

Committee Members:

Chairperson

Damian Huettl, Citizen

Term: 2013-2016

Vice Chairperson

Laurie Leingang, Citizen

Term: 2013-2016

Tammy Lapp-Harris, Citizen

Term: 2013-2014

Amy Schmidt, Citizen

Term: 2013-2014

Dale Schwindt, Citizen

Term: 2013-2015

Jason Steffenhagen, Citizen

Term: 2013-2015

Jim Neubauer,

Administration

Doug Lalim, Assessing &
Building Inspection

Ellen Huber, Business
Development &
Communications

Keith Johnson, Custer
Health

Steve Nardello, Fire

Justin Froseth, Planning &
Engineering

Dennis Bullinger, Police

Jeff Wright, Public Works

Mandan Community Beautification Committee

Thursday, November 13, 2014

7:30 a.m.

Mandan City Hall

205 Second Avenue NW

A. Roll Call:

1. Roll call of committee members and liaisons
Chairman Damian Huettl called the meeting to order. Members present are indicated with a . City Planner Bob Decker and Program Coordinator Krista Harju were also in attendance.

B. Consider minutes from meeting on Oct. 9, 2014

Keith Johnson motioned to approve the minutes. Laurie Leingang seconded. The motion passed unanimously.

C. Receive update on proposed landscaping ordinance from Planner Robert Decker

1. Review by Planning & Zoning Commission
2. Review by Architectural Review Commission
3. Consider committee recommendation to City Commission

Ellen Huber compared the ordinance with past meeting minutes and confirmed the committee's recommendations had been made. City Planner Bob Decker presented the ordinance to both the Planning & Zoning and Architectural Review Commissions since the last meeting. Planning & Zoning took formal action to recommend that the landscaping ordinance be adopted. The Architectural Review Commission was also supportive of the ordinance. Doug Lalim motioned to recommend approval to the City Commission. Steve Nardello seconded. The motion passed unanimously.

D. Revisit sections of draft property maintenance code (from Overland Park, KS example)

1. Section 17-05-19 Hard surfacing, Walkways and Driveways – Update from Legal

Ellen Huber moved to bring it back to the table. Tammy Lapp-Harris seconded. The motion passed unanimously. City Attorney Malcolm Brown reviewed the language and said the existing ordinances would suffice. He suggested the Kansas ordinance is very subjective and too far reaching. A consideration was on the table to strike the last line of the section. Huber suggested considering an amendment to strike the entire section, considering Brown's recommendation. Laurie Leingang wanted the ordinance to cover terribly broken walkways or hard surfaces on private property, possibly with language similar to damage percentages recommended in other maintenance code sections. Neubauer pointed out it could be difficult to enforce. Lalim noted it's more than a liability issue, as the

cost of repairs could create a potential hardship for those on fixed incomes. Huber moved to amend the motion to strike the entire section. Leingang dissented. The motion passed with a vote of 11-1. The committee voted on the amended motion. The motion passed with a vote of 11-1, with Leingang dissenting.

- E. Continue review of draft property maintenance code (Overland Park, KS example)
1. Sections 17-05-20-21 – Outdoor Storage - Review other city examples from Muni-Code
 2. Section 17-05-22 Trash and Refuse – Compare with existing Mandan Title 17 Public Nuisance code.
 3. Section 17-05-23 Violation; Penalty
 4. Section 17-05-24 Construction

17-05-20-21 – Outdoor Storage

City Planner Bob Decker researched outdoor storage requirements for Fargo and Grand Forks. Huber noted that Section 4C of the Grand Forks example referenced buffer yards, but she could not find a definition of a buffer yard. Lalim said a buffer is an area that is screen from public view by fences or trees. Buffer areas often separate commercial and residential areas. Since Decker was not in attendance, Huber suggested tabling the discussion on Sections 20-21 until the next meeting. The committee agreed.

17-05-22 – Trash and Refuse

Johnson felt the Overland Park, KS example read more clearly than the current code. Huettl felt the current definition of refuse and rubbish in Title 17 was more inclusive. Leingang pointed out that 17-02-10 addressed junk vehicles. Huber felt 17-02-02 and 17-02-10 were repetitive. Dennis Bullinger said the vehicle may be operable but not licensed, and it cannot be enforced on operable vehicles. Leingang suggested changing inoperable to unlicensed. Huber questioned if there were regulations on setting trash out for pick-up, such as the requirement of trash containers or limitations on the timeframe surrounding pick-up. Neubauer noted that some people put trash out early, because they may be leaving town. Johnson said the solution is the use of 95 gallon containers, and it would be difficult to prescribe garbage placement without a solution in place. Jeff Wright estimated the cost at \$60 a container, a cost of around \$700,000 if purchased for every residence. Currently, residents can rent a container from Armstrong Sanitation for \$2.50/month. Garbage rates would need to increase to cover the cost of the containers, which would likely be rentals. Johnson said the cities he's worked with in the past have used grant dollars to purchase the containers and equip the garbage trucks. He will ask those cities about the grant programs. Amy Schmidt said it would improve the litter problem and suggested making a recommendation to the City Commission to consider implementation of trash containers. Neubauer agreed and suggested researching container placement requirements further. Schmidt motioned to recommend a single container system to the City Commission. Lalim seconded. The motion passed unanimously. Consensus was reached to indicate current sections regarding trash and refuse are adequate.

17-05-23 – Violation; Penalty

Johnson noted that every day is a new violation. Huber said every day is not reasonable, as some things take more time to remedy. She suggested a notice of offense and deadline for resolution. Neubauer will have City Attorney Malcolm Brown review.

17-05-24 – Construction

Neubauer will have City Attorney Malcolm Brown review.

F. Other Business

In upcoming meetings, the committee will compare the existing language in Title 17 with the suggested changes based on the Overland Park, KS example. Huber suggested reviewing the Overland Park example with the changes and then having Brown or Municode compare it with the existing language in Title 17 and make recommendations. Leingang will bring her notes to the next meeting.

G. Future Meetings

1. Thursday, December 11, 2014; 7:30 a.m.
2. Thursday, January 8, 2014 7:30 a.m.

H. Adjourn

Neubauer motioned to adjourn. Schmidt seconded. Motion passed unanimously.

FUTURE 2014-15 AGENDA ITEMS:

1. *Review to-date suggested changes to proposed property maintenance code*
2. *Consider signage to discourage littering*
3. *Plan for 2015 Community Cleanup Event*
4. *Discuss Commercial/Residential Trash Containers*

Items for follow-up prior to and at next meeting

- *Bob Decker will provide an update on outdoor storage requirements or limitations for outdoor storage of all types (commercial and residential).*
- *Neubauer and Bullinger will research placement of trash containers.*
- *Leingang will send notes on the committee's recommended changes to the Overland Park, KS example and Mandan Municipal Code Title 17 to Neubauer and bring them to the next meeting.*