

**Committee Members:**

**Chairperson**

Huettl, Damian; Citizen  
Term, 2013-2016

**Vice Chairperson**

Leingang, Laurie; Citizen  
Term, 2013-2016

Mousel, Thomas; Citizen  
Term, 2013-2015

Vacant; Citizen  
Term, 2013-2014

Steffenhagen, Jason; Citizen  
Term, 2013-2015

Vacant, Citizen;  
Term, 2013 - 2014

Neubauer, Jim;  
Administration

Lalim, Doug; Assessing &  
Building Inspection

Huber, Ellen; Business  
Development &  
Communications

Johnson, Keith; Custer  
Health

Nardello, Steve; Fire

Froseth, Justin; Planning &  
Engineering

Bullinger, Dennis; Police

Wright, Jeff; Public Works

**Mandan Community Beautification Committee**

**Thursday, July 10, 2014**

**7:30 a.m.**

**Mandan City Hall**

**205 Second Avenue NW**

**Mandan, ND**

**Agenda**

**A. Roll Call:**

1. Roll call of committee members.

*Chairman Damian Huettle called the meeting to order.*

*Members present are indicated with a  at left.*

**B. Minutes:**

1. Consider approval of June 12, 2014 minutes.

*Laurie Leingang moved to approve the minutes as presented, Jason Steffenhagen seconded. Motion carried unanimously.*

**C. Old Business:**

1. Review Minot Landscaping Ordinance
2. Review examples of minimal standards for residential yard cover – Justin F.; Bob D.; Doug L.

*The above items were essentially combined. Planner Bob Decker provided a draft Landscaping ordinance (labeled as Section 21-03-04). It would be a new section of Mandan Municipal Code Chapter 21 – Zoning.*

*Ellen Huber suggested that in addition of Community Beautification Committee review that it be placed on agendas for input from the Mandan Architectural Review Commission (MARC) and the Planning and Zoning Commission.*

*The draft indicates requirements be fulfilled within one year of issuance of a certificate of occupancy. Doug Lahlim suggested that lots of 12,000 sf or larger be given more time for compliance. He said most residential subdivision lots are approximately 7,000 sf.*

*Doug Lalim expressed concern that landscaping requirements could pose a problem for businesses needing parking space, citing the new Little Caesars Pizza as an example. Other*

*committee members didn't see an issue with the example.*

*There was a question about the definition of what landscaping includes, "Grass that is mowed and watered and/or fertilized as needed to maintain healthy condition." There was some concern about different interpretations of "as needed."*

*Huber asked how the proposed requirement for commercial districts, that at least 5% of the total lot be landscaped, compared to the previously provided Minot ordinance. Justin*

*Froseth indicated that Minot's requirement is for a minimum 10%, but plans designed for 5% had been accepted. It was noted that most commercial locations would not meet this requirement currently, but if owners or tenants remodeled or expanded their buildings, they would then need to comply with any new ordinance.*

*Leingang expressed concern that she wouldn't want to see only grass, but rather would want to see some trees or shrubs in addition.*

*Huber noted that currently there is no landscaping requirement for properties outside of the Gateway and Downtown Fringe overlay districts and that some minimum requirements would be helpful. Perhaps the MARC and Planning and Zoning Commissions could be asked specifically for input on the 5% vs. 10% minimum threshold and whether there should be at least some minimal requirement for trees for commercial properties.*

*Steffenhagen said he would like for standards to lean more in the direction of Minot's requirements with at least some tree requirement. He expressed the most concern about commercial development having standards. He asked if native grass would meet standards and was told yes.*

*Lahlim expressed concerns about variances and Planned Unit Developments (PUDs) because then everyone else wants an adaptation or to be excused from a requirement, too. He said any requirement should be enforceable.*

*Consensus was to request review of the sample ordinance by MARC during its July 22 meeting and to bring back to the Community Beautification Committee in August. It was suggested that a citizen representative from the committee attend in addition to Decker, Lahlim and Huber. The draft ordinance could likely go on the Planning and Zoning Commission agenda for consideration at its August meeting and potentially be considered by the City Commission at its first meeting in October. A procedural issue would be to determine who be in charge of enforcement, whether the city forester or the proposed code enforcement officer.*

3. Property Maintenance Code — Discuss possible amendments to Mandan Code of Ordinances related to property maintenance and nuisances.

i. Begin with MCO § 17-05-18 from Overland Park, KS example

*This section deals with private sewer systems. Froseth believes private sewers aren't allowed in city limits unless the location is more than 300 feet from the nearest sewer main. Input from Keith Johnson of Custer Health is needed on the last sentence in the section, "Such facilities shall be maintained in a clean, sanitary, and odor-free manner and not be offensive to any nearby residents." It was recommended to strike from the second sentence, "... for which approval has been granted" so that it simply states, "Temporary sanitary facilities are restricted to construction projects and recreational activities." Consensus was to add that that temporary sanitary facilities be removed within a reasonable time after completion of a construction project or recreational activity.*

4. Report on results of Community Clean Up Day

*The Community Litter Clean-Up Day was held Saturday, June 21. There were only about eight volunteers in attendance. Areas cleaned up were Twin City Drive and from Bonanza to Mandan Avenue. Suggestions were to try again next year, holding it earlier in the spring while school is still in session to involve students. With more advance planning, businesses are apt to become more involved and it could be planned to coincide with a similar activity in Bismarck. The Community Beautification Committee should put this on its agenda during the winter to plan for a May 2015 event.*

D. New Business:

1. Review changes suggested to MCO §17-05-08 through § 17-05-14.
2. Discuss possible support of funding a Memorial Highway Storefront & Landscaping Improvement Program

*Huber apologized for forgetting to include the program proposal in the agenda packets, but summarized the program. The Mandan Tomorrow – Leadership, Pride and Image (LPI) Committee had submitted an application seeking to fund the program with a \$200,000 Bush Foundation Community Innovation Grant. The application was not selected as a finalist.*

*Given some business interest in the program based on limited publicity, the LPI Committee is interested in finding out if the City would fund the program through its Growth Fund, similar to the Downtown Storefront Improvement Program. The Memorial Highway program was proposed because the area is often what visitors first see of Mandan when entering the community from the east. A good first impression is needed.*

*The proposal was to provide \$10,000 in matching funds per property based on applications and review by the MARC and Growth Fund Committee with final decisions to be made by the City Commission. Boundaries were proposed to include at least portions of avenues stemming off from Memorial Highway.*

*Froseth moved the Community Beautification Committee endorse or support the proposed program. Steffenhagen seconded. Motion carried unanimously. The LPI Committee will next share the proposal with the MARC and Growth Fund Committee.*

3. Discuss filling open positions

*There has been no response from Thomas Mousel to a letter inquiring about his willingness to continue serving on the committee; therefore, a second letter was sent July 15 to inform him that a replacement will be sought. Consensus was to issue an invite for applicants for three open positions. Committee leaders indicated Administrator Neubauer had initially preferred to wait to advertise until the end of the year, but consensus was that additional citizen input was needed on the proposed property maintenance ordinance and thus to advertise as soon as possible.*

E. Other Business:

*Huettl asked to have communication he received from S. Paul Jordan added to the agenda. Copies of e-mails and photos submitted by Mr. Jordan were provided to the committee. The committee discussed whether it should address how much in advance of a garbage collection day that trash can be set out on the curb and in what manner, whether required to be in a container or if bags are sufficient.*

*Other complaints involved weeds and parking of a boat and vehicle on a residential street. Dennis Bullinger pointed out that when complaints are received about campers, boats and trailers parked on streets longer than 24 hours, they will tag it and follow up. Mr. Jordan doesn't agree with enforcement of such issues being complaint-driven and wants proactive enforcement. Committee members expressed empathy about the concerns expressed and indicated that the committee's response should be that it is working to address many of the very concerns expressed by Mr. Jordan through its efforts to strengthen property maintenance requirements and bring awareness to current requirements as well as to support the hiring of a code enforcement officer. Some of the items of concern are beyond the scope of the committee.*

*Consensus was that the committee should in its discussion of a property maintenance ordinance look at a time limit for the advance placement of trash at the curb and consider a container requirement. Additionally, commercial sites should be required to have a dumpster or other container. Leingang expressed concern that garbage cans can blow away or lids blow off. Staff noted that the totes don't blow away. Public Works Director Jeff Wright is to be meeting with Armstrong Sanitation, the contractor for city residential garbage collection, regarding possible steps to further encourage or require totes. Steffenhagen suggested that perhaps garbage receptacles should be within a fenced in area or screened and that it might be worth looking at some example requirements from other cities.*

*Regarding Mr. Jordan's concerns about pools and trampolines in yards, it was noted that in some states, there must be fencing around these.*

#### F. Agenda for August 14, 2014 Meeting

*Items for the next agenda include:*

- *The landscaping ordinance with a report on any input received from the Mandan Architectural Review Commission and potentially the Planning and Zoning Commission.*
- *Continued work on the draft property maintenance code. The next section deals with hard surfaces, walkways, and driveways. Leingang asked that staff have available or provide the International Property Maintenance Code, page 30, section 302.3 and Municipal Code Title 10 sections for reference.*
- *Review the status of open positions and potentially interview interested parties to determine recommendations to the City Commission.*
- *Amy Schmidt had requested that the committee discuss signage that discourages littering. Consensus was to hold this item for a future date to allow the committee to focus on tasks at hand.*

#### G. Adjourn

*Huber moved to adjourn the meeting. Leingang seconded. Motion carried unanimously.*