

MEDORA PLANNING AND ZONING COMMISSION

Official Proceedings on June 20, 2017

(Subject to board review and approval)

Meeting was called to order at 6:00 p.m. by President Kinley Slauter. Present were Aaron Axvig, Jim Bridger, and Ian Connors. City Attorney, Sandy Kuntz and City Engineer, Mike Njos were also present. Minutes from the May 16 meeting were reviewed. Axvig made the motion to approve the May 16 minutes. Second by Bridger. Motion passed unanimously.

Application 17-17, a proposal from ND Cowboy Hall of Fame to add a shelter to the current patio at 250 Main Street, was reviewed. Rick Thompson submitted a material list and roof color swatch. The shelter would cover the existing stage area to help shield the sun. The back wall on the drawing submitted is currently there. The roofing would be metal. Drainage would go to the ditch—there are drains all the way around the property. Ben Brannum joined the meeting at 6:05 p.m. There was discussion regarding placement of the poles inside the current wall to be within the 5' setback. Axvig made the motion to approve Application No. 17-17 noting that the pillars must stay within the existing wall and provisions must be made for drainage to stay within the existing wall. Second by Connors. Motion passed unanimously.

Application 17-18, a proposal from Rolf Sletten to change out fences and add a gate on the west side of his home at 445 N. 6th Street, was reviewed. The metal fence on the north side of the property would be replaced with a wood fence. This fence would be 8' in height. The existing fence on the south side of property would be moved about 15' to the property line. A new fence and gate would be placed on the west side immediately adjacent to the curb. Discussion. Bridger made the motion to approve Application No. 17-18 noting the 8' fence would only be on the north side and the new fence/gate on the west side would be set back 2 ½ to 3' from the curb. Second by Brannum. Discussion—Njos added that the fence should be on the property line and the curb is not the property line. Bridger amended his motion that following the recommendation of City Engineer, the west fence must be on the property line. Second by Brannum. Motion passed unanimously.

Application 17-19, a proposal from Norbert Sickler at 670 Doc Hubbard Drive to add onto existing covered picnic area, was reviewed. Because of a conflict, Sickler was unable to attend meeting, but had met with the City Auditor earlier in the day. He is willing to add gutters and divert drainage to his yard. Discussion. Connors made the motion to approve Application No. 17-19 adding that gutters must be placed on the existing picnic area and the new addition with all drainage being diverted to Sickler's yard. Second by Bridger. Motion passed unanimously.

Application 17-20, a signing proposal from Awna Irish/Jodi Schweizer to add a sandwich board and a lighted open sign to their Farmhouse Café business at 324 Pacific Ave., was reviewed. No color photos were submitted with the application. Slauter tabled this item until Schweizer could pull up photos on her phone.

Application 17-21, a proposal from Mary Schneider of Red Trail Campground to move existing fence 10' to the west, was reviewed. Brannum will abstain from voting because he lives at the property. Njos added that the property line should be determined by a professional surveyor. Kuntz stated a professional needs to interpret the map that was presented. If the fence is placed in the wrong spot, they are open to a lawsuit. Axvig moved to approve Application No. 17-21 with the following modifications; disregard the "10' off the road" as stated on the application and the entire fence must be in the Red Trail property. Second by Connors. Axvig, aye; Connors, aye; Bridger, aye; Brannum abstained. Motion carried.

Rolf Sletten returned to the meeting with some updated measurements showing that if the west fence is moved to his property line, it would be 10'-11' into his front yard. Sletten stated the fence he is proposing could easily be moved if the City was going to build a sidewalk in the future. After further discussion, Kuntz stated the Zoning Commission does not have authority to grant a fence on city property. Slaughter stated the action will stand that was taken on Application No. 17-18. It can be revisited once property lines and utilities are located.

Jodi Schweizer presented color photos of her proposals for Application 17-20. After reviewing the signing ordinances, Connors made the motion to approve the sandwich board but deny the window lighted open sign. Second by Brannum. There was discussion that strings of lights to outline windows are allowed. Motion carried unanimously.

A recess was called at 7:26 p.m. Meeting reconvened at 7:29

Application 17-22, a proposal from TRMF to add 82 rooms in 12 modular units to the north of Spirit of Work, was reviewed. Slaughter stated as an employee of TRMF, he has a conflict of interest and will abstain from voting. Axvig noted he has the same conflict and will also abstain from voting. Slaughter stated this project was presented at the June 6 City Council Meeting and is now being brought to Zoning for approval. A separate application will be required for the Bunkhouse area of this project. Njos had provided the Zoning Commission with a list of recommended conditions for approval. Kuntz concurred with Njos's recommendations and provided the Zoning Commission with 9 additional points as conditions for approval. TRMF presented information showing an overall 38% decrease in their water usage at the hotel/motel/girls dorm/boys dorm from 2013-2016. Njos said a study of the City's lagoon capacity is essential. There needs to be a net zero gain of flows from the peak. Njos would also need to see projected flows. Project Manager, Jack Marquart, stated the crawl space for these units will not be heated, so they will only be available for seasonal use. A lagoon capacity study could take 6-8 weeks. TRMF has a phasing plan. They want to get started on the north side project soon and then would bring plans for the south side to the July meeting. Njos reminded them that the capacity study may determine there is no capacity. Kuntz clarified that a development agreement would be required. City and Private must grow together and contractually fill in loopholes. A development agreement must be approved by City Council. Bridger added that the sewer study must set the precedent for the timeline. After a lengthy discussion, Connors made the motion to approve Application No. 17-22 contingent on a development agreement being reached between TRMF and the City of Medora with input from City

Engineer and City Attorney. Second by Brannum. Njos asked if there would be 2 separate agreements. Kuntz clarified that 1 agreement can cover phases. She will start the agreement. Connors, aye; Brannum, aye; Bridger, aye; Axvig and Slauter abstained.

Randy Hatzenbuhler asked that a vote of confidence be offered for the south side plan. Bridger made the motion to offer a vote of confidence to move forward with the south side Bunkhouse plan. Second by Brannum. Connors, aye; Brannum, aye; Bridger, aye; Axvig and Slauter abstained.

Under Misc. Business, Todd Corneil stated there are drainage issues after the recent renovations at the TRMF Eaton House. All of the runoff is now draining toward Corneil's house. Slauter realizes that the newly installed sprinkler system changed the reshaping that had been done. Slauter had told Corneil it would be addressed and that was still the intent. Corneil stated that this was a formal complaint to Zoning and he wants something done to correct the issue. Corneil would like the drainage to go through the middle of the yard. Corneil added that contractors also removed his property pin when the sidewalk was replaced and it never got put back. Slauter and Corneil will meet onsite to address the issue.

There being no other business, Brannum moved to adjourn. Without objection, meeting adjourned at 9:28 p.m.

ATTEST: _____ Kinley Slauter, President

ATTEST: _____ Carla Steffen, City Auditor