

City of Medora  
Minutes of Special Meeting  
July 13, 2017  
(Subject to Council Review and Approval)

Meeting was called to order at 7:00 p.m. by Mayor Todd Corneil. Present were Councilmen Denis Joyce, John Tczap, Ben Brannum, and Kinley Slauter. City Engineer, Mike Njos, and City Attorney, Sandy Kuntz were also present.

The first item of business was to discuss the Development Agreement for the Bunkhouse Project. Kuntz prepared a Development Agreement that was presented to the City and TRMF on 6-11-17. After conversations with TRMF CEO, Randy Hatzenbuhler, a revised copy of the agreement, with 11 bullet points, was presented to both parties for review at this meeting. It was clarified this agreement would treat the housing as a motel not a man camp. This agreement was originally designed for 80 rooms, but now has to reflect 212 since that was approved at the 7-6-17 Council Meeting. Kuntz added that this will be approved as a motel and any future modification would require new approval by the City, including a new development agreement and new zoning application. Corneil is hesitant to call it a motel since the project will also include employee housing. Njos questioned the East River Ownership. Project Manager, Jack Marquart stated that a Quit Claim Deed had been drafted but never signed. The County Attorney will have it taken care of at a County Commissioner meeting. Kuntz wants to be cc'd on that conversation. There was discussion of the importance that fire code is followed. Kuntz recommends the Fire Chief sign off on components within the portion of the document that pertain to fire safety. The City and the Developer would sign off on the actual agreement. Under bullet point 8, there was discussion whose responsibility it should be to pay for professional engineering fees that will be project specific. There is no protocol and it has never been expected in the past that the developer pay these additional fees. Hatzenbuhler feels that going forward this should be defined by ordinance. Njos agreed that most cities have a fee schedule. Hatzenbuhler made the proposal that TRMF would be willing to pay the lesser of or actual costs up to \$7,500. Corneil added that City is already putting up the expense of the lagoon study. It was the consensus of the Council to accept Hatzenbuhler's proposal. Tczap added that the City should look at establishing a building permit and fee schedule. Njos added these ordinances should be cleaned up while they are fresh and should include when the City would require a development agreement. Hatzenbuhler is hoping for approval tonight contingent on final revisions made by Kuntz. Corneil thinks it should go to Zoning first. Njos feels confident the agreement could be approved before the Zoning meeting because this agreement is just one part of the project contingencies. Njos did present some other items for

consideration in the agreement. The timeframe that these units would be open can be addressed through addendum after the lagoon study is completed.

Joyce made the motion to execute the Development Agreement upon individual review and approval by each Council Member of the final draft. Second by Tczap. Slauter will abstain from voting because he is an employee of TRMF. Slauter also stated this agreement should be separate from the Zoning Permit Application. Joyce, aye; Tczap, aye, Brannum, aye; Slauter, abstain. Motion carried.

The next item of business was to make a decision of accepting the award of TA funds for the Shared Use Path to the Recreation Area and Campground in the amount of \$101,567. Tczap talked to one of the County Commissioners and he feels confident they would be willing to contribute toward the city share of this project. Corneil feels the city share of the project could be better used toward a parking lot in that area. There was discussion of the safety aspect of this project and the importance of getting pedestrians off the busy road. Joyce stated as the project is developed, the city share should be limited to the \$55,100 estimate. There was also further discussion to reach a cost share agreement with the County. Joyce made the motion to accept the TA funds. Second by Tczap. Slauter asked if the Council feels he should abstain since this trail will be going across TRMF property and they will be granting an easement. Joyce sees no fiduciary interest to TRMF and feels the project is a safety issue. Corneil stated there should be transparency. Kuntz added that this project is being approved in light of safety concerns. Slauter replied that there is a lot of overlap of City and TRMF and does not want to abstain on every decision. Kinley would like to vote, and his vote is yes. Motion passed unanimously.

There being no other business, moved to adjourn. Without objection, meeting adjourned at 10:07 p.m.

Attest: \_\_\_\_\_ Todd Corneil, Mayor

Attest: \_\_\_\_\_ Carla Steffen, Auditor