

**SPECIAL MEETING DICKINSON CITY COMMISSION FEBRUARY 17,
2025**

1. CALL TO ORDER

President Scott Decker called the meeting to order at 2:30 PM

2. ROLL CALL

Present were: President Scott Decker, Commissioner's Joe Ridl and Russ Murphy

Absent: Vice President Robert Baer and Commissioner Jason Fridrich

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.

45 7th Avenue West, Dickinson, ND

City Attorney Christina Wenko asks Ms. Stewart how long she has worked for the City of Dickinson.

Ms. Tiffany Stewart states she has been with the City of Dickinson for six years and is a certified property inspector. Her title is a Code Enforcement Officer II and her position is to enforce the City of Dickinson's Municipal Code and adopted building codes. 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 45 7th Avenue West is owned by Curtis Everson II. There are outstanding liens with the Mortgagee of United State of America, acting through the Rural Housing Service. The 2023 taxes have been not paid at Stark County. 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 2024 saying the City had issues relating to this property in regard mold within the property. She states this was when the lead service line replacement and contract found mold on the property and stopped the replacement in the house. The water was shut off in 2017 and no potable water. Therefore, this property is unfit without water. Based on this information, the City requested an inspection of the interior of the property. The City requested an inspection through the City Attorney. There was no response to the property owner to allow the City an inspection of the interior.

City Attorney Christina Wenko asks Ms. Stewart if there was more communication with the home owner. Ms. Stewart states the owner and lien holder was notified by Certified Mail of the demo.

City Attorney Wenko reviews exhibit which is the notification of hearing which was issued to Mr. Everson and was sent certified mail.

Ms. Stewart states these notices were posted at the property of the date of the hearing of the demo.

Attorney Wenko asks does Mr. Everson knows something is happening to this property

Ms. Stewart states yes, we sent certified mail in regard to this property. She states the mail was sent certified and placed also on the property that there was going to be a demolition hearing is going today. Both certified mailings were left at the property.

Attorney Wenko presents exhibits M1 and M2

Ms. Stewart states these are copies of the certified mailings to Mr. Curtis Everson of the Administrative Search Warrant to conduct the requested interior inspection. Also, a copy of the Search Warrant and Affidavit of the Search Warrant. Ms. Stewart states this building a dangerous structure. Ms. Stewart reads the procedure for demolition. Ms. Stewart states there were placards placed on the property which is maintained by a company for the bank.

Ms. Stewart states there was a search warrant completed in October and an interior inspection was completed. Ms. Stewart shows various photos and explains them. There was property left behind, items left behind were rodent harbridge and water damage ceiling, bathroom plumbing has not been used for quite some time, extensive water damage and items left behind in basement, stairs are not in compliance with city code, unpermitted plumbing and does not meet current code, water damage or potential growth, water damage and water meter was removed.

Attorney Wenko asks Ms. Stewart if there has been any improvement.

Ms. Stewart states there has been no property improvements and notified the property maintenance company that the structure shall be demolished.

Attorney Wenko asks Ms. Stewart if there has been any request to improve the property.

Ms. Stewart states there has been no improvements made to this property.

Attorney Wenko asks what was the determination after inspection

Ms. Stewart states unfit for human occupation and move forward with the process.

Attorney Wenko asks has the City seen any improvement

Ms. Stewart states no.

Attorney Wenko asks where remedial measures provide maintenance to this property

Ms. Stewart states no

Attorney Wenko asks if there were any efforts to improve this property

Ms. Stewart states no

Ms. Stewart states exhibit AA is a copy of city of Dickinson municipal code.

Attorney Wenko deems to be applicable to this property in regard to dangerous structure

Attorney Wenko asks if this structure condition satisfies condition of #1

Ms. Stewart does apply based on stairway from basement to upper level.

Attorney Wenko asks if the stairway surface worn, warped and unsafe

Ms. Stewart does apply based on stairway from basement to upper level.

Attorney Wenko asks if a portion damaged by cause and stability

Ms. Stewart states a structural engineer report would be needed to prove this.

Attorney Wenko asks if C 5 – portion

Ms. Stewart states a structure engineer report would be needed to prove this.

Attorney. Wenko presents C6 – not sufficient strength or stability

Ms. Stewart states a structural engineer report would be needed to prove this

Attorney Wenko presents C 7 – settled to extent structure

Ms. Stewart states a structural engineer report would be needed to prove this

Attorney Wenko presents C8

Ms. Stewart while the dilapidation of a structure engineer report would be needed for collapse.

Attorney Wenko C 10 – exterior walls bubble

Ms. Stewart states a structural engineer report would be needed to prove this

Attorney Wenko presents C 11 – 33% or more damage

Ms. Stewart states a structural engineer report would be needed to prove this

Attorney Wenko presents C 12 – fire wind

Ms. Stewart does apply

Attorney Wenko C 13 violation

Ms. Stewart does apply

Attorney Wenko presents C 14 - 50%

Ms. Stewart states a structural engineer report would be needed to prove this

Attorney Wenko presents C 15 – inadequate maintenance

Ms. Stewart does apply

Attorney Wenko presents C16 - obsolescence, inadequate

Ms. Stewart states the Fire Department did not conduct an inspection

Attorney Wenko C17 - public nuisance

Ms. Stewart yes does apply

Attorney Wenko - are you aware of any circumstances of squatters or individuals on property without permission.

Mr. Stewart states the neighbors are concerned that people were going in and doing illegal things but this was not proven. This would apply.

Attorney Wenko presents C 18 – portion of building remains onsite or abandoned for a period of 6 months.

Ms. Stewart this would apply

Attorney Wenko reiterate prior testimony when city makes determine whether structure is danger

Ms. Stewart Building and Code Department recommend demolition of the structure of the property.

Attorney Wenko states was there a lack of cleanup efforts and has the city exhausted all of efforts

Ms. Stewart states yes

Ms. Stewart states the City's recommendation is to demolish of property

Attorney Wenko and to assess the cost

Ms. Stewart states yes

President Scott Decker asks if there was any representative from the property or the property owner. No one represented the property.

DISPOSITION: Roll call vote... Aye 3, Nay 0, Absent 2
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: March 3, 2026
