

MEDORA PLANNING AND ZONING COMMISSION

Official Proceedings on July 17, 2018

(Subject to board review and approval)

Meeting was called to order at 6:00 p.m. by President Kinley Slauter. Present were Jim Bridger and Doug Ellison. Aaron Axvig was absent but available by phone. Ben Brannum was excused.

Minutes from the June 19 meeting were presented to the Board for approval. Bridger made the motion to approve the minutes. Second by Ellison. Motion passed unanimously.

NO. 18-23, an application from Gary Edland at 425 Broadway to replace a garage door. Replacement will match the existing door. Bridger moved to approve Application 18-23. Ellison seconded. Motion passed unanimously.

NO. 18-24, an application from TRMF to review a concept design of the Rough Riders Adventure Park at 6th Street East of Badlands Motel. TRMF is looking for direction from the City on acceptability of the concept design, they will work on structural designs and a more detailed site plan if agreeable. Points discussed included:

- speed bumps and temporary planters, speed bumps are a good idea as long as removable for winter snow plowing, temporary planters create traffic and insurance concerns.
- access to the MCC on the concept isn't acceptable, TRMF will address concerns in next stage designs
- the current connector road between the Motel and the MCC lot is grandfathered in as a public easement and shouldn't be allowed to be closed off.
- TRMF commented that a control fence around the property would be needed, agreeable.
- the Zip Line will come from about half way up the hill and will be about 24' over the street so shouldn't obstruct traffic.

Ellison moved we accept the Preliminary Concept for the Adventure Park with specific details to be reviewed and agreed upon as the design is completed, TRMF is requested to incorporate the input that was received today. Bridger seconded. Slauter stated that as an employee of TRMF, there is a potential for conflict of interest. Since there is no direct and substantial personal or pecuniary interest in the matter, I intend to participate as necessary in the action. Motion passed unanimously.

NO. 18-25, an application from TRMF for a Privacy Fence at 469 6th Street. Bridger moved to approve Application 18-25 for a 6' high, 44' privacy fence constructed to match the adjoining fence. Ellison seconded. Motion passed unanimously.

NO. 18-26, an application from TRMF for a Privacy Fence at 340 4th Street. Ellison moved to approve Application 18-26 for a 6' high privacy fence painted to match the house. Bridger seconded. Motion passed unanimously.

NO. 18-27, an application from TRMF for a Privacy Fence at the Showhall Alley. There will be a 5' opening to allow equipment movement. Will coordinate with City on how close to put the fence to the Public Restrooms. Bridger moved to approve Application 18-27 for a 6' high privacy fence constructed to match the surrounding buildings and set back from the Public Restrooms as requested by the City. Ellison seconded. Motion passed unanimously.

deMores Park – Zoning Violation

The July 6 letter received from Claudia Berg, SHSND, was reviewed. Comments included:

D Zuroff – the letter didn't address the issues, Zoning needs to write letters to the Governor and whoever else may listen and invite them here to see what has occurred. She didn't even say she was sorry and her comment about a "courtesy call" to Zoning is a slap in the face.

Public - the town needs to commit to getting the wall put back, if they (SHSND) really wanted public access they would have opened up the north side. We are concerned about the precedents being quoted being related to utilities based on previous comments from the City Attorney.

Public - If they can change direction after decades of "honoring the Medora Historical Agreements" and get by with it how do we prevent further unwanted actions by the SHSND, who is supposed to be protecting our history.

Ellison – people are obviously deeply offended, so am I. What options do we have other than legal action which would be expensive, I guess we need to see if contacting the Governor and playing the Public Relations angle will have any impact.

D Zuroff – this goes beyond State vs City, citizens apparently have no say in what happens here in our home. How can citizens rights be taken away with no say and no voting? It just does not make sense.

Bridger – the City Council is supporting with a letter.

Public – people from other cities in the area are asking if Medora is going to lose its History. What can we say when our "state officials" are taking it away??

Ellison – the letter seems to be about enhancing usage of the Park, but the approach certainly lacked courtesy and tact.

Public – can we ask TRMF to put the wall back as they were involved in the deal that lead to it? The majority of City residents are not happy with the wall being taken down.

Slauter – concerned that SHSND clearly doesn't feel they have to comply with Medora Zoning.

Ellison moved that Zoning request the City Attorney to pursue getting a North Dakota Attorney General opinion on our enforcing the City of Medora Zoning ordinances, including the section designating all of Medora a historic integrity district, which have been honored for many years by the SHSND, other Medora businesses, and citizens. Bridger seconded. Motion passed unanimously.

D Zuroff – I suggest Zoning write a letter to TRMF requesting support of actions being requested by the citizens related to the wall and use of the Park.

C Sitter –TRMF supports and values public input.

Ellison moved that Zoning direct a letter to TRMF reflecting the will of the public and the public’s request related to the deMores Park wall being reconstructed. Bridger seconded. Motion passed unanimously.

Ellison expressed his thanks to the public for coming to the meeting and being vocal and passionate about what they value.

Ellison moved the meeting be adjourned. Bridger seconded. Meeting adjourned at 6:58 p.m.

ATTEST: _____ Kinley Slauter, President

ATTEST: _____ Gary Ridenhower, City Auditor