Tax Revenue Bond, Series 2019**

Deputy City Administrator Linda Carlson presents a resolution which coincides with the Sales Tax Bond Ordinance, which was presented last commission meeting as first reading. The Sales Tax Revenue Bond Resolution, series 2019, goes into detail on how the city will use the money to pay for the bonds issued by the Clean Water and Safe Drinking Water Act revolving loan funds created by NDCC chapters 61-28.1 and 61-28.2 to finance the costs of public water and wastewater system utilities. She states this resolution sets up the 30-year payment schedule on the \$2,370,000 project cost and details principal and interest payments, funding of payment source, reserve of debt percentages, etc. Deputy City Administrator Carlson states the City Attorney reviewed the bond and staff recommends approval of the Series 2019 Sales Tax Revenue Bond.

MOTION BY: Carson Steiner  
Adopt Resolution 28-2019.

SECONDED BY: Sarah Trustem

**RESOLUTION NO. 28 - 2019**  
**RESOLUTION AUTHORIZING ISSUANCE OF**  
**\$2,370,000 SALES TAX REVENUE BONDS, SERIES 2019**

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

**B. Amending the City of Dickinson Employee Plan**

Deputy City Administrator Linda Carlson includes in the packet a resolution to approve the 2020 wage/salary compensation scale as presented as exhibit A. On August 28<sup>th</sup>, as a budget work session special meeting, the Commission approved a resolution (Resolution # 25-2019) to go forward with the new wage compensation study and repeal the previous wage scale and a proposed wage scale was presented. At this time, an amended resolution is before you to approve the attached wage/salary compensation scale which is broke down in three categories of positions, Technical, Professional and Management (or exempt positions). The new wage scale incorporates the skill base pay along with longevity credit in years worked for the city and a health benefit credit. This new wage scale for the City of Dickinson achieves the sought-after goal of retaining our employees and providing them with benefits for retention. Ms. Carlson states an attorney review has been completed and staff recommends approval of the New Employee Pay Plan.

City Administrator Joe Gaa states once the Commission approves this amendment to the pay scale each employee will receive a letter explaining their pay.

MOTION BY: Carson Steiner  
Adopt Resolution 29-2019.

SECONDED BY: Nikki Wolla

**RESOLUTION NO. 29 - 2019**  
**A RESOLUTION AMENDING THE CITY OF DICKINSON EMPLOYEE PAY**  
**PLAN**

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

**C. Veit Settlement Agreement**

City Administrator Joe Gaa presents the Veit claim has been going through the mediation process for several months. Mr. Gaa states Veit has agreed to a full release of claims for the amount of \$400,000. Attached is a draft settlement agreement for your review. Administrator Gaa Legal counsel and staff recommend approval.

MOTION BY: Carson Steiner  
To approve Veit Settlement Agreement.

SECONDED BY: Sarah Trustem

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

**D. Reports:**

**1. Electric Vehicle Charging Station at Museum**

City Administrator Joe Gaa states the City Staff has been contacted about locating an electric charging station at the Museum. An updated plan will be reviewed with the Commission. Administrator Gaa states Convention and Visitors Bureau gets questions about having a station. He states this will be the first public station that can host all electrical vehicles. Normally electric charging stations are placed in an area where there is tourism and eating places. City Administrator Gaa has met with staff and feel that this is an appropriate location. No City funds would be used to build it. He does state this would be a good opportunity to provide a service.

**2. Thank you notes – Badlands Ministries and Downtown Dickinson Association**

City Administrator Joe Gaa reads the thank you notes.

City Administrator Joe Gaa states Dakota Transit fall conference has been in Dickinson the past few days. He states Public Transit has won two state awards. Also recognized at the conference was Larry Robinson for 29 years of service as a Board Member. Administrator Gaa also states Kelsey Connole received the North Dakota Outstanding Support Staff of the Year award.

**3. Hiring Journal**

HR Coordinator Shelly Nameniuk updates the Commissioners on the Hiring Journal which interviews for Police Officers were held today as there was a good round of interviews and offers will be made. There was one Communications Specialist open and this has been filled. The Design Engineer position was put on hold as there were no applicants. Engineering Tech position has been filled with seasonal help. Ms. Nameniuk states the Operations Manager position is still open until the end of the week. Collections Route Operator had 2 offers made along with the Scale Service Rep had an offer made. She states the Water Utility Operator position was filled and the Book Mobile position has been put on hold.

**4. PUBLIC SAFETY**

**A. Fire Department**

**1. Fire Prevention Week Proclamation**

Fire Marshal Mark Selle informs the Commission on how sprinkler system saves lives and dollars. Fire Marshal Selle shows the Commission pictures of the dollar amount that was saved in two incidents with sprinklers. Fire Marshal Selle gives a little history on fire prevention where fire prevention started in 1871 with the Chicago Fire, the first week of

Fire Prevention week was in 1925 along with it is the longest running Public Health and Safety Initiative.

President Scott Decker reads the Fire Prevention Week Proclamation

Commissioner Sarah Trustem is interested in developing a home safety plan.

Fire Marshal Selle states the Dickinson Fire Department's website does give plans on home escapes and other ideas.

MOTION BY: Sarah Trustem

SECONDED BY: Jason Fridrich

To approve the Fire Prevention Week Proclamation.

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

## **B. Police Department**

### **Reports:**

1. None

## **5. ENGINEERING**

### **A. Reports**

1. None

## **6. PUBLIC WORKS**

### **A. Ferguson Proposal for Replacement of MIU (Metered Interfaced Units) Replacements**

Public Works Director Gary Zuroff states that many of the City's meter interface units that provide staff the ability to read the water meters by driving by the residents, have reached their life span and need to be replaced. This proposal is for Ferguson to provide the labor to install 300 5/8" -1" R900 V4 registers. Director Zuroff states this is the first phase in this project and will assist the Utilities Division by taking care of the current problems we are having acquiring the data remotely. Installations for these interface units will be preferably outside which will give us the ability to move to a fixed base system in the future. Staff recommends approval.

Commissioner Jason Fridrich questions what if the resident has issues with the installation. Commissioner Fridrich would like to have an MIU and wiring available for contractors to put in new house prior to them being completed.

City Attorney Haylee Cripe states that the City would not be liable but the resident could go after the vendor and then the vendor could come to the City. She states if the vendor does damage they would be responsible for the damages.

MOTION BY: Carson Steiner

SECONDED BY: Sarah Trustem

To approve Ferguson Proposal for Replacement of MIU

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

7. **PLANNING**

**A. Rezoning – West Ridge 2<sup>nd</sup> and 3<sup>rd</sup>**

Planning Director Walter Hadley presents the second reading of Ordinance #1683 for a zone change presented by Roers to change zoning as indicated on existing and proposed re-platted lots within West Ridge 2<sup>nd</sup> and 3<sup>rd</sup> from Community Commercial and R# to R2 Medium Density Residential for the proposed 23 lot replat. City Staff would recommend approval of the second reading of Ordinance# 1683 as presented.

MOTION BY: Caron Steiner  
To approve second reading and final passage of Ordinance No. 1683.

SECONDED BY: Sarah Trustem.

**ORDINANCE NO. 1683**

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

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

**B. Chapter 34 Amendments**

Planning Director Walter Hadley presents Chapter 34 for a second reading of Ordinance # 1684 for proposed amendments to the Subdivision Ordinance for the City of Dickinson to guide new growth in an orderly fashion. City Staff would recommend approval of the second reading of Ordinance #1684 as presented.

MOTION BY: Jason Fridrich  
To approve second reading and final passage of Ordinance No. 1684.

SECONDED BY: Sarah Trustem

**ORDINANCE NO. 1684**

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

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

8. **BUILDING**

**A. Reports:**

1. None

9. **TIMETABLE AGENDA**

**5:00 p.m. - Public Hearings**

**1. SRF Loan Ordinance Wastewater Utility System**

Deputy City Administrator Linda Carlson states this is the public hearing and second reading/final passage of the Sales Tax Bond Ordinance # 1682. This ordinance states the City by Ordinance 1233 (2001) may levy Sales & Use Tax to the dedication of infrastructure such as improvements to Lift Station #1 project. In applying for a State Revolving Fund (SRF) loan, this bond ordinance establishes source of payment and dollar amount of loan. Staff recommends approval.

President Scott Decker opens the public hearing at 5:05 p.m. Hearing no comment the public hearing was closed at 5:06 p.m. and the following motion was made.

MOTION BY: Sarah Trustem

SECONDED BY: Jason Fridrich

To approve second reading and final passage of Ordinance No. 1682.

**ORDINANCE NO. 1682**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$3,000,000  
SALES TAX REVENUE BONDS TO FINANCE WASTEWATER UTILITY  
SYSTEM IMPROVEMENTS.**

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

**2. 2020 Tax Levy Ordinance**

Deputy City Administrator presents this ordinance as the first reading and public hearing of the upcoming 2020 annual appropriations and tax levy. Included in the appropriations is all General Fund Departments, contingency, transfers out, retirements and OPEB health insurance. The total GF expenses balances with an amount of \$20,353,427. This is an increase of \$1,161,766 or 5.71% over 2019. Ms. Carlson states the City's tax levy for the City is \$5,724,000 which includes Library and Airport at 4 mills each with an estimated tax of \$476,000. With the taxable valuation decrease for 2020, the City mills increased from 45.97 in 2019 to 48.12 for 2020, but the total dollar amount stayed the same. Staff is recommending approval of the first reading of the Annual Appropriation and Tax Levy for 2020.

President Scott Decker opens the public hearing at 5:09 p.m. Hearing no comment the public hearing was closed at 5:10 p.m. and the following motion was made.

MOTION BY: Carson Steiner

SECONDED BY: Nikki Wolla

To approve first reading of Ordinance No. 1685.

**ORDINANCE NO. 1685**

**ANNUAL APPROPRIATION AND TAX LEVY**

**AN ORDINANCE ENTITLED "THE 2020 ANNUAL APPROPRIATION AND TAX LEVY" APPROPRIATING THE SUM OF MONEY NECESSARY TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF DICKINSON, NORTH DAKOTA, AND MAKING THE ANNUAL TAX LEVY FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020, INCLUSIVE.**

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

**10. PUBLIC ISSUES OF CITY CONCERN NOT ON THE AGENDA**

Resident Kris Gietzen states he is very disappointed and angry. He voted for most of the Commissioners and thought they would be faithful and trust that the Commissioners would have the best interest of the citizens at heart. He feels that the City cannot take his money fast enough or frequently enough. Mr. Gietzen states more and more people are moving to Dickinson and therefore more and more revenue is coming in. Mr. Gietzen suggests cutting taxes so that people can take more money home and then they would spend more. Mr. Gietzen is quite disgusted with the park district as if there budget has a shortfall then they should reduce the spending. He states the parks and rec should review the use of the parks and if there is no trash in the parks people are not using the parks, therefore, sell them off to make money. He states he does not want to spend his money to take care of parks.

Commissioner Carson Steiner states the City does not have anything to do with the Parks and Rec. He does appreciate Mr. Gietzen for coming to the City Commission meeting and states the Commissioners also own homes in the City and do pay taxes. He would like for Mr. Gietzen to attend the school, parks and rec, and the county meetings and express his concerns about the taxes he is being charged. Commissioner Steiner states Mr. Gietzen will find that the City has been the lowest in charging taxes over the past 18 years. Commissioner Steiner states the Commissioner does hear Mr. Gietzen's concerns and states this is the first year that the City has taken a mill level increase in many years. Commissioner Steiner is starting to take offense to the statements made against the City when it comes to increasing taxes.

**11. COMMISSION**

President Scott Decker along with another Commissioner have a commitment on the next City Commission meeting of October 1, 2019 and would like to change the Commission Meeting to October 2, 2019. All Commissioners agreed to meet on October 2, 2019.

**ADJOURNMENT**

MOTION BY: Sarah Trustem

SECONDED BY: Nikki Wolla

Adjournment of the meeting at approximately 5:25 P.M.

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

OFFICIAL MINUTES PREPARED BY:

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Rita Binstock, Assistant to City Administrator

APPROVED BY:

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Joe Gaa, City Administrator

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Scott Decker, President  
Board of City Commissioners

Date: October 2, 2019

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