





contract would be to provide processing, baling, and marketing services for recycling materials. Director Praus states this is a new agreement for 3 years utilizing the same language as previous contracts with the exception of not receiving baled materials for processing. The contract rate has increased to \$80.00/ton for the first year starting October 1, 2024 and an additional \$3.00/ton increase for each year thereafter. This contract does include an 80% revenue share returned to the City of Dickinson based on current market values of recycled goods. Director Praus states the agreement has been reviewed by City staff and Attorney Wenko. It is staff recommendation to approve the agreement with Dem-Con Materials Recovery, LLC.

MOTION BY: Robert Baer

SECONDED BY: Joe Ridl

To approve the DemCon Materials Recovery agreement.

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

**6. PUBLIC SAFETY**

**A. Fire**

**A. Job Description - EMS – Firefighter Paramedic**

Fire Chief Jeremy Presnell presents a Firefighter Paramedic Job Description. He states this would require an Associate Degree but will accept a certificate and one year to receive certifications.

MOTION BY: John Odermann

SECONDED BY: Jason Fridrich

To approve the Firefighter Paramedic Job Description.

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

**B. Job Description – EMS Executive Assistant**

Fire Chief Jeremy Presnell presents an EMS Executive Assistant Job Description. He states this would be a pivotal role at handling records request for calls, insurance and helping out with Division Chief getting all licenses. This would require an Associate's Degree with some experience as an Administrative Assistant.

MOTION BY: Robert Baer

SECONDED BY: Joe Ridl

To approve the EMS Executive Assistant Job Description.

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

**C. Job Description – EMS Educator**

Fire Chief Jeremy Presnell presents an EMS Educator Job Description. This position would be responsible for planning and developing and delivering training programs for Fire Department to meet National and State standards. Some of the highlights of this position would require an Associate's Degree, 2 years' experience in EMS instructor, EMS instructor with State. All position requires FF 1 certification within one year.

President Scott Decker states the Dickinson Ambulance Services in finalizing taking over the duties of Dickinson ambulance service. The ambulance service was not owned by the city. The City of Dickinson will be the second EMS owned by the City in the State.

MOTION BY: John Odermann

SECONDED BY: Jason Fridrich

To approve the Firefighter Paramedic Job Description.

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



**D. Vizion Signs – Entrance Signs – Contract Amendment**

Project Engineer Kris Keller Vizion designs formerly Keith Signs has designed the 8 potential entrance welcome signs. The renderings were submitted to NDDOT for review. The cost for these designs would be \$1,200. City Attorney has reviewed the contract and along with City staff recommend approval. He states the final locations have not yet been picked. The information coming back from Civil Science recommendation is to have welcome signs in the roundabouts. In discussing this with NDDOT they have no procedure in place to put signage up in roundabouts. The City would still have to submit a permit to go that path.

MOTION BY: John Odermann  
To approve the Vizion Entrance Signs.

SECONDED BY: Robert Baer

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

**E. Rezone Request – Russ Heiser**

City Engineer Josh Skluzacek presents a rezoning request for Russ Heiser for a second reading. He states this property would be rezoned from medium density residential to general commercial. The adjacent properties are all general commercial.

MOTION BY: Jason Fridrich  
To approve first reading of Ordinance 1807.

SECONDED BY: Joe Ridl

**ORDINANCE NO. 1807**

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

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

**F. Barr Engineering Contract Amendment – E. Broadway Dam**

Project Engineer Kris Keller presents a Barr Engineering Contract Amendment for the East Broadway Dam which is the land south of the existing contract. He states it is in the Riverfront Estates area. These additional services are \$4,000 and this would be for appraisal services. City Attorney has reviewed the contract and staff recommend approval.

MOTION BY: Jason Fridrich  
To approve the Firefighter Paramedic Job Description.

SECONDED BY: Robert Baer

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

**8. PUBLIC HEARING AND PUBLIC COMMENTS NOT ON AGENDA – 5:00 P.M.**

**A. United Way Funding Request for Environmental Study**

Ms. Ninetta Wandler who lives on Hillside Drive which is right above the proposed motel states that even though she is more than 150’ away. She is not along with her neighbors are not for this homeless shelter. She states there is a bar across the street. She also works and lives in this area. Ms. Wandler and her neighbors are opposed to the homeless shelter in this area. She states do I think that we could use a homeless shelter and we Inviting a lot of people there? This is 60 rooms. She states it is probably their fault for not hearing about this. She states they wanted to make sure that we will get petitions signed and they will signa petition against the shelter in this area. She states in their neighborhood there are daily visits from police to the motel.

Ms. Leeann Mayer states there is a bar across the street and the neighborhood do not need people sitting around in our driveway and street.

Commissioner Robert Baer states he and Commissioner Odermann have been down in Nebraska visiting a home there and the home that we are modeling off of didn't have any of that. Security guards and they don't tolerate that. He states they are going to build a model that is similar to this one in Nebraska. People getting drunk and getting high and won't be like this with United Way. The rooms will be fit according to the capacity. Commissioner Baer states they are looking for one floor for emergency shelter, second floor transitional housing and third floor for individuals who need case management and all other services in this community will be involved.

Ms. Ninetta Wandler states you are okay in three years. What is going to happen after three years. She is not going to move. What is going to happen to my property value. Shortage of staff around here already and how will you be able to staff the shelter

Commissioner John Odermann state this is a fair question. He would hope that Commissioner Baer and staff that he hires manages this in such a way. The police visits were sites because of case management and hopefully this will improve of what we see right now. There are rules at the shelter and they will be expected to follow them to stay there.

Ms. Sarah Moe whom is a former employee states the City has a responsibility to take care of homeless people. Organizations are going bankrupt to give bus passes for these people. Problem lack of regulations. The City cannot look at the bigger cities to what will happen in Dickinson. Thank the commissioners for going to investigate. Why were they successful because they had regulations? Homeless are gifts from God and they are human beings. She states how can the Commissioners sit here and act like we are better than another? Ms. Moe states if the City doesn't solve the problem who will. She helps those homeless. Be responsible for your own. Key to success and ordinances that protect the citizens. The reason that places don't succeed because the city does not care. It's not going to happen here and they will not be able to do what they want.

Mr. Dennis Miller questions how to buy a building and make efficient apartments for \$1.5 million.

Commissioner John Odermann states significant renovation has been done on this site. Close to turn key for a project like this. Potential for revenue. This is not like emergency shelter. Things are expensive and we are constantly looking at the budget.

Mr. Miller suggest to maybe something a little smaller – 30 beds. The funds you have will never take care of this for 3 years.

Commissioner John Odermann states during the coldest night of year 2 years ago 22 people were looking for housing. The next day if you house those 22 people are there are another 5 or 10.

Mr. Dennis Miller states he does not want the city to run a homeless shelter. It will either be city funded or city run.

Commissioner Robert Baer states there are many federal grants out there in running the homeless shelter. We will be able to tap into the federal grants to sustain this shelter. Will reach out to local businesses and oil company and those companies reach out and give the shelters support. United Way we are receiving phone calls from local individuals that have been recently evicted that are out there and nowhere to go. People traveling by and looking for a place to stay. They are here and it is happening.

Mr. Dennis Miller states is it going to be illegal alien housing. How are we going to control it? I see a train wreck. Hey free housing.

Commissioner Baer states if you build it, they will come. This is not true. Yes, some people will come but if we build it here at least we can help the people here and surrounding communities. Helping to solve the solution for people to go.

Commissioner John Odermann states there are concerns by the Police Department. He states the homes can fill up so quick and defeat the purpose.

Ms. Cheryl Bennett states they have a homeless in Oregon and it is bad and ran poorly and we ended up living behind us. They were going to build apartments behind us. Can't take your kids to the park. When you get businesses involved things fall apart. When churches it was cleaned. They could not shoot up and drink. In all of them state of Oregon I want to find one that is run appropriately without a Christian one. Find another one in the state of Oregon that hasn't had drug and alcohol problems. Don't mislead your people.

Ms. Tamara Hill states she used to work in homeless shelters. I have a master degree. Volunteers of America as a case manager. She worked for my father's ministry that took in homeless. I did a study of fathers that had children and are homeless. Only four shelters that take men with children. We have services for women/children. But men and children we don't have. Helping a gentleman who was kicked out of his nephew's house. The man has onset dementia and homeless. I just now been able to get him housing. There is nothing in Dickinson anymore. Depends upon the foundation of which it is built. I believe this can work here and it is needed here.

Mr. Kyle Brost states a shelter in Dickinson is this only for Dickinson residents and Stark County. Could United Way in Bismarck bring people to Dickinson.

Commissioner Robert Baer states none of us know where people are coming from. Try to take care of people who are out west. Right now, we are sending people east. Again, they don't have a crystal ball of where people are coming from. Homeless is homeless and need shelter and know they are safe. Our job is helping these individuals so they can have these basic needs.

Commissioner Odermann states it is hard to say, if you are homeless, you don't have a resident. We are regional hub and we have an 8-county hub. Services are provided to 8 counties in our region.

Mr. Kyle Brost is homeless person in Fargo would they have the option to bus someone to Dickinson to live in homeless shelter in Dickinson.

Mr. Derek Jaeger questions the study and it is basically for the building and to take consideration of the homes, housing and businesses. Grant that was a grant – no guarantee with federal grant money. Kind of leading us to water. No guarantee that those money is going to be there. Keep going to federal grant money. If in three years you don't have the grants who is going to fund that. Can't go into a plan just being optimistic. If there is no plan then the city will end up with the shelter. Take into consideration potential homeless shelter is going to affect the ability of the law enforcement also. Another dynamic. After \$650,000 is great but there has to be a plan for the succession. Is this going to fall back on the city and fall back on the tax payer.

Commissioner John Odermann states the study is for the building to see if it is habitable. That question about succession is a concern also.

Commissioner Robert Baer states there is already drugs and alcohol at the Dickinson Inn. Nothing new being introduced. We are trying to clean it up and make it better. If we try to clean that up and reduce that we have made a positive impact to individuals.

Ms. Britney Kralicek is in support of this homeless shelter. Consideration that I hope that you consider is how will you keep safe the individuals who are not involved in drugs and how keep safe those with drug addiction. I have been on the family side of drug addiction and we have not been able to give her a home because of our family and children that could hurt the children in our home. There was nowhere for her to be safe. I want her to be safe along with others that are not involved with drugs.

Phone Person – Son with disability and states she cannot comprehend how the City can be going to take on more people without the staff. He has been through five case managers in a year and his current case manager is head of Badlands and is from Bismarck. Badlands is trying but cannot keep workers.

Commissioner John Odermann states the shelter is under United Way and will be operated by them. Working with other different organizations in town. Case managers and peer support.

Commissioner Robert Baer state several individuals come forward stating they are willing to work. Concern and fear I have for those individuals.

President Scott Decker states the money used to do environmental inspection of the facility if it would even be a building that they could consider and then there would be multiple meetings and applications.

Mr. Richard Bennett questions if the public is going to have a say in this at all. Is the Commission going to listen to our opinions? We already live there. I strongly against this. I can't believe that this has come this far. You have no plan. You are talking \$650,000 and at the end of that time, we will figure it out then, this is going to be a huge problem and in three years it is going to explode. See the picture it is not going to work. There is no way this is going to work.

President Scott Decker closes the public hearing 6:05 p.m.

Commissioner Joe Ridl states that this topic is definitely running something that I ran my platform on and will continue on this. Since December personally I have helped 5 homeless people. He has housed them in my own home. It is very tough to say no, are they all drug addicts and alcoholics they are not? What about house fire, high on hog and all of sudden boom it is done, I understand you don't want it there. He states that the public has to look at it too and they are human beings. It is not every druggie in town or drunk down the block. The money is minor right now. Right now, it is only looking at environment study right now. Can't plan something if you don't have anything. I have to plan for things as I farm and I plan every year. There are a lot of jobs out there. You are correct I could build a shelter on my farm. This is a big issue in town.

City Attorney Christina Wenko reiterates there are a lot of steps that have to happen before this gets approved. The public input there will be opportunity for public comment. There is going to be opportunity. When the City has had situations of this nature to have the conversations ahead of time in the neighborhood to get those issues addressed. That should be happening of where we are talking at P&Z. This is not a final approval for approving this property for purchase. This is pretty standards across the board. Opportunity for public comment.

Commissioner Robert Baer states he will abstain from a vote.

President Scott Decker states \$10,000 for an environmental study, he is concerned, he no way wants the city involved in either staff or funding. If this is a go these organizations have to make it a go. These should be a benefit for those staying there but not a burden for anyone else.



Commissioner Odermann states if they have space and back camper on side of house, would be opposed to that variance.

Building Inspector Dukart states the City specifically said on side of house. If they could go into the rear yard setback, we have done that. Those people put up fence and around and ended up on rear yard setback.

Commissioner Odermann states campers and RV's and parked on the street. That is not the situation here. Curious about how we approached this.

Commissioner Jason Fridrich states the City would not allow two approaches. If you could go into your back yard, you would not be allowed to have a curb.

Ms. Paige Worley states they didn't put in the approach it was put in before they moved in. She states they have been parking on this pad for the past 9 years and never had a problem. She states there was crumbling therefore they invested \$18,000 because we have been parking in it. She states they had no reason to believe that why they had the approach there and hired a contractor and he had no idea and he had no idea that they needed a permit. It was put in the same time sidewalk was put in. It was torn out by City's contractor in 2021 and put in and they have been parking there since. In order to improve it and looks wonderful. Facing charges because we improved our property. She is shocked that I am looking at a misdemeanor. She has been parking in this same spot. No reason to believe or assume that there would be a problem with us parking there. Nothing to do with the approach.

City Attorney Christina Wenko clarifies that there has been no request from her office to start legal proceedings. Standards violation and not considered that an option yet. Process to follow and we are following this right now.

Commissioner Jason Fridrich states he has seen a similar situation not long ago and they cannot have two driveways. The minute you touch it is no longer legal. If you dig out the rock and pour concrete is a violation. Question in this situation is that they are telling me that they didn't put in the approach. Gustafson contractor or not at that time. Someone put the approach in. If contractor got a permit, they would have been told this. Violations are percent driven. You can't drive by every house every day and see if someone did something. Every contractor has been well notified that they need a permit to work in the right away and driveways.

Commissioner John Odermann states they have spent money to improve property and now we are choosing to enforce the code.

City Engineer Josh Skluzacek states there is no documentation from KLJ and think Winn Construction was subcontractor and was contracted and see if they have any documentation if they put in the approach. Don't have documentation from project.

Commissioner Jason Fridrich states that he highly doubts that Winn did this and that he would stamp the concrete with someone else name. Commissioner Fridrich states the City needs to get to the bottom of what happened here. So many widths of curb code. Not miracle thing Dickinson has. Obviously, reasons. Someone is parking their camper right there, right next to their house, could be site line. The City can only go by what is in our code. Cars need to be parked on garage side of property.

Commissioner John Odermann states there needs to be longer conversation about philosophical things here. Why can't someone have two driveways on their property. I don't understand why that is code. Maybe work session at a later date. So many things we spend our time on as if it is private property and not detrimental to the city.

City Planner Josh Skluzacek states the Transportation Master Plan states access management is not necessarily limited to individual street intersection but also includes driveways, etc. ultimately good access management increase safety to management conflict points. Limiting the number of driveways on local street, one per lot unless there is a variance approved or fire code necessity.

MOTION BY: John Odermann

SECONDED BY: Jason Fridrich

To table the Worley appeal at 972 Dell Avenue.

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

### **C. Public Comments not on Agenda**

Mr. Seth Helgeson would like to have a clarification of how many signatures he needs to have a recall on the Commissioners and Mayor. He states every time there is a conflict arises Ms. Wenko is doing everyone else's job. He states she is waiting for an Attorney General's opinion the home rule charter and recall provision. He states in his opinion that allows the City Commission to modify an initiative to have the vote of people.

President Scott Decker states Ms. Wenko has not said 15 or 25%, Ms. Wenko just wants to have clarification. President Decker states the three individuals which are being recalled are okay with 15%.

City Administrator Dustin Dassinger states the City needs to get a legal opinion on this issue. The City has the right to get this opinion. He would trust the Attorney General will get the opinion back to the City. He states he is going to look out for the best interest of the City. Administrator Dassinger can't convince Mr. Seth Helgeson otherwise. This issue is important to the City of Dickinson.

City Attorney Christina Wenko states that the issue that the City is seeking clarification is not whether the home rule charter or provisions apply in this situation. The clarification is whether the home rule charter applies at all. This is the question that was raised. Proceed with century code until the City hears the option. If the City specifically look at home rule charter it allows the City to deal with the elections, it doesn't have a specification section of recall. The City does not take a preference of 15 or 25%. The City just wants to make sure they get it right. Ms. Wenko states she is not going to argue with Mr. Helgeson and his opinions are his own opinions.

Mr. Helgeson states Ms. Wenko should be given a 30-day notice and to fire her.

Commissioner John Odermann states that if Mr. Helgeson has 15% of signatures, then he should hand them in and will review them. Commissioner Odermann states if Mr. Helgeson is confident then he should hand in his signatures and he can have his recall election.

Mr. Helgeson states he wants Ms. Wenko to admit to the people that she is wrong.

## **9. COMMISSION**

### **A. Homeless Shelter Discussion**

Commissioner Robert Baer questions City Attorney Christina Wenko as he would like to be proactive as the City is talking about the increasing number of homeless individuals coming to the City. He states there are three types of homeless, local individuals, out of states and the City is seeing an increase by the weeks are southern border people. He states nonprofits are having their reserves start to dwindle. During the recent mental health meeting it was brought up that the ambulance is seeing an increase of calls transportation individuals from the south to the hospital. He states numerous people have contacted him and United Way and he has spoken to a legislature about this proposal and that individuals told him that this is not a good thing. He questions what does the City need to do as a City to prepare for what services that the City offers. How is the City keeping tabs on a greater number so the City can maintain the City balance?

City Attorney Christina Wenko states she does not know the exact answer. This would be a policy decision that the Commissioners may want to sit down and discuss. There are no specific demographics. The challenges could be legal, economic, and others. This may require some brainstorming with all of the Commissioners to see what the problems are and how to fix them.

City Administrator Dustin Dassinger states this is an issue that a lot of City's are facing. He states other than when these individuals commit a crime the border patrol are not interested unless there are serious felony committee. These are the challenges that are facing our nation.

Commissioner Robert Baer states they are welfare. He states people are housing these individuals and does this become an issue. As a City and being a Commissioner somehow the City needs to be aware of this issue and get behind the 8 ball.

City Administrator states if this is welfare or safety the staff need to know about this.

**B. Employee Wages**

President Scott Decker states this past week some very gracious individual took out a full-page ad and published all the City Employees salaries. President Decker states the employees of the City of Dickinson do stride in taking good care of the residents of Dickinson. He states the City does offer competitive wages that the employees can work and live in the community and it is tough when the City has to be competitive against the energy market that pays a very inflated wages and so the City does strive to pay a competitive wage that our employees can live here and have a great life. President Decker states there are career opportunities in the City and he encourages everyone to apply for jobs at the City. He states the Commissioners and himself are very proud the City's employees and that they should never be embarrassed as to what their wages are.

**ADJOURNMENT**

MOTION BY: John Odermann

SECONDED BY: Joe Ridl

Adjournment of the meeting was at 7:15 P.M.

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:

\_\_\_\_\_  
Dustin Dassinger, City Administrator

\_\_\_\_\_  
Scott Decker, President  
Board of City Commissioners

Date: \_\_\_\_\_ September 17, 2024