

City Administrator Dustin Dassinger presents a Gaming Site Authorization for the St. Anthony Club which is located at 105 1st Street SW. He lists the kinds of gaming they will be having from 7/1/2024-6/30/2025.

MOTION BY: John Odermann

SECONDED BY: Robert Baer

To approve the Gaming Site Authorization for St. Anthony Club.

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

D. Public Comments not on Agenda

City Administrator Dustin Dassinger states the City has had several discussions on the guidelines of public comments. He states the speaker would be limited to 5 minutes. Presiding officer may extend the time; individuals wish to speak – name, address on signup sheet; sign in prior to meeting and provide name and address. Individual address would be exempt under century code. He states according to the Century Code the person's name would be public information but not their address.

Commissioner Robert Baer is requesting to table right now based on 1. Currently legislation is looking at issue and going through committee this week and see what changes are made in legislation. 2. During most recent seminar with NDLC there was some information brought forth in seminar is important for us to take into consideration. Don't want to rush this and do it right. Commissioner Baer suggests that the City table this item and that we do a work session possibly 2 hours broken down into 2 sessions and work through this and done correctly. He states the hearings are leaning towards present way written to be in 25% of meetings are to be open to public comments and recommended changes now to be at all meetings and that is one thing that is up for consideration, time period and language. I think we need to mirror what the new code is going to be.

City Attorney Christina Wenko states the Cities shall adopt policy. The policy may provide public comments. Examples are what are currently in the proposed policy that is in front of the Commission. These recommendations are what is currently in the policy in front of you. The only thing that might change would be the amount of time, number of meetings that have to be open to public. The current version it is not addressed. This would be a statutory provision applied to cities and cities would have to adopt their own policies.

Commissioner John Odermann states he has no interest in work sessions and Commission meetings discussion. He does not know of what additional ground they could cover. Commissioner Odermann feels they have hammered through this thoroughly.

Commissioner Robert Baer states this item is going in front of committee this week and wants to see if any additional changes will be made. Table to see what happens this week.

President Scott Decker states if they put in the 25% or make it every meeting which we already have it in. The City could become more restrictive possibly one meeting a quarter.

City Attorney Christina Wenko states this would be consistent of what the Century Code would say and minimum requirements. An alternative would require public comments at every meeting but meet these parameters. Generally, can be more restrictive and not less restrictive. The way this is drafted she doesn't think the City is going to see a lot of changes from it. The way it is being proposed it is a policy and not in a city code. In regards to the home address and someone might feel comfortable about getting us that information. An amendment to statutory language the home address is being exempt. Record can choose to disclose or not disclose. City would have the ability to hold the address information.

Commissioner Robert Baer has contacted the NDLC wanted to know a bit more about the need for address and writing down the addresses. People within city limits can address the Commission or does someone from out of city can address the Commission. He would like more clarification. If someone comes and talks about a specific issue and can they speak about another issue.

Attorney Christina Wenko states an individual can provide public comment but does not specifically say that they have to be resident or within the ETZ. Language is not in SB2180. She states an individual can speak on additional comments, doesn't think that one individual has to approach this Commission to talk on a topic on one topic. Commission could let them speak further. She feels the Commission has the ability to make the decision if the President deems it appropriate and warranted. Goal person comes forward and visits about one item.

Commissioner Robert Baer is not looking for dialogue between citizens and commissioners. Does the same person get to speak on several topics of when they come back?

Commissioner John Odermann states this bill passed the house today 85 – 4.

President Scott Decker states that the City of Dickinson is far from restrictive to cities that have no public comments and large cities who allow 2.5 minutes. He feels the City of Dickinson has been more than welcoming all comments that pertain to things in the city.

MOTION BY: John Odermann
To approve Resolution 10-2025.

SECONDED BY: Jason Fridrich

RESOLUTION NO. 10 – 2025

Citizen Comment Guideline and

Policy And

Public Meeting Decorum Guideline and

Policy

DISPOSITION: Roll call vote...Aye 3, Nay 2 (Baer, Ridl), Absent 0
Motion declared duly passed

E. Reclassification – Assistant Library Director

Library Director Ian Anguiano is requesting the reclassification of the Assistant Library Director. He states this change was approved in the 2025 budget. He states over the past 10 years Ms. Lewton's service has been outstanding as she has, she has absorbed several responsibilities and implement changes for ILS, and other responsibilities. He would like to request the change to Grade 17 and Non-exempt status.

MOTION BY: Jason Fridrich

SECONDED BY: John Odermann

To approve the Reclassification of the Assistant Library Director.

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

F. NDPERS 457 Retirement Plan

HR Generalist Natalie Torgerson recapped the changes for the NDPERS 457 Retirement Plan change. She states the NDPERS Main DB Plan closed on 1/1/25. Now the State is doing the DC plan which is a 4% with a 5.26 % match. New employees irrevocable additional 3%. This is only available for the first 30 days. If the City chooses to offer, they can contribute up to 3%. Generalist Torgerson reviews the plan and benefits. She states within the last 7 new hires have started they have elected to take the additional 3%. She states the City is only asking for a yes to move forward with this. If all current employees left and take the additional amount without DB plan it would cost \$1,103,781. Savings of 181,000. She states City staff recommends approval with bringing forward the resolution.

MOTION BY: Robert Baer

SECONDED BY: John Odermann

To approve to move forward with brining forward the resolution for the NDPERS 457 Retirement Plan.

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

Motion declared duly passed

E. Fairway Drainage Basin BRIC Cost-Share Request Letter

City Planner Natalie Birchak presents a cost share letter for the Building Resilient Infrastructure and Communities (BRIC) Program grant application that serves as a commitment of the City of Dickinson to provide the program's required local matching funds. A portion of the intent of the project is to increase the size of the storm drain system within the Fairway Street/State Avenue/8th Avenue West corridor to better handle 10-year and 100-year storm events. The project is included in the City of Dickinson's Drainage Master Plan. The maximum federal grant award is 75% from the BRIC Program, and the remaining 25% is local matching funds from the City of Dickinson. Based on the current estimates, this grant application is anticipated to be for \$350,727.27 and the City of Dickinson cost share is estimated to be \$87,681.82. This cost share solely factors in the scoping portion of the project.

MOTION BY: Jason Fridrich

SECONDED BY: Joe Ridl

To approve Fairway Street/State Avenue/8th Avenue West Stormwater Drainage Basin Retrofits/Upgrades Study BRIC Application Cost Share Letter.

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

8. PUBLIC HEARING – 5:00 P.M.

No report.

9. PUBLIC COMMENTS NOT ON AGENDA

Ryan Messano states that he does appreciate Mr. Baer and Commission Ridl to vote against the public comment resolution. He states the problem is rebelling against tyranny is against God. He is outraged for the cost of the election. He states right now there is a huge push to mix the races. Thankful for what has happened in Dickinson and freedom of speech. People are interested. If you don't know history you don't know anything.

MOTION BY: Jason Fridrich

SECONDED BY: Robert Baer

To approve of taking a recess at 5:57 p.m.

DISPOSITION: Motion declared duly passed

President Scott Decker states that Mr. Messano is disruptive, have not conducted City business and Mr. Messano, you have threatened us. I will give you one minute and then I will ask you to yield and leave the chamber.

Ryan Messano states he has 15 minutes is what I had and what is what I will take. He states the first amendment is from God. God given rights. Never apologize to be correct.

Ryan Messano removed from the chambers at 6:00 p.m.

Commissioner Joe Ridl asks President Decker to take a couple of minutes to read a bible passage.

President Scott Decker states to Mr. Ridl that he can read it under the Commission items.

Mr. Kenny Kostecky states his topic is pertaining to the little yellow sheet on adjustment of value of homes. He states why does it matter of what the value of his home is to the city? City should just tax on square footage of what everyone occupies. He states that he built his home so he could afford it. He states he should have bought an old home it would have bettered us. Adjuster just drive by my house and raise the value of my home \$214,000. Mr. Kostecky states it is his privacy to not have the Assessor in his home. It jumped almost 50% and since it did that his wife was staying her for kids and grandkids. Now they have kind of made up her mind that we are going to clean up the place and move on. Mr. Kostecky does not know how a home can go up \$214,000 dollars. Go up \$2,000

a year more. He feels as though to better yourself you are being punished. They could afford to do it ourselves to have a newer home and right now it is kicking it in our butt.

President Scott Decker states the City is bound by state law. He can't speak on why it went up. He invites Mr. Kostelecky to the board of adjustment as the Commissioners can't do anything here tonight. President Decker states if the individuals want to go to the Assessor and then he would appreciate it and then come back and if you have ever been to the meeting board, we hear individuals. the process is coming to the Board of Equalization.

Commissioner John Odermann states the City tried last year, we tried to put a cap on 15% on valuation each year it got overturned at the next level. It might be more extreme than 15%.

Mr. David Steinbach states if the individual is concerned about something you should come up and speak. It sounds like you are trying to silence the people. Is there a need to sign up beforehand? There are 7 houses in our neighborhood that have gone up over \$100,000. For the last two years they have gone up over 40%. How can they talk about property taxes and we get \$45,000 increases in your house?

10. COMMISSION COMMENTS

A. Commissioner

Commissioner Joe Ridl read out of the bible in regards to imitating God. Live a life filled with Love. No sins have space amongst you. Live as people as with light.

Commissioner John Odermann states he has had conversations with folks with these meetings and getting involved in local politics. A number of them have expressed something that precludes them from running for office is when we hold these meetings. Perhaps worth talking about Tuesday nights can be really busy. County Commission meet on Tuesday mornings. Is there a better time to have these meetings to encourage and enable for young people to run for office? Throw out that idea. The County Commissioners commission meets on Tuesday and maybe city meets on Monday morning. Changes a lot of what we do here. I think it is getting harder and harder to find people to run for office. The more we do for people to open the door for a buffet for people to be on the ballot the better it would be for people to on the ballot. Worth the discussion.

President Scott Decker states he doesn't think that it is the time that people don't want people to run. I want to apologize to the people of Dickinson as they should not have to go through this. The Commissioners are here to do business and conduct the city in a respectful way. He states with the Board of Equalization he hopes the Commissioners do the right thing and hear all of your concerns with your properties. He feels the Commissioners they will do a great job. He does apologize to the people as they should not have to go through with that. Appreciate you all for coming out tonight.

11. ADJOURNMENT

MOTION BY: Jason Fridrich

SECONDED BY: Joe Ridl

Adjournment of the meeting was at 6:20 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

Robert Baer, Vice President
Board of City Commissioners

Date: April 15, 2025