

**1.    CALL TO ORDER**

President Scott Decker called the meeting to order at 9:00 AM

**2.    ROLL CALL**

Present were:            President Scott Decker, Vice President Robert Baer, Commissioner  
   Jason Fridrich and Commissioner Joe Ridl

Absent:                    None

**3.    ADMINISTRATION**

City Attorney Christina Wenko outlined the procedure for the hearing. City will present evidence through exhibits and testimony

- Property Owner may ask witness questions
- When City is concluded with each witness, Commissioners may ask witness questions
- When City is concluded, property owner shall present evidence
  - City Attorney may ask witness questions
  - When owner is concluded with each witness, Commissioners may ask witness questions
- Any mortgage/lienholders may present evidence/make a statement
  - City Attorney and Property Owner may ask questions
  - When owner is concluded with each witness, Commissioners may ask witness questions
- Closing Argument City Attorney
- Closing Argument Property Owner
- Commission discussion
- Commission vote

Attorney Wenko did state there is one property on the list for this date.

President Scott Decker swears in Mrs. Tiffany Stewart as Code Enforcement Officer II for the City of Dickinson.

**22 S. 10<sup>th</sup> Avenue West**

City Attorney Christina Wenko asks Ms. Stewart what constitutes a dangerous structure requiring demolition. Pursuant to Code, a dangerous structure can be repaired, vacated or demolished. Ms. Stewart states that if the structure is beyond repair, it then has to be demolished. She states the City would request bids for demolition. The City has the ability to assess the property for the costs.

Code Enforcement Officer Tiffany Stewart states the property at 22 S. 10<sup>th</sup> Avenue West is owned by Skye, Romy and Shel Thompson. She states there were numerous certified mailings, posters posted to the structure and emails to date of the potential demo. These letters indicated today's date and time of potential demo. Ms. Stewart states the City records dated back to 2008 saying the City had issues relating to this property in regards to a plumbing/sewer pipe issue. She states the property owners were notified back in 2008 and requested immediate clean up. No permit was requested in regard to this backup. Ms. Stewart states that this property came on the radar again in 2014 when the property had grass and weeds that exceeded 10". She states at that time standard letters were sent to the owner in regard to the grass. Follow-up letters were also sent in 2016 in regard to tall grass and weeds. Also, at that time there was junk items around the property, and this is a violation.

Code Enforcement Officer Stewart states in 2021 there was communication notifying the Thompsons that the structure was unfit for human occupancy. This was in written form. She states the purpose of the letter was to notify that building was unfit and unsafe. She states at that time the building was deemed dangerous and pursuing condemnation process. At this time, the City placarded the structure to inform public building is unsafe and not occupied. She shows photos from August, 2021, exterior dilapidation, roof has multiple shingles missing shows dilapidated, entrance to basement is not clear and in August 2021 – placard yellow notice – building unsafe and should not be occupied. In June 2022, a demolition notice was sent. This allows property owner to demolish the property themselves. The property owner was notified and asked to demolish the property by August 5, 2022, and the property was not demolished. Follow-up inspections were done in 2024 for the interior and exterior. Photos were shown from the July 2024 inspection. These showed exterior and roof is dilapidated and entrance is not clear. Same conditions as before and getting worse. Multiple inoperable vehicles stored on property. In 2024, an inspection also happened for the interior and got access to the building by Shel Thompson and accompanied by two City staff. Looked at inside for status of interior of structure, photos were shown and it showed dilapidation of wall, storage of building material, portion of roof displaced, plumbing and HVAC system exposed, basement showed clear water damage, center walls have been removed, ceiling and drywall exposed, beam had been damaged and drilled through, clear water damage, biological growth on floor, roof exposed and directly under entrance, plumbing altered, dilapidation along walls, ceiling removed, biological growth. In August, 2024, the City placarded the property again to inform public. Then informed property owner of condemnation and demolition process. These were certified mailings. The last time City staff visited this property in was in May 2025. In May 2025, there was exterior dilapidation on the outside of the structure. No permits were requested by owner to do improvements. There have been no improvements on this property from August, 2024 and none as of today. Water usage Ms. Stewart states the water has been shut off since 2022 but it is possible that it has been off since 2008.

City Attorney Christina Wenko questions Code Enforcement Stewart and asks Ms. Stewart if in her opinion if there is significant or any remedial measures taken to improve this property.

Ms. Stewart answers No.

Ms. Wenko asks her if she he feels there has been any attempt to provide maintenance to this property at all.

Ms. Stewart answers No.

Attorney Wenko asks if this building a dangerous structure.

Ms. Stewart answer Yes

Attorney Wenko asks is this building affect the health and safety of the public.

Ms. Stewart answers Yes

Attorney Wenko asks Ms. Stewart if this property is dangerous and may be demolished and your department has exhausted all its efforts.

Ms. Stewart answers Yes. Ms. Stewart states the City of Dickinson Building and Codes dept recommend building to be demolished.

President Scott Decker states the property owner may ask witness if they wish to do so.

Mr. Shel Thompson states Ms. Stewart have communicated and asked multiple times of description of why the building is dangerous.

Ms. Stewart states based on our inspection conducted biological growth, unsafe conditions within such as plumbing not repaired, ceilings that are not up to code as well as other things not up to code, exists not clear, find building to be dangerous.

Mr. Thompson states you feel it is not fit for habitation now.

Ms. Stewart states correct. There would have to be structure engineer review done and permits being pulled before any determination could be made.

Mr. Thompson Shel states the City had requested a structure engineering report.

Ms. Stewart states it was requested by the City do have a structural engineer review but that is not what the city does

Mr. Thompson states on 7/26/2022 Ms. Wenko and himself we were talking about the request by the city for structure engineer whom he already contacted, Kris Wentz. These is no structure engineer in the city of Dickinson employed by the City. Is there a structural engineer employed by city? There is no structure engineer doing private work in Dickinson.

Mr. Thompson asks Ms. Stewart if she is familiar with structure engineers in immediate area

Ms. Stewart states she believes there are some that come from Bismarck to Dickinson.

Mr. Thompsons asks Ms. Stewart are you familiar with the content of my email with Ms. Wenko on 7/26/2022

Attorney Wenko states this email is protected by attorney/client privilege.

Mr. Thompson states based on photos – what we all agree that this structure is not habitable. Based on your findings – what indicates to you that this structure A. is not able to be repurposed and B what creates a danger to the public about the structure.

Ms. Stewart states during our inspection your representatives had instances where people were entering and breaking into building; property has not been secured. She states this is a habit for crime. Multiple operatable vehicles around the area, exterior dilapidation. No plan of action submitted to our office for building to be repaired.

Mr. Thompson asks Ms. Stewart if she knows who owns the inoperable vehicles.

Ms. Stewart states No

Mr. Thompson states has there been any crimes in the building.

Ms. Stewart states she doesn't know

Mr. Thompson asks do you think that a fence around that building might mitigate

Ms. Stewart states this building is a public nuisance with dilapidation – and being a dangerous structure

Mr. Thompson states how does this city code which seems to encompass danger and public nuisance – what is a public nuisance and encompass a danger structure.

Ms. Stewart states this building all affect health, safety, welfare of the residents due to exterior dilapidation.

Mr. Thompson states if this building constitutes a dangerous structure and you're telling me that is a public nuisance is that visual, immediately dangerous.

Ms. Stewart states there is a combination of things – interior found interior to be dangerous, public nuisance exterior dilapidator and period of time of unsecure.

Mr. Thompson states is this dangerous right now. You were invited guest and have you seen anyone else in there.

Ms. Stewart states no

Mr. Thompson states as long as no one has ever been interfering and if I satisfied your fear that someone could would that relieve your concern about danger.

Ms. Stewart based on code dangerous code should be vacated or demolished.

Mr. Thompsons asks if Ms. Stewart is familiar with any plans that I have put forward to community agency about what could be done with the building.

Ms. Stewart states No

Mr. Thompson asks are you familiar with correspondences with the head of the building about this property over the years back to 2008. Main problem started in 2008 in plumbing issue and what was done about that.

Ms. Stewart states no permit was pulled to do the repairs and is unfit for human occupancy notice was in 2021.

Mr. Thompson asks if Ms. Stewart familiar with Building Official Schwindt in 2008 about this. You don't know that this building was condemned in 2008 and you don't know about the correspondences and steps that I have taken to propose an alternative use. Could that property if rebuilt and repurposed could that property be an apartment

Ms. Stewart states we would need structure report, permits, to use the property.

Mr. Thompson states Mr. Schwindt told him that 2008 that the city would not want an apartment there.

Ms. Stewart has no knowledge of this.

Mr. Thompsons states since Ms. Stewarts involvement with this 2022. As far as safety issue is your testimony that it is unsafe inside

Ms. Stewart states Yes

Mr. Thompson asks Ms. Stewart if she was the only one on the premises

Ms. Stewart states yes herself.

Mr. Thompson asks if the building was boarded up when she was there

Ms. Stewart replied yes and needed a key to get in.

Mr. Thompson states to Ms. Stewart that you know the city code but can you please explain to me because I have asked how does the city code except for what it says in black and white how does the city code able to instead of just being black and white how can it logically enable an owner to transition that property so it is city code.

Ms. Stewart states her job is to enforce the city code and this section allows for vacation, repairs and demolition.

Mr. Thompson has there been any dialogue between and me about repairs.

Ms. Stewart states the City did request a plan of action and nothing was submitted.

Mr. Thompson states Ms. Stewarts testimony seem to say that it is a chicken or egg thing. We have to repair it before we can use it and a plan of action could be a plan but it would seem that you have to have a plan to have purpose use but have to find out if this proposed use can even start with funding or is it you believe that it should be fixed first and then find a plan of action.

Mr. Stewart states it has exhausted all efforts before it came to this point and that is now here. No structure engineers submitted to office, no plans, no repairs.

Ms. Thompson states he is done asking Ms. Stewart questions

There are no comments from Commissioners

President Scott Decker swears in Building Official Leonard Schwindt.

Mr. Leonard Schwindt states he has been the Building Official for the City of Dickinson and Stark County for the past 23 years. Building official 14 years. He is familiar with this property.

Attorney Wenko states public nuisances can this encompass a lot of things.

Mr. Schwindt states yes.

Ms. Wenko states an example of exterior structure, uncontrolled, weeds, tree growth, deemed to be unfit, not secured, create a public nuisance

Mr. Schwindt states yes, not attractant but it does attract based on my history buildings that are vacant due attract activity that is unwanted, structure could damage neighboring properties.

Ms. Wenko other situations like neighboring properties have complained

Mr. Schwindt states yes

Ms. Wenko can this be considered a public nuisance

Mr. Schwindt states yes.

Ms. Wenko characterization of this property – property should be demolished

Mr. Schwindt answers yes

Ms. Wenko states you, Mr. Schwindt, had communication with Mr. Thompson

Mr. Schwindt states yes

Ms. Wenko asks if Mr. Thompson was, he seeking to obtain a structure engineering – do you recall

Mr. Schwindt states no.

Ms. Wenko states it is city policy building that city require structure analysis to be suitable

Mr. Schwindt - yes this is the practice and code analysis

Ms. Wenko – was this requested

Mr. Schwindt states yes

Ms. Wenko states a plan of action proposed to city of building dept to repair or use of this property in any form

Mr. Schwindt states no

Ms. Wenko was the first incidence in 2008

Mr. Schwindt states yes

Ms. Wenko – would you say that the property has contained to deteriorate on the interior and exterior

Mr. Schwindt – yes

Ms. Wenko asks Mr. Schwindt that in his professional judgment what would need to be done to repair.

Mr. Schwindt states a structure analysis, assessment as this has been vacant for many years, zoning and use. He does not know if that would be feasible and to be used as an apartment. Structure would need to be sprinkled, feasibility, means of egress of lower level and possibility of elevator. He has only had hypothetical conversations over the year. There should be a code analysis and structure analysis and then submitted and review plans to see if they meet code.

Ms. Wenko states did the city request a structural engineer report

Mr. Schwindt states yes, a few years ago.

Ms. Wenko states a structural engineer was to look at it 3 years ago and have you seen any improvement

Mr. Schwindt states no.

Ms. Wenko asks if Mr. Schwindt has had a conversation with Mr. Thompson and have you seen a structural engineer report

Mr. Schwindt states no

Ms. Wenko states based on experience and training do you feel department has exhausted all efforts.

Mr. Schwindt states yes

Mr. Thompson states to Mr. Schwindt in your capacity when you were first but not official – do you remember the first time I submitted.

Mr. Schwindt states he does not remember

Mr. Thompson states in 2008 – there was a plumbing issue in this building

Mr. Schwindt states sewerage in lower level

Mr. Thompson states when someone is to fix that plumbing problem

Mr. Schwindt states there should been a plumbing permit taken out. The sewer was sloped the wrong way and caused more problems.

Mr. Thompson asks did you tell me that I need to get a plumbing permit. Do you think a normal person would know that?

Mr. Schwindt states they would call the city to get the work done.

Mr. Thompson asks how hard was it was to find a licensed plumber in 2008 – pretty much impossible Do you recall about speaking about the problem.

Mr. Schwindt states he does not recall.

Mr. Thompson asks how many times did you look at problem after it happened.

Mr. Schwindt states he does not recall. Lower levels didn't allow people to live down there anymore.

Mr. Thompson states no one lived there as soon as it was a problem. I could not get a licensed plumber in Dickinson.

Mr. Schwindt states we had a lot of hypothetical questions and based on question you would receive the proper answer based on our code. Mr. Schwindt states it is all hypothetical until I have a plan in front of me.

Mr. Thompson states it is quite important to your understanding of this building is a need for structure engineer did we have any communication about this. Are you familiar when Ms. Wenko got involved?

Mr. Schwindt states I believe that was when she was involved

Mr. Thompson states he sent an email around and about July, 2022.

Mr. Schwindt states no

Mr. Thompson states if she showed you about the specific question about structural engineer might that able to recall

Ms. Wenko states he does not have knowledge of that personal documentation.

Mr. Thompson asks what would be need to repair that building, you need a structure analysis. Would my correspondence with structure engineer said would that begin the process, what would be the next? Would this be the first part?

Mr. Schwindt states applying for permit and bring this building up to code.

Mr. Thompson states in order to be apartments it would need to be sprinkled.

Mr. Schwindt states this would have to be reviewed if this structure would be zoned appropriately, property line to the west okay, north is questionable.

Mr. Thompson states proximity would that preclude any use of that property.

Mr. Schwindt states– hypothetical. 99% have been hypothetical. Need plan of action and apply the code.

Mr. Thompson states does the Building Department try to facilitate uses or the Department have a policy regardless of what could be proposed the answer would be no.

Mr. Schwindt reviews the rules the City follows.

Mr. Thompson states it is extremely expensive that the property owner can endure before the plan can get to you.

Mr. Schwindt states the City has exhausted this and no plan of action to date.

Mr. Thompson is familiar with situation does the building dept ever take into consideration the expense that an owner can endure to get it to you.

Mr. Schwindt states building permits are set up by the ICC and if you look at permit structure we are below as far as cost as far as building dept.

Mr. Thompson states the Building Department know what they are going to say regardless of what the owner is going to say, or expenses is going to endure. Have you had conversation are that we are not going to allow this?

Mr. Schwindt states this is based on code, not personal opinion.

Mr. Thompsons states this is the first time you and I have ever spoken about the proximity of the building to the next property line.

Mr. Schwindt states it is close to that, if you wanted to make that an apartment building and would have to take it to the property line and may or may not impact the structure of the use. Based on the conversation you wanted to put a deck around the building. Mr. Schwindt states he does not recall if we talked about to the north. No plan of action and don't call about discusses sprinklers. Mr. Schwindt states a need for a design professional to reviews the structure to and show if the building can meet the current code and what it has to do to meet the codes. Architect or drafts person. Codes to follow. Design to adopted codes to the City of Dickinson and Stark county. If you hire design professional and generally, they have a plan of action and usually to code.

Mr. Thompson states the City couldn't talk to me about this property because he wasn't an owner.

Mr. Schwindt no

Mr. Thompson asks who owned the street between property and other owner.

Mr. Schwindt believes the street was vacated and not sure of the date. Property line to the east – yes it would have some baring to this building.

Mr. Thompson states the reason that is why the deck couldn't be done

Mr. Schwindt states if a public street a little more room as far as the deck. It would not apply now.

Mr. Thompson states there are three lots in that description and there are 50' lots there the building is one of those 3 lots. Familiar we also own the street and we own the four paved lots across the lots. Mr. Thompson states the city demolished of 1520 west Villard.

Ms. Wenko is struggling on how this was relevant to this city.

Mr. Thompson states he had 2 properties 1520 west Villard.

Ms. Wenko – what does this have to do with this structure and no relevance

Mr. Thompsons states this property was an old dilapidated property and no one lived in there, our intent that was to convert that.

Ms. Wenko states to focus on this property and want needs to be done. Your office required structure analysis, Mr. Thompson had spoken to someone that is structure engineer and that he wrote me an email with the structure engineer. Is that what you are gathering. If

your situation for you in that situation to rely solely on what the property owner has told you and you have not spoken to and seen the documentation.

Mr. Schwindt would like to see the documentation and would be unwise to take property owner word.

Ms. Wenko states the City needs a code analysis by architect or draft person was that ever submitted.

Mr. Schwindt states no

Ms. Wenko states those two components your office would determine that this structure would be repaired, removed.

Mr. Schwindt yes

Ms. Wenko also when the last use occurred based on code appropriate and allowable of repaired today. If structure repaired would not meet the current zoning code over the last 10 year.

Mr. Schwindt states yes

Mr. Thompson asks did you tell me that the first step was structure engineer.

Mr. Schwindt states he does not believe we had a verbal conversation

Mr. Thompson ask if Mr. Schwindt works closely with the city attorney

Mr. Schwindt states he has professional staff that actually moved this proceeding forward. She has been working closely with the attorney.

Mr. Thompson states would your staff work closely with attorney about structure engineer's.

Mr. Schwindt states yes and the City needs documentation.

Mr. Shel Thompson is sworn in by President Scott Decker.

Mr. Thompson states he appreciates being here. From what the Commission can ascertain Mr. Thompson has been involved in several properties in Dickinson for a long time since 2004 they all connect to each other in many ways is in the things that he hopes to present to the Commission as what can be done and what benefits this property can have for this community. He has had communication about the hotel for the same purpose and within our plan this building and this property is a part of that. This question that this building is habitable none of the city people from their testimony have been inside it when there was a plumbing problem. In 2008 it was impossible to find a plumber or electrician. A handyman could fix it and then plumbed it up hill and caused more problems. He states Mr. Schwindt did not tell him that it was going to be condemned. His idea was for Blue Hawk Square. He was very involved within all of that with the Blue Hawk Square. Dakota bank foreclosed on the building and became new owner and they did not want to pay parking lease. The city has a parking code that if you have offsite parking has to be within 300'. Highly detrimental for our parking lease to be eliminated. It really hurt us as one the reason why this building has sat there is because he didn't have the money to invasion what we want to do it. Propose this building is a structurally very good building. Wentz can come out here for \$1,875 and look at studs and determine not much. We look at studs and test the studs and if they are okay. I did not understand that apparently you

have to do that. As far as code analysis tell me whom I hire to do that I will do that. What I would like to present to you help us. Good building. The roof was good to shade the windows from the top. I would take the top portion off of there anyway. That is decorative. Nothing anything wrong about the roof. No dangerous about building that the code is a public nuisance is that people can get in there. No one has been in there. Public nuisance is because it looks bad. We can mitigate problems, but I need to have a starting point. Looks like we are not going to let you do this anyway. I have never heard about a set back until today. He states this building has a lot of use value. He got fined because he didn't cut the grass. Jeff Towing cuts our grass. This building is identical to the photos of the first hotel that TR stayed in Medora from New York. Propose that they fence it off. He has been working through SW Coalition, and passed to United way and they are looking at another site. We have been under the assumption that we were still involved in their property. He is not showing the public that these people are real people, and they have transitions into mental health and substance abuse and then move them into assisted living and evolve from that and then you teach them skills.

Attorney Wenko reminds Mr. Thompson to focus on this particular structure.

Mr. Thompson states the City can make me tear it down as it is a good building. What I am asking for is to be able to use this building to transition either to the community agency use that I have been proposing and envision identical to the one that is being proposed. Or I would like to ideally turn into a triplex. Or commercial use. I can't get to this as long as you want to tear down this building. I have a concrete proposal if you would like me to do with this building. If I can't turn it into a use. Begging not to tear this place down. Show me what I need to do and I will do it.

Ms. Wenko states is it not true that you did not submit structural engineer or code analysis to the city.

Mr. Thompson states he had not submitted a report

Ms. Wenko asks if this building in the current condition is not habitable

Mr. Thompson states obviously not

President Scott Decker states in 2008 received notice that the sewer had a defect and you immediately tried to remedy it. Regardless of location you responded to that situation. Mr. Thompson noticed in August, 2021 that this building not habitable and process of being demolished and do you feel this is a reasonable amount of time.

Mr. Thompson states one of the city's requisites is if it can be done but we have in a process for all this time and before to work an entity to say yes but didn't have funding. Our involvement with the SW Coalition started with Oasis and evolved into more than that and at the point there was no absolute that any of this will happen. A plan was submitted to SW Coalition. There has been no concrete funding to do their homeless process as there has been no funding. During this time how can I reasonable do something for this building

as I don't have the money to do it. I can absolutely see how it can be done but everything is a chicken or an egg situation. If you have concerns about the safety of the building, I can fix that with a fence. The letters say the most was about structural engineer.

President Scott Decker states if this building is not structurally sound wouldn't it behoove you to fix it.

Mr. Thompson states he found one and this is what he does take sheet rock down and look at studs.

President Decker states so much hypothetical. We don't tell you what to do with the building, present a plan and they can approve it and goes through code. President Decker this has been spelled out to you over the past four years.

Mr. Thompson states it seemed to me that the structural engineer told me what he would do and no more of what he would do. It has been an extraordinary long time.

Commissioner Jason Fridrich states this has been going on for 17 years and you say we are not working with you. I am reading a letter from 2008 and over a month later this was not cleaned up. This was then unsafe. How much time you need? Do you need 50 years to bring this up to code.

President Decker feels the City has given Mr. Thompson the opportunities especially for the past four years but at one point you present something concrete to someone they are not going to move on either. The City is not going to take your plan seriously. Mr. Thompson has done none of that.

Mr. Thompson states the City has been very patient. The building has not changed on what can be done with that. He can present a plan to do it or move it. He is just trying to save a good building. There has not been anything presented by anyone that it is not a good building. No one has proven it is not structural sound.

Commissioner Fridrich asks if today the City would give an extension of time to bring this building up to code. How much time do you need?

Mr. Leonard Schwindt states if the Commission would grant an extension for the building permit for proper use and would have one year to complete pertaining to use applicable to the years of standard code duration, GC. For apartments and proximate to the line, adequate line for sprinkler system there are a lot of items that need to be addressed.

Commissioner Robert Baer states he concerns seem to close the barn door after all animals left. Aware of California building codes and keep things up to par. He states Mr. Thompsons is not aware of building codes in Dickinson even though you own multiple

buildings here in Dickinson. If you break a law you need to know what building codes are and keep in compliance. He doesn't know what he is supposed to do and need to keep this building up and current. You know since 2021 that there is a problem with this structure the minimum you could have done is go around and clean up around the building and no one has done anything. The only building on the table was the oasis and not this building. The only building was the oasis.

Commissioner Joe Ridl states that Mr. Thompson had had mentioned the possibility of moving to Beach what would the time frame be like that as well.

Mr. Thompson spoke to a house mover last summer but have not spoken with him since. Presumably it could be moved there within a day. Preference obviously if it could be here, it would be way more efficient to rehab it here. I am sure I have been negligent. What is possible and beneficial without having it done. I have the money now and didn't before. There are no lienholders on this property.

Ms. Wenko states with all due respect most of what he has said today is irrelevant. Nothing concrete, nothing solid. Mr. Thompson has indicated that he has had multiple conversations. The Municipal Code is to be looked at certain things and certain determinations. Deemed a dangerous building, provided extent life, health, property or safety of public or occupants are endangered. Nothing has occurred to this property that has made this property better. Disrepair stemming back in 2008. Nothing positive has occurred since then. Multiple letters and no response have been received. City did what it was supposed to do and instructed Mr. Thompson with structural engineering and code assessment need to be done. City does not have the expertise to the structure engineering. All of what is being talked about. Mr. Thompson agreed that this building is not habitable. Whatever grandiose proposal is pie in sky, not suitable for occupancy not suitable for use and just by photos a danger to public health, safety and welfare. People have gone into that structure. Putting a fence around this is not going to alleviate this concern. It is not this commission desire to tell a property owner to do with their property. We want our property owner to do what they want with their property but not in this condition. Sometimes you have to shell out a little money to make sure. He said he didn't do that to spend the money. How much more time are we going to give him. Giving him more time to do the same things that he has been to do four years what message does this give to adjacent property owners that had to look at this and other property owners in the city. Ms. Wenko states the lack of action, plan of action, even an extension I would say high probability we are right back here in a year. Look at evidence that Mr. Thompson has not submitted, no structure analysis, no code analysis and came with no plan of action. Hypothetical is not enough. Asking board that this structure is in need of demolition and support the staff.

Mr. Thompson states if an extension was granted we would not be right back here. If I were to start a program of how to rehab this building it would probably cost money to get a

permit. I am not going to put up money to do things to be back in a year. If the City would allow him to do that he would start now. He does have enough correspondence that I believe it was in the hands of the city attorney I didn't talk to the building department that conversation stopped with the email about structural engineer. Reasonable to get an extension he would start immediately of what the building department requires. He would propose either let me turn it into a triplex, move it 10', if residential is not possible, let me submit a plan for a commercial use and at the end of all of that if he can move it out of town, he will do that. It is a good building. We shouldn't be here in a contest.

City Attorney Christina Wenko stated the next step in the hearing procedure would be to hear evidence from the property owner.

Commissioner Robert Baer feels that Mr. Thompson has a lack of witnesses. There should have been a structural engineer or a mover here with Mr. Thompson. He states the City had the opportunity back in 2021 to get the ball rolling and get some action. The City is way beyond looking into this plan. He feels City staff have done their job.

Commissioner Joe Ridl states he goes along with Dr. Baer's comments as this issue has been a long time. He states City staff have a lot of hours invested in this issue and this is tough to recoup. There is lack of documentation, lack of structure soundness paperwork and everything else it is tough to look at an extension on this property.

Commissioner Jason Fridrich states he asked how long an extension Mr. Thompson would need to get this place back into compliance. This was a hypothetical question to see what Mr. Thompson's response would be. He states zero percentage been done should an extension be granted. He states a structural engineer given the opportunity to come for numbers years to review if the building was sound enough to repair and if the plumbing could be fixed. He does not believe anything is going to come out of this if there was an extension. Commissioner Fridrich would like to follow City staff's recommendation to demolish this property. He states these are all great ideas that Mr. Thompson has but when the wrecking ball is at the doorstep but where has he been for the past 17 years.

President Scott Decker states if there are no questions for staff or questions from commissioners. He is asking for a vote.

MOTION BY: Robert Baer

SECONDED BY: Joe Ridl

To declare the property at 22 S 10<sup>th</sup> Avenue West to be a dangerous structure and to proceed with demolition subject to the above recommendations. If the City does not receive that information within 30-day appeal period, the City will move forward with the demolish of the property at 22 S 10<sup>th</sup> Avenue West, Dickinson, ND and assess the cost of demolition to the property

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

Motion declared duly passed

Attorney Wenko states she will present findings in front of Commission 6/7/ 2025 outlining the testimony. If the Commission approved the findings, a copy will be sent to the property owner. He does have 30 days to appeal. Once that 30-day appeal expires and then the city staff will proceed. Cost of tear down will be assessed to the property pursuant to city code.

President Scott Decker states from the pictures, once we proceed with teardown, other obvious material on lot, there is a lot of abandoned cars, boats, and such. Demolish would be hindered by some of the other violations.

Building Official Leonard Schwindt states that if there are other violations, we would follow procedure to clean up the lot.

4. **ADJOURNMENT**

MOTION BY: Jason Fridrich

SECONDED BY: Robert Baer

Adjournment of the meeting at approximately 11:30 A.M.

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

OFFICIAL MINUTES PREPARED BY:

\_\_\_\_\_  
Rita Binstock, Assistant to City Administrator

APPROVED BY:

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

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Scott Decker, President  
Board of City Commissioners

Date: June 17, 2025