

I. CALL TO ORDER

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

II. ROLL CALL

Present were: President Dennis W. Johnson, Gene Jackson, Shirley Dukart, and Carson Steiner

Absent were: Joe Frenzel

STANDARD MOTIONS1. ORDER OF BUSINESS

MOTION BY: Gene Jackson

SECONDED BY: Shirley Dukart

To approve the February 1, 2010 Order of Business as presented.

DISPOSITION: Motion carried unanimously.

2. CONSENT AGENDA

MOTION BY: Gene Jackson

SECONDED BY: Carson Steiner

A. Approval of minutes of regular meeting dated January 19, 2010

B. Approval of Cell 3 Hydraulic Improvement Notice to Proceed and Contract Approval

C. Approval of Cost Participation Agreement for Transit Storage Facilities Engineering Services

D. Approval of RayAnn Kilen as a Board Member for the Dickinson Historic Preservation Commission

Roll call vote...Aye 4, Nay 0, Absent 1.

Motion declared duly passed.

TIMETABLE AGENDA

5:20 PM

2010 CENSUS UPDATE-LORI JORDHEIM

Lori Jordheim from Stark County Development updates the Commission on the 2010 Census. Jordheim states they are laying ground work in Dickinson to complete the count committee. Jordheim states she has met with two representatives from the US Census Bureau. These two reps came to Dickinson and she gave them a tour around the growth areas, Dickinson State University (DSU) Campus, tornado affected areas and temporary housing. The intent of the representatives was to review this area in order to understand how the census takers would approach the area when taking the census. "Be Counted" sites will be announced later in February. Ms. Jordheim states flyers were left in the DSU bookstores, rubber balls, popcorn holders and other advertising instruments were placed throughout the DSU campus and City in order for the information on the census count be distributed. Ms. Jordheim has been working very hard with the DSU staff and others in the City to get the word out on being counted in the 2010 census. Information on the census has been placed in the relocation packets through the Dickinson Chamber of Commerce. She states the oil field industry workers are the most difficult individuals to be counted. The State will be taking a little bit different approach in counting oil field workers in that different organizations will be going to the man camp areas where the oil field workers are living and get the census count. She has made many presentations to companies in the Dickinson area. Ms. Jordheim states that she is available to do presentations, just get in contact with her.

Ms. Jordheim states the Census forms will be sent out in approximately six weeks and every form will be bar coded to your address. A Post Office (PO) Box address will not be receiving a mailed form. PO Box individuals will have a census worker come to their door and take the count manually. Seven counties in this area will not be receiving

mailings. If an individual does not return its census survey an individual will try and contact them individually. Ms. Jordheim states that for every 1 person not counted North Dakota loses \$10,000 per year.

President Johnson thanks Ms. Jordheim for giving a great update on the 2010 Census. He asks that a Be Counted site be located on the DSU campus. Johnson feels that college students probably moved once or twice in a school year and will be missed when the count is taken. He feels Ms. Jordheim is doing a great job promoting the census.

Commissioner Jackson feels that a census reminder mailing could be inserted with the utility bills.

Commissioner Dukart does remind Ms. Jordheim on getting counts in the works that are living in hotel/motels.

5:30 PM

INTRODUCTION OF MICHELLE BUTZ AS CHILDREN'S LIBRARIAN

Cheryl Tollefson, Library Director announces the newest employee of the library. She states the library staff is very excited to have a new Children's Librarian, Michelle Butz. Ms. Tollefson states Ms. Butz will be in charge of the children and services to the younger patrons of the library. She will be selecting reading material for that area. Ms. Butz will be in charge of the book mobile and to promote the book mobile in satellite stops, mostly Medora. Ms. Butz will also be in charge of planning and facilitating programs for children and adults. She will also be encouraging productive use of the children library after school.

Ms. Butz would like to thank everyone for the opportunity to be a part of the Children's Library. She states she graduated from Dickinson High School and Dickinson State University. She has one son who is attending Dickinson State University. She is a retired librarian after 27 years at the high school. Ms. Butz states her goal is to work together to continue to provide Dickinson and the surrounding area technical resources. She hopes that she is a positive asset to the library. She presented her own book to Commissioner Dukart.

NON-TIMETABLE AGENDA

4. GENERAL ISSUES/FINANCE

A. VOLUNTEER FIRE DEPARTMENT PENSION PLAN

City Attorney, Matt Kolling reported the proposed ordinance change for the Volunteer Fire Department Pension Plan is to the vesting schedule. The proposed change states a volunteer would not be vested in this pension plan until five years of employment are completed. This change was proposed by the fire departments because it was costing more money to have an actuary calculate the amount received by someone who was terminated or retired than the check written to the employee. Should an individual terminate before five years the money would be left in the pension plan for later disbursement.

MOTION BY: Carson Steiner

SECONDED BY: Shirley Dukart

To approve the first reading of Ordinance 1377.

ORDINANCE NO. 1377

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 32.16.140 OF THE CITY CODE OF THE CITY OF DICKINSON, NORTH DAKOTA RELATING TO VESTING UNDER THE DICKINSON VOLUNTEER FIRE DEPARTMENT PENSION PLAN

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1.
Motion declared duly passed.

B. CREATION OF AD-HOC COMMITTEE RELATED TO RECYCLING

City Administrator Kessel explained in 2009 the City Utility Department distributed a survey to ascertain the interest level of recycling. The City was very impressed with the number of surveys received and return rate of approximately 30%. Kessel reports the level of recycling citizens would like varies to a great degree. An Ad-Hoc advisory committee would help the City find ways to propose and implement recycling. Commissioner Jackson has agreed to chair the committee. Some survey responses stated concerns related to the cost of recycling but with the market place being very volatile a profit may be made at times and more often a loss is expected. Kessel states an intern created graphs based on the survey responses that will be forwarded to the commission. Approximately 1800 people did respond to the survey that was sent to the utility billing list and 1300 would be willing to pay a monthly fee for recycling.

Commissioner Jackson would like to put together a committee and states that if anyone from the public is interested in serving on the committee they should email or call City Hall. This effort will last only a few months and a relatively small committee would be sufficient.

Commissioner Steiner agreed that now is the time to take one step further in the recycling issue. Commissioner Jackson feels there will be a price tag on this but to what expense no one knows until recycling is started.

MOTION BY: Shirley Dukart

SECONDED BY: Carson Steiner

To approve creation of an Ad-Hoc Committee on recycling and formally approve Commissioner Jackson as Chairman.

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1.
Motion declared duly passed.

5. PUBLIC SAFETY

N/A

6. PUBLIC WORKS – ENGINEERING

N/A

7. PUBLIC WORKS – MAINTENANCE AND UTILITIES

A. Reports:

1. 2009 Annual Solid Waste Report:

Public Works Director Skip Rapp would like to thank the solid waste staff for the phenomenal job they are performing. Rapp had the opportunity to ride with the drivers for garbage pickup and to work on the floor of the baler building. Rapp states these positions are very interesting.

Mr. Rapp explains on the 2009 Annual Solid Waste Report which states 270 tons of cardboard was recycled and shipped to Minneapolis, MN and the City received \$13,000. Rapp reports grass and weeds were turned into compost of which 539 tons were sold; compost is used for yards, gardens and cemeteries. Approximately 11,000 gallons of oil was collected and sold as an asphalt additive. Also 750 refrigerators and 900 white stoves were collected and resold for scrap. Total bale count was down in 2009 and this could have been due to the fire at the baler building since it was inoperable for about six weeks.

Rapp explains the growth in the City's population is the reason the landfill shows a continuous increase.

President Johnson feels the tonnage has been relatively stable over the past five years and feels the increase in 2009 was due to the tornado. The graphs show very little change since 2006. Johnson questions the growth of the city population as the garbage collection has not increased.

Rapp states some increase is due to the population count but also we have had some major storms such as the snow storm in 2005 with heavy snow fall which produced a large amount of debris taken to the landfill.

Commissioner Dukart thanks Mr. Rapp for the tour.

2. Armory Roof Update:

Public Works Director Skip Rapp updates the Commission of the armory roof which the City engaged in services of contractor to eliminate the flat roof and get rid of the water on the roof. Rapp states rafters were ordered and within a week to ten days the installation of the roof will begin. This roof will be approximately as high as the gym roof. These are 30 year shingles with new gutter. This will enhance the appearance of the armory.

8. ADMINISTRATION:

A. City Administrator Report

1. Prairie Hills Townhomes PILOT

Administrator Shawn Kessel received a request by Rippley Richard Real Estate Development Services to initiate a Payment In Lieu Of Taxes (PILOT) with the developers of the Prairie Hills Townhomes to assist housing development. This project pertains to the Section 8 housing that was lost during the tornado in 2009 and would replace and develop new Section 8 housing in the city. The State Legislature allows the City the opportunity to eliminate or abate taxes on properties using the PILOT process. Kessel states if the City chooses to engage in discussion of a program as mentioned a member of the school district would need present, per state law, as this affects the school district, county, park and City. This PILOT program applies to improvements upon the land and not the land itself.

President Johnson would like to have more information on the terms of negotiating this PILOT program. Johnson is not opposed to grant some assistance but at the same time does not want to over extend the assistance. Johnson feels his thoughts may be way different than Rippley Richard Real Estate Development.

Administrator Kessel explains the language reads to benefit the new project and renovation of current buildings that they already own. Kessel feels the contract could be negotiated. Rippley would like to have a decision by March 1, 2010. Kessel will ask Rippley to have a representative at the next Commission meeting City Attorney Matt Kolling states it would be the Commission decision on how the negotiation would be handled and the developer, school district, and City would be comfortable with the decision made.

Commissioner Jackson states that we are all aware of the shortage of rental housing and he is interested and is reasonably encouraged to do this PILOT program but he wonders about Section 8 housing and the other incentives they are receiving. Jackson feels that other housing rental needs to be reviewed. He states the City needs to review the terms, limitations, maximum dollar amount and the number of projects the City is intending to participate in. Jackson feels these projects would be a great addition to our city but he feels the City needs other housing rentals other than Section 8.

President Johnson feels this issue needs to be thought of very carefully and thoroughly as the City can't just think about this one in a vacuum because whatever is done here will be used for others in the future. Johnson feels caution should be taken. Johnson feels anyone who builds multi-family homes in the future will be asking the City for this kind of financing. President Johnson is not sure if this financing would be in the City's best long term interest to get involved in. Should the City agree to this PILOT it would commit the City to doing this for other projects.

Commissioner Dukart would like to have more information on the proposal and the St. Lukes and St. Benedicts projects.

- **Zoning Letter** – Administrator Kessel states City Engineer Shawn Soehren provided a letter to indicate that the project sites MDI Limited Partnership #103 is proposing for townhome development are appropriately zoned. They are as listed; 15th Street and 10th Avenue West; Prairie Avenue and 15th Street West; and 23rd Street West and 4th Avenue West. The City is moving forward the best they can to help those projects happen on a timely basis.

2. **Offer to Purchase 220 West Broadway**

Administrator Kessel states that we have received an offer from Integrity Building Products for the purchase of the Baker Building which is located at 220 West Broadway. The Real Estate Committee of Shawn Soehren, Jan Zent and Shawn Kessel met to review and work through the ramifications. Kessel reports the Baker Building is mostly used for storage but the committee is concerned of allowing the sale without any final decision on the public works building. The City will continue to study this issue and more information will be presented at the next commission meeting.

President Johnson does share some concerns about selling the Baker Building. Johnson feels until we have a firm plan on how we would finance the new public works building plus the other projects that we have been visiting about, such as the wastewater treatment area. Johnson states that with the public works building and wastewater treatment upgrades some of the costs may have to be passed on to utility billing. Johnson feels we need to work out a comprehensive plan on the projects that have been already presented. He states that along with planning, comprehensive financing needs to be discussed. Johnson feels that an earlier budget meeting is needed and the City needs to prioritize this project.

9. **ACCOUNTS PAYABLE**

MOTION BY: Shirley Dukart

SECONDED BY: Carson Steiner

To approve the accounts payable list as presented along with the additional accounts payable list, numbers 071556 to 71675. Said list is available in the Accounting Office.

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1.

Motion declared duly passed.

10. **CITY COMMISSION:**

None.

11. **PUBLIC ISSUES OF CITY CONCERN NOT ON THE AGENDA:**

None.

ADJOURNMENT

MOTION BY: Carson Steiner

SECONDED BY: Shirley Dukart

For adjournment of the meeting at approximately 6:19 PM.

DISPOSITION: Roll call vote...Aye 4, Nay 0, Absent 1.

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: _____