City Commission Meeting

Valley City, North Dakota

Meeting Date: October 20, 2026 **Meeting Time:** 5:00 p.m. **Meeting Location:** 220 3rd St. NE Chambers

The meeting is also available to view online https://us06web.zoom.us/j/86295978901 or listen by calling (1 346 248 7799) Webinar ID: 862 9597 8901

Board of City Commissioners

Michael Bishop, President
Dick Gulmon, Commissioner
Duane Magnuson, Commissioner
David Kline, Commissioner
Jeffrey Erickson, Commissioner

Department Supervisors

Gwen Crawford, City Administrator
Carl Martineck, City Attorney
Brenda Klein, Finance Director
Brandy Johnson, Deputy Auditor
Tina Drabus, City Assessor
Scott Magnuson, Fire Chief
Nick Horner, Police Chief
KLJ/Moore, City Engineers

Agenda

Call to Order

Roll Call

Pledge of Allegiance (Please Stand)

Approval of Agenda

Roll Call: Magnuson Erickson Kline Gulmon Bishop

Approval of Consent Agenda

A. Approve Minutes from the 10.06.2026 Commission Meeting and 10.08.2026 Special Commission Meeting.

B. Approve Monthly Reports from the Fire Chief, Electrical Superintendent, Building Inspector Finance Director and Municipal Judge.

Roll Call: Erickson Magnuson Gulmon Kline Bishop

Public Comment

This portion of the meeting provides a limited public forum for Valley City residents, property owners and business owners to address the Board of City Commissioners on topics related to City business. Interested persons must submit a comment card with the individual's name, address, and the topic to be commented upon. Non-residents must provide the address of the City of Valley City business the individual operates or works at or the address of real property which the individual owns within the City of Valley City. Comments cards must be provided to the meeting secretary and approved prior to speaking. Public comments are limited solely to business matters and concerns pertinent to the City.

The following rules apply to Public Comments:

- Limited to five minutes per speaker.
- Must not interfere with the orderly conduct of the meeting.
- Must not be defamatory, abusive, harassing, or unlawful.
- May be prohibited if an alternative procedure exists to bring that particular type of public comment before the City, the public comment includes confidential or exempt information, or the public comment is otherwise prohibited by law.

Submission of written comments: In lieu of speaking, a written comment may be delivered to the meeting secretary prior to the start of the meeting. Written comments are limited to two pages. Any member of the public seeking to comment without attending in person may submit written comments to tplecity@valleycity.us. Written comments hand delivered at the time of the meeting or emailed prior to 4:00 pm on the date of the meeting will be distributed to the Board for their information and maintained in City files. Written comments are not read aloud at the meeting.

Resolution

RES 2543 A resolution approving and declaring certain city-owned properties as native grass, wildflower, and natural-growth areas. (City Attorney Martineck)

Roll Call: Gulmon Kline Erickson Magnuson Bishop

New Business

NB1. Approve Monthly Bills for the City and public Works in the Amount of $4,185,612. *(Finance Director Klein)*

Roll Call: Magnuson Erickson Kline Gulmon Bishop

NB2. Presentation and Approve 2025 Audit Report prepared by Brady Martz. (Finance Director Klein)

Roll Call: Kline Gulmon Magnuson Erickson Bishop

NB3. Approve Change Order No. 1 for the New Water Tower Project Contract #1 in the amount of $1,949 related to costs for testing provided by AET. *(City Engineer Eslinger)*

Roll Call: Erickson Magnuson Gulmon Kline Bishop

NB4. Approve Change Order No. 1 for the New Water Tower Project Contract #3 in the amount of $2,407.99 for installation of conduits. *(City Engineer Eslinger)*

Roll Call: Gulmon Kline Erickson Magnuson Bishop

City Administrator's Report

City Updates & Commission Reports

Adjourn

City Commission Meeting
Valley City, North Dakota
October 06, 2026

President Bishop called the meeting to order at 5:00 pm.
Members Present: President Bishop, Commissioner Gulmon, Commissioner Magnuson, Commissioner Kline, Commissioner Erickson, City Administrator Crawford, City Attorney Martineck, Finance Director Klein

Pledge of Allegiance (Please Stand)

Approval of Agenda

Approval of Consent Agenda

A. **Approve Minutes from the 09.15.2026 Finance and Commission Meeting.**
B. **Approve Local Permits**
    a. **Trinity Lutheran Church – Raffle**
    b. **St Catherine School – Raffle**
    c. **Valley City Chamber of Commerce – Raffle**
C. **Approve Contractor License**
    a. **Olson Remodeling LLC**

Motion to approve by Commissioner Gulmon, seconded by Commissioner Magnuson.
Roll Call: Gulmon – Yes; Erickson – Yes; Kline – Yes; Magnuson – Yes; Bishop – Yes. Motion Passed

Public Hearing

Public Hearing Regarding Special Assessment Projects: Paving Improvement District No. 127. – West Main Paving, Sanitary Sewer Improvement District No. 72, Paving Improvement District No. 129/132.
Declare Public Hearing Open.
No Public Comments.
Close Public Hearing.
Motion to Close hearing by Commissioner Magnuson, seconded by Commissioner Kline.
Roll Call: Erickson – Yes; Kline – Yes; Magnuson – Yes; Gulmon – Yes; Bishop – Yes. Motion Passed
Approve Special Assessments as recommended by the Special Assessment Commission for Paving Improvement District No. 127, Sanitary Sewer Improvement District No. 72 and Paving Improvement District No 129/132.
Motion to approve by Commissioner Gulmon, seconded by Commissioner Magnuson.
Roll Call: Magnuson-Yes; Gulmon-Yes; Kline-Yes; Erickson-Yes; Bishop-Yes Motion Passed

Ordinance

Second and Final Reading of Ordinance 1192, An Ordinance Adopting the 2027 Annual City Budget.
No changes from the first reading.
Motion to approve by Commissioner Magnuson, seconded by Commissioner Gulmon.
Roll Call: Gulmon – Yes; Erickson – Yes; Kline – Yes; Magnuson – Yes; Bishop – Yes. Motion Passed

Resolution

Resolution 2541 Establishing Electric Utility Rates.
City Administrator Crawford reported that during a review of utility rates, the large-power rate structure was created several years ago, no corresponding rate was established for large-power customers located outside city limits.
Motion to approve by Commissioner Klein, seconded by Commissioner Erickson.
Roll Call: Kline – Yes; Gulmon – Yes; Magnuson – Yes; Erickson – Yes; Bishop – Yes. Motion Passed
Resolution 2542 Establishing Solid Waste Collection Rates.
City Administrator Crawford reported a correction is needed in the sanitation rate schedule: while the two-yard temporary dumpster rate had been updated previously, the four-yard and six-yard temporary dumpster rates were not updated at that time.
Motion to approve by Commissioner Gulmon, seconded by Commissioner Magnuson.
Roll Call: Erickson – Yes; Kline – Yes; Magnuson – Yes; Gulmon – Yes; Bishop – Yes. Motion Passed
Resolution 2544 Approving Plat of Eagles Nest Addition to the City of Valley City.
The Planning and Zoning Commission reviewed an application to replat the land between Bridgeview Assisted Living and the Eagles Club. The request involved a replat to allow Bridgeview to construct a gazebo on its property. The Planning and Zoning Committee recommended approval of the replat.
Motion to approve by Commissioner Erickson, seconded by Commissioner Gulmon.
Roll Call: Magnuson-Yes; Gulmon-Yes; Kline-Yes; Erickson-Yes; Bishop-Yes Motion Passed

New Business

2026 Forestry Report.

Forester Anderson presented the 2026 Forester's Report. He reported on seasonal pruning work, educational workshops, Arbor Day activities, and the issuance of notices related to tree maintenance. A total of 76 trees were planted. Twenty-six trees were removed due to Dutch elm disease, an increase attributed to storm damage and nearby disease activity. Anderson noted that emerald ash borer has been detected in nearby communities but is not yet close enough to warrant treatment in Valley City. He responded to questions regarding disease trends and ash borer treatment effectiveness.

Approve adding Property at 404 College Street SE, Parcel 63-3380041, to Buyout List for Permanent Flood Protection.

The Commission discussed adding the property to the buyout list. City Administrator Crawford clarified that, as part of the CLOMR mitigation requirements, the City could either purchase one additional home or incur significantly higher mitigation costs elsewhere. The buyout option was determined to be the more cost-effective approach

Motion to approve by Commissioner Gulmon, seconded by Commissioner Magnuson.

Roll Call: Kline – Yes; Gulmon – Yes; Magnuson – Yes; Erickson – Yes; Bishop – Yes. Motion Passed

Approve Permanent Flood Protection Buyout of Property at 401 6th Ave SW Parcel 63-5420654 in the amount of $69,960.

Motion to approve by Commissioner Magnuson, seconded by Commissioner Erickson.

Roll Call: Erickson – Yes; Kline – Yes; Magnuson – Yes; Gulmon – Yes; Bishop – Yes. Motion Passed

City Administrator's Report

City Administrator Crawford provided an update regarding letters sent to residents of Waterford Meadows about a potential future street improvement project. The letters were intended for fact-finding only; no decisions have been made, and no assessment district has been created. The discussion clarified that the meeting will help determine resident interest, project limits, and an appropriate timeline, as outlined in the developer agreement. Crawford also reported that an initial walkthrough of the new service center facility was completed with department heads. Remaining work includes interior striping, exterior fencing installation, and final inspections. Although construction is nearing completion, Crawford noted that moving into the building will not occur until outdoor work priorities for the season are finished.

City Updates & Commission Reports

Finance Director Klein announced that the Waterford Meadows meeting is scheduled for Wednesday, October 14th at 5:15 p.m. She noted that auditors from Brady Martz will present a brief overview of the 2025 audit at the upcoming finance meeting later this month. Klein also reported that staff have reviewed upcoming infrastructure projects and will provide that information to the Commission. After October 15th, she and Jennifer will begin scheduling Public Works budget meetings with portfolio holders and relevant staff.

Fire Chief Magnuson reported that the department's 39 members completed over 1,140 hours of training, with the rescue squad contributing an additional 410 hours. He thanked volunteers, their families, and their employers for their support. Magnuson also noted that the Battle of the Badges Blood Drive is underway and encouraged community participation.

City Engineer Petersen reported that milling for Paving District 133 is progressing and expected to finish by the end of the week. The Viking Drive Bridge water main relocation will begin next week, with a road closure expected for about one to one-and-a-half weeks starting October 12th. He also noted that the DOT, County, and City completed a mill and overlay on the Loves access road as a temporary improvement.

City Engineer Eslinger provided an update on the Water Tower Project. For Contract 1, welding work is continuing, which will progress over the next several months as tower components are assembled. Under Contract 2, Swanberg Construction has replaced pressure-reducing valves and is completing waterline tie-ins, with project completion expected October 23rd. Contract 3, Highline Electric, will perform most of its work later in the project, primarily during winter and spring of 2027.

Commissioner Erickson reminded residents to contact Public Works directly with any street or water concerns. He noted that social media is not monitored closely, and calling Public Works is the best way to receive a timely response.

Commissioner Gulmon gave update on sales, food & Beverage, and Occupancy Taxes.

Adjourn

Meeting adjourned at 5:28pm

Valley City Special Commission Proceedings
Valley City, North Dakota
October 08, 2026
President Bishop called the meeting to order at 9:00am.
Members Present: President Bishop, Commissioner Gulmon, Commissioner Magnuson, Finance Director Klein
Pledge of Allegiance
New Business
Approve Local Permit for TLChildcare - Raffle
Motion to approve by Commissioner Gulmon, seconded by Commissioner Magnuson.
Roll Call: Gulmon-Yes; Magnuson-Yes; Bishop-Yes Motion Passed
Adjourn
Meeting adjourned at 9:01am

RESOLUTION NO. 2543

A RESOLUTION APPROVING AND DECLARING CERTAIN CITY-OWNED PROPERTIES AS NATIVE GRASS, WILDFLOWER, AND NATURAL-GROWTH AREAS

WHEREAS, Section 12-05-04 of the Valley City Municipal Code provides an exception to the City's weed and grass height maintenance requirements, stating that "[t]his ordinance does not apply to any lot, place, or area within the city approved by the city for planting of native grasses, wildflowers, or other natural growths"; and

WHEREAS, Section 12-05-04 vests the City with authority to approve lots, places, or areas within the City for the planting of native grasses, wildflowers, or other natural growths; and

WHEREAS, the Board of City Commissioners finds that designating the properties identified herein as approved native areas promotes ecological, stormwater-management, pollinator-habitat, employee-safety and/or cost-saving objectives and serves the public interest; and

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF VALLEY CITY, NORTH DAKOTA:

The following properties are approved by the City for the planting or maintenance of native grasses, wildflowers, or other natural growths:

No.	Property Address	Parcel / Legal Description
1	902 10TH ST SE	63-2390235
2	165 14TH ST NW	63-0830017
3	164 SECARSE DR	63-4530274
4	915 9TH AVE NW	63-6130200
5	165 14TH ST SW	63-0880017
6	2036 20TH AVE SW	63-0880216
7	2420 ELM ST SW	63-0430003
8	552 COLLEGE ST SE	63-4000476
9	578 COLLEGE ST SE	63-4000458
10	294 11TH AVE SE	63-6040369

No.	Property Address	Parcel / Legal Description
11	271 12TH AVE SE	63-1160013
12	437 12TH AVE SE	63-5010024
13	294 11TH AVE SE	63-6040369
14	259 10TH AVE SE	63-4000836
15	244 12TH AVE SE	63-1150120
16	635 RIVERVIEW DR SW	63-3021087
17	282 11TH AVE SE	63-6040378
18	270 11TH AVE SE	63-6040393
19	252 11TH AVE SE	63-6040405
20	1147 3RD AVE NW	63-2660168
21	1201 FOUR BOTTLE DR NW	63-2350300
22	1415 FOUR BOTTLE DR NW	63-2350500
23	420 10TH ST NW	63-4530275
24	406 10TH ST NW	63-4530276

Each property approved and declared herein is exempt from the weed and grass height maintenance requirements of the City Code to the extent provided by Section 12-05-04, for so long as the property remains an approved native area under this Resolution; however, the Public Works Department shall use reasonable methods to control noxious weeds and other unhealthful matter, as identified by the State of North Dakota.

Passed, adopted and approved this 20th day of October, 2026.

_____
Michael Bishop, President
Board of City Commissioners

ATTEST:

_____
Brenda Klein, Finance Director

Sept 2026 Expenditures

Monthly Expenditures:	$4,185,612
Includes:	
VCBC Development Corp	$16,498
City Infrastructure Projects	$283,980
PFP Engineering & Buyout	$197,286
PW Capital Projects	$2,110,971
Debt Service	$348,586
MRES-Purchased Power	$313,429
Payroll & Benefits	$483,837
VC Park District	$29,822
Subtotal:	*$3,784,409*
Balance for operations	$401,203

CHANGE ORDER NO.: 1

Owner:	City of Valley City, ND	Owner's Project No.:	N/A
Engineer:	Moore Engineering, Inc.	Engineer's Project No.:	24611
Contractor:	Maguire Iron	Contractor's Project No.:	
Project:	New Water Tower and Pressure Zone Modifications		
Contract Name:	Northwest Area Water System Improvements		
Date Issued:	October 5, 2026	Effective Date of Change Order:	October 5, 2026

The Contract is modified as follows upon execution of this Change Order:

Description:

Costs for testing provided by AET surpassed allowance of $15,000. Increase testing allowance amount to reflect actual costs of testing, per specification section 012000.

Attachments:

AET invoices

Change in Contract Price	**Change in Contract Times**
Original Contract Price: $ 2,914,000.00	Original Contract Times: Substantial Completion: July 30, 2027 Ready for final payment: August 20, 2027
Increase from previously approved Change Orders No. 1 to No.: $ 0.00	Increase from previously approved Change Orders No.1 to No.: Substantial Completion: N/A Ready for final payment: N/A
Contract Price prior to this Change Order: $ 2,914,000.00	Contract Times prior to this Change Order: Substantial Completion: July 30, 2027 Ready for final payment: August 20, 2027
Increase this Change Order: $ 1,949.00	Increase this Change Order: Substantial Completion: N/A Ready for final payment: N/A
Contract Price incorporating this Change Order: $ 2,915,949.00	Contract Times with all approved Change Orders: Substantial Completion: July 30, 2027 Ready for final payment: August 20, 2027

	Recommended by Engineer (if required)	Accepted by Contractor
By:	Robert E Allen	Nathan Esser
Title:	Project Engineer	Project Manager
Date:	October 6, 2026	October 6, 2026
	Authorized by Owner	Approved by Funding Agency (if applicable)
By:		
Title:		
Date:		

EJCDC® C-941, Change Order.
Copyright© 2018 National Society of Professional Engineers, American Council of Engineering Companies and American Society of Civil Engineers. All rights reserved.

CHANGE ORDER NO.: 1

Owner:	City of Valley City, ND	Owner's Project No.:	N/A
Engineer:	Moore Engineering, Inc.	Engineer's Project No.:	24611
Contractor:	Hi-Line Electric	Contractor's Project No.:	
Project:	New Water Tower and Pressure Zone Modifications		
Contract Name:	Northwest Area Water System Improvements – Contract 3		
Date Issued:	October 5, 2026	Effective Date of Change Order:	October 5, 2026

The Contract is modified as follows upon execution of this Change Order:

Description:

Installation of conduits at water tower foundation to conform with water tower plans.

Attachments:

Contractor's breakdown of material & labor cost

Change in Contract Price	**Change in Contract Times**
Original Contract Price: $ 176,901.00	Original Contract Times: Substantial Completion: July 30, 2027 Ready for final payment: August 20, 2027
Increase from previously approved Change Orders No. 1 to No.: $ N/A	Increase from previously approved Change Orders No.1 to No.: Substantial Completion: N/A Ready for final payment: N/A
Contract Price prior to this Change Order: $ 176,901.00	Contract Times prior to this Change Order: Substantial Completion: July 30, 2027 Ready for final payment: August 20, 2027
Increase this Change Order: $ 2,407.99	Increase this Change Order: Substantial Completion: N/A Ready for final payment: N/A
Contract Price incorporating this Change Order: $ 179,308.99	Contract Times with all approved Change Orders: Substantial Completion: July 30, 2027 Ready for final payment: August 20, 2027

	Recommended by Engineer (if required)	Accepted by Contractor
By:	Robert E Allen	/ Chad Zahn
Title:	Project Engineer	President
Date:	October 5, 2026	10-5-2026
	Authorized by Owner	**Approved by Funding Agency (if applicable)**
By:		
Title:		
Date:		

EJCDC® C-941, Change Order.
Copyright© 2018 National Society of Professional Engineers, American Council of Engineering Companies and American Society of Civil Engineers. All rights reserved.

HI-LINE Electric INC.

143 10th St SW ★ PO Box 8
Valley City, ND 58072-008

Electrical Contractor: Commercial, Farmstead, Residential
Chad Zaun, Owner

Moore Engineering
12600 W. Colfax Ave. Ste. A-500
Lakewood, CO 80215
Attn: Rob Allen

9/22/2026

Re: Change Order E-1 – **Northwest Area Water System Improvements**
New Water Tower and Pressure Zone Modifications

- Installation of conduits through sleeves per plan D-501
- Qty. (2) 4"
- Qty. (1) 2 ½"
- Qty. (3) 1 ¼"

Materials included in change order
-(30FT)1 ¼" PVC
-(10FT) 2 ½" PVC
-(20FT) 4" PVC
-(3) 1 ¼" PVC 90
-(2) 4" PVC 90
-(6) 1 ¼" PVC COUPLINGS
-(2) 2 ½" PVC COUPLINGS
-(4) 4" PVC COUPLINGS
-(1) QT. JUG PVC GLUE
-(1) ROLL OF DUCT TAPE
-(20FT) REBAR

Material Cost: 521.56
Labor Cost: 1,800.00
Additional for Wiring Certification: $86.43

-Material and labor included

Total Change Order #1: **$2,407.99** **Added to Original Contract**

P: 701-845-0731
info@hi-lineelectric.com ★ hi-lineelectric.com

Valley City Planning and Zoning
APPLICATION - Addendum to original

Procedures and submission requirements can be found in the Valley City Municipal Code. Application and fees must be submitted as soon as possible in order to allow sufficient time for publication of required public hearing notices. The Planning and Zoning Commission generally meets and holds public hearings the 2nd Tuesday of every month at 4pm. Additional fees will be assessed if it is determined a meeting is needed to be held outside of regularly scheduled meeting dates.

Please check all that apply and submit payment with application. This application may be utilized for more than one request or applicant may copy and attach a separate application for each item as needed.

_____ Plat/Replat ($150 + $2 per lot)
_____ Recording Fee (1- 49 lots - $30 - 50+ lots $60)*
_____ Variance ($100)
_____ Vacation of Street/Alley ($150)
_____ Zoning Ordinance Text Amendment ($200)
_____ Zoning Map Amendment (Zone/Rezone) ($200)
__X__ Conditional Use Permit ($200)
_____ PUD/PUD Amendment ($200)
_____ Other: _____ ($TBD)

*Recording fee is refundable if plat/replat is denied

Applicant Name: JOHN BEASLEY Phone: 612.703.1307

Applicant Address 143 13th Avenue SE

City, State, Zip Valley City ND 58072 Email Address: jtbeasley1387@yahoo.com

Owner Name: Howard Wade Hatcher Phone: 701-840-0385

Owner Address 12064 37th ST S.E

City, State, Zip Valley City N. Dak. 58072 Email Address: wscbadboy@yahoo.com

Owner Authorization: Wade Hatcher Date: 10-16-26

If the applicant is not the same as the owner, the owner must sign the application or submit a letter authorizing the applicant to proceed on behalf of the owner.

Physical Address of Property (if assigned): 145 5th Avenue NE

Property Description (attach addt'l sheet if necessary):

Parcel ID# 63-3310138 Lot 4 Block 4 Subdivision NP East Addition

Section _____ Twp _____ Range _____ Metes and Bounds: _____

Briefly describe the reason for request:

temporary use of a mobile food vendor requires a CUP

Applicant Signature: Wade Hatcher Date: 10/16/26

The signature of the applicant and owner (or written permission of the owner) certifies that permission is granted by the owner to all authorized City personnel to enter the property for the purpose of review of this application. The applicant and owner further certify that all City Ordinances will be complied with and that the information given within this application as well as the plans submitted are in all respects true and correct to the best of my knowledge and belief.

VALLEY CITY USE ONLY:

Application and fees. Rec'd on date: _____ In the amount of $_____ Cash/Check

Application/Supporting documents deemed complete. Date: _____. Initials _____.

P&Z: **Hearing Date** _____ Approval: ☐ Yes ☐ Yes with conditions ☐ No
Publication Dates:
P&Z findings and recommendations sent to City Commission. Date: _____.

City Commission: **Hearing Date** _____ Approval: ☐ Yes ☐ Yes with conditions ☐ No
Publication Dates:

Valley City Planning and Zoning
APPLICATION

Procedures and submission requirements can be found in the Valley City Municipal Code. Application and fees must be submitted as soon as possible in order to allow sufficient time for publication of required public hearing notices. The Planning and Zoning Commission generally meets and holds public hearings the 2nd Tuesday of every month at 4pm. Additional fees will be assessed if it is determined a meeting is needed to be held outside of regularly scheduled meeting dates.

Please check all that apply and submit payment with application. This application may be utilized for more than one request or applicant may copy and attach a separate application for each item as needed.

_____ Variance ($100)
_____ Vacation of Street/Alley ($150)
_____ Zoning Ordinance Text Amendment ($200)
_____ Zoning Map Amendment (Zone/Rezone) ($200)
__X__ Conditional Use Permit ($200)
_____ PUD/PUD Amendment ($200)
_____ Other: _____ ($TBD)

Applicant Name: John Beasley Phone: 612-703-1387

Applicant Address 143 13th Ave SE

City, State, Zip Valley City N.D 58072 Email Address: Jtbeasley1387@yahoo.com

Owner Name: GLANGRATSAMEE Berg Phone: 701-490-1683

Owner Address 113th 4St SE Dosent Speak English Well

City, State, Zip Valley City N.D. 58072 Email Address:

Owner Authorization: John Beasley Date: 9-17-26

If the applicant is not the same as the owner, the owner must sign the application or submit a letter authorizing the applicant to proceed on behalf of the owner.

Physical Address of Property (if assigned): SAME

Property Description (attach addt'l sheet if necessary):

Parcel ID# _____ Lot _____ Block _____ Subdivision _____

Section _____ Twp _____ Range _____ Metes and Bounds: _____

Briefly describe the reason for request:

Applicant Signature: John T. Beasley Date: 9-17-26

The signature of the applicant and owner (or written permission of the owner) certifies that permission is granted by the owner to all authorized City personnel to enter the property for the purpose of review of this application. The applicant and owner further certify that all City Ordinances will be complied with and that the information given within this application as well as the plans submitted are in all respects true and correct to the best of my knowledge and belief.

VALLEY CITY USE ONLY:

Application and fees. Rec'd on date: 9-17-26 in the amount of $ 200 Cash/Check Card

Application/Supporting documents deemed complete. Date: _____. Initials _____.

P&Z: **Hearing Date** _____ Approval: ☐ Yes ☐ Yes with conditions ☐ No
Publication Dates:
P&Z findings and recommendations sent to City Commission. Date: _____.

City Commission: **Hearing Date** _____ Approval: ☐ Yes ☐ Yes with conditions ☐ No
Publication Dates:

Revised 4.21.23

Valley City Planning Commission – October 13, 2026 Agenda

Action Request: Conditional Use Permit Application

Applicant: John Beasley

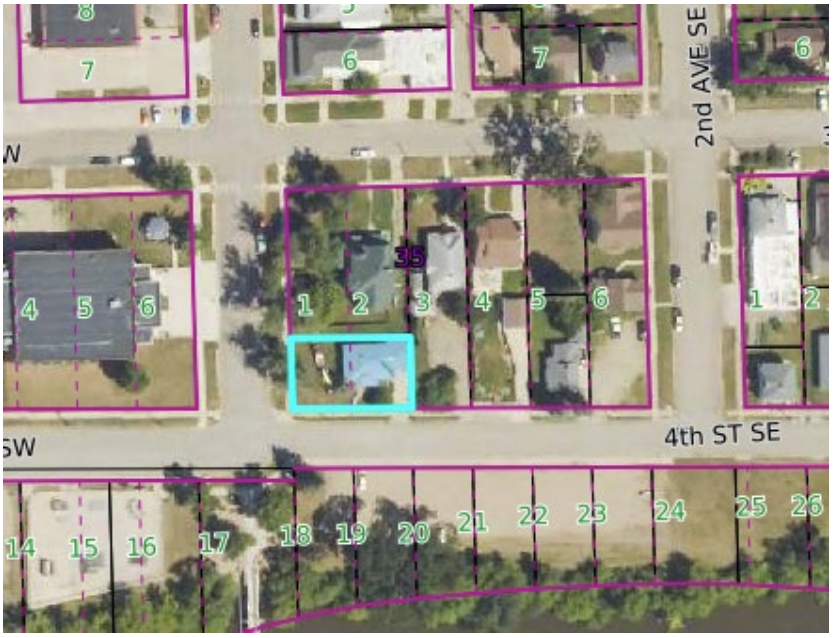
Objective: Operate a mobile food vendor business as a temporary use

Property Owners: Wade Hatcher; Glangratsamee (Mimi) Berg

Legal Description: Lot 4 Block 4 NP East Addition and the south 67 feet of Lots 1 & 2 Block 35 Original Townsite of the City of Valley City, North Dakota

Project Location: The lots pertaining to this application are located at two different locations. The first location as shown on the first map below is on the south side of 2nd Street NE between 4th Avenue NE and 5th Avenue NE. The second location is on the north side of 4th Street SE between Central Avenue and 2nd Avenue SE as shown in the second map below.





Analysis: The applicant has submitted a temporary use permit application to operate a mobile food vendor business as a temporary use. He intends to operate the business primarily at 145 5th Avenue NE (property owned by Wade Hatcher located just west of the Dollar General location). However, he wants to periodically park the food vendor trailer at 113 4th Street SE (property owned by Mimi Berg located just north of the walking bridge that leads to the VCSU campus). This second location is primarily to be a location where he can clean the food vendor trailer, but he has expressed interest in occasionally operating at this site.

Temporary uses are listed as conditional uses in the AG, B-1, B-2, I-1, and I-2 districts. No other district lists temporary uses as a conditional use or permitted use, but temporary uses are further regulated by **VCMC Section 11-05-18**. Therefore, because the 113 4th Street SE location is zoned R-4, the mobile food vendor may not operate at the second location. **VCMC Section 11-05-18** exempts certain temporary use activities from needing a temporary use permit. Exemptions pertaining to mobile food vendors include motor vehicles selling pre-wrapped ice cream or similar products under certain conditions. It also exempts mobile businesses that are invited to certain events approved by the city or managed by certain organizations. Temporary use permits will be issued for certain timeframes depending on the circumstance. A fee for a maximum permit period of 10 days and an annual fee option are both available to a mobile food vendor.

As noted previously, in addition to obtaining the temporary use permit, John needs a conditional use permit to operate at the 145 5th Avenue NE location. A temporary use is not allowed for a food vendor in the R-2 District. **VCMC 11-07-02** provides requirements pertaining to conditional uses as follows:

1. A conditional use is one that may or may not be compatible with other uses in zoning district within which it is located. Potential conditional uses are listed in this Zoning Ordinance for each zoning district. Other uses of the same general character to those listed may be considered for a conditional use permit, provided they are deemed fitting or compatible with the zoning district by the Planning and Zoning Commission.

2. The compatibility must be judged on the basis of the particular circumstances and may require the imposing of conditions. The procedure for issuance of conditional use permits as provided for in this Zoning Ordinance is as follows:

a. The applicant for a conditional use permit shall file applications in writing with the city and pay a fee (see fee schedule) when the applications is filed.

b. Property owners within 250 feet of the property in question shall be given not less than seven days' notice of the pending issue and when the same will be considered, although failure of any property owner to receive such notification shall not invalidate the proceedings.

c. The Planning and Zoning Commission shall consider the application at its next regular meeting, after compliance with the provisions of notice above specified.

d. The applicant or his representative shall appear before the Planning and Zoning Commission and answer any questions concerning the proposed conditional use.

e. The Planning and Zoning Commission shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to prevent such adverse effects.

f. A conditional use permit shall be required for any business that operates on land zoned B-1 or B-2 that intends to operate between the hours of 11:00 p.m. and 7:00 a.m. The conditions to be considered include but are not limited to:

i) Off street parking for employees.

ii) Training of employees to regarding quiet shift changes.

iii) Controlled garbage regulations.

iv) Restrictions on operation of vehicles that would violate noise ordinances.

v) Construction of sound or sight barriers.

vi) All equipment used must be street legal.

g. The Planning and Zoning Commission shall make recommendations regarding each application. The report of the Planning and Zoning Commission shall be referred to the City Commission and placed on the agenda of the City Commission at its next regular meeting.

h. The City Commission shall take action on the application within 60 days after receiving the report of the Planning and Zoning Commission. If it grants the conditional use permit, the City Commission may impose any special conditions it considers necessary to protect the public health, safety and welfare and to achieve the purposes of this Zoning Ordinance.

VCMC Section 11-05-18 (5) specifies that mobile food vendors along with several other temporary uses may be permitted in the AG and B-2 districts provided such uses meet a minimum 3-foot setback from property lines. It also indicates that temporary uses for specific uses can be extended for a total of eight months of any calendar year.

VCMC Section 11-05-18 (6) lists additional conditions for temporary uses which would be addressed by the temporary use permit. These include meeting state and local requirements pertaining to sanitation, safety, traffic, and motor vehicles, not being located within 30 feet of an intersection unless authorized by the Planning and Zoning Commission, not being allowed to operate in a way that creates a traffic hazard to vehicles, bicyclists, or pedestrians, providing appropriate waste containers and maintaining a litter free area of operation, and may not use any amplification device to attract patrons.

Findings:

A. A mobile food vendor is not prohibited from operating in the B-1 zoning district if a conditional use permit and a temporary use permit are obtained.
B. Health, fire, and food safety standards should be verified as being met.
C. There is potential for traffic and parking concerns. A noon rush of patrons is foreseeable, and a large number of vehicles could create the potential for parking in other nearby business parking lots. The lot containing the mobile food vendor should be set up to provide off-street parking for at least eight vehicles.

Recommendation:

Barring additional information presented prior to or at the October 2026 Planning and Zoning Commission, or submitted to the Board of City Commissioners, it is recommended the proposed Conditional Use Permit for a temporary use of a mobile food vendor at 145 5th Avenue NE be approved and recommended for approval to the Board of City Commissioners with the following conditions:

1. The applicant must meet and continuously comply with any and all licensing and temporary use permit requirements of the City of Valley City.
2. The applicant must work with the city engineer to establish a layout for parking and the mobile food trailer including ingress and egress patterns, and appropriate surfaces. Operations may not start prior to inspection and approval by the city engineer.
3. Unforeseen traffic issues will require temporary closure of operations until traffic concerns are deemed mitigated by the city engineer.
4. The mobile food vendor trailer may be parked at 113 4th Street SE if it complies with zoning and parking requirements, but it may not operate the food vendor business at the location.

RESOLUTION NO. 2545

A RESOLUTION APPROVING CONDITIONAL USE PERMIT LOT 4, BLOCK 4, NP EAST 1ST ADDITION, CITY OF VALLEY CITY (TEMPORARY USE – MOBILE FOOR VENDOR)

WHEREAS, an application was submitted to the Valley City Planning and Zoning Commission requesting a Conditional Use Permit (CUP) to operate a temporary mobile food vendor trailer on the following commercial parcel within the City of Valley City, North Dakota, pursuant to sections 11-03-12 and 11-05-18 of the Valley City Municipal Code (V.C.M.C.):

Lot 4, Block 4, NP East 1st Addition to the City of Valley City (parcel no. 63-3310138).

and;

WHEREAS, the Planning and Zoning Commission, following a public hearing on October 13, 2026, recommended approval of the CUP with conditions; and

WHEREAS, pursuant to V.C.M.C. § 11-07-02, if a CUP is granted, the Board of City Commissioners may impose any special conditions it considers necessary to protect the public health, safety and welfare and to achieve the purposes of the City Zoning Code.

THEREFORE, BE IT HEREBY RESOLVED, that the Board of City Commissioners of the City of Valley City, Barnes County, North Dakota, hereby approves the Conditional Use Permit for a temporary mobile food vendor trailer on Lot 4, Block 4, NP East 1st Addition to the City of Valley City, with the following conditions:

The applicant and owner shall

1. Meet and continuously comply with any and all licensing and temporary use permitting requirements of the City of Valley City.
2. Work with City Engineer to establish a layout for mobile food trailer and customer parking, including ingress and egress patterns, and appropriate surfaces.
3. Obtain inspection and approval from City Engineer prior to starting operations.
4. Close immediately upon notification by City as a result of unforeseen traffic issues, until said issues are deemed mitigated by the City Engineer, Operations Superintendent and Police Chief.
5. Not operate the mobile food vendor trailer at 113 4th St SE; but, the trailer may be stored in this location if it is parked in compliance with all other city ordinances.

Passed, adopted and approved this 20th day of October, 2026.

_____
Michael Bishop, President
Board of City Commissioners

ATTEST:

_____
Brenda Klein, Finance Director

Valley City Assessor

Sales Ratio Group Statistics

Study Name 2026 Sales Ratio Study
Study Date 01/01/2026-12/31/2026
Options Test Tables, Adjusted Sale Amt.

PDFs 2, 8
Time Adj. None
NUTC 000

Group Tally Number of sales in group = **16** Deeds: 14; Contracts: 0; Other: 2

Value Source: Appraised Values Only.

	Low Assd Value	Mean	High Assd Value	Total
Sale Price	**12,000**	**321,650**	**2,250,000**	**5,146,401**
Land Value	11,500	51,938	199,200	831,000
Improvement Value	0	214,438	1,453,900	3,431,000
Total Assd Value	**11,500**	**266,375**	**1,653,100**	**4,262,000**

Low PIN 63-5600076 High PIN63-3470152

Statistical Measures

High Ratio	139.25
Low Ratio	62.86
Weighted Mean	82.82
Mean	93.83
Median	**90.79**
Coefficient of Dispersion - Median	**18.98**
Coefficient of Variance - Mean	23.69
Price Related Differential (PRD)	**1.13**
Price Related Bias (PRB)	**-0.037**

Valley City Assessor

Sales Ratio Group Array

Value Source (VS): A=Appraised, B=Board, S=St.Equalized

Study Name 2026 Sales Ratio Study
Study Date 01/01/2026-12/31/2026
Options Test Tables, Adjusted Sale Amt.

PDFs 2, 8
Time Adj. None
NUTC 000

Sale #	PDF	PIN	Map Area	Address	D/C	NUTC	Recording	VS	$ - Land	$ - Impr	$ - Total	Sale Date	Sale Price	Ratio
1	2	63-2240106	Zone D	732 8-1/2 AVE NW	D	000	304523	A	$30,800	$0	$30,800	4/20/2026	$49,000	62.86
2	2	63-2900049	Zone D	813 8TH AVE NW	D	000	304601	A	$38,400	$12,800	$51,200	4/30/2026	$80,100	63.92
3	2	63-0342592	61	529 2ND ST SW	D	000	304067	A	$27,400	$281,600	$309,000	1/22/2026	$450,000	68.67
4	2	63-3470152	60	424 2ND AVE NE	D	000	304039	A	$199,200	$1,453,900	$1,653,100	1/16/2026	$2,250,000	73.47
5	2	63-0400100	60	205 2ND ST NE	D	000	304359	A	$15,100	$58,100	$73,200	3/13/2026	$89,901	81.42
6	2	63-0342664	61	324 6TH AVE SW	D	000	304064	A	$36,200	$200,500	$236,700	1/22/2026	$280,000	84.54
7	2	63-0370010	60	825 13TH AVE SE	D	000	304814	A	$124,400	$309,600	$434,000	6/2/2026	$498,000	87.15
* 8	2	63-2930022	21	585 6TH ST SE	O	000	304166	A	$43,200	$211,000	$254,200	2/11/2026	$280,000	90.79 <Median
* 9	2	63-1600352	19	524 6TH AVE SE	O	000	304166	A	$43,200	$211,000	$254,200	2/11/2026	$280,000	90.79 <Median
10	2	63-5600076	33	1318 9TH ST SW	D	000	304086	A	$11,500	$0	$11,500	1/23/2026	$12,000	95.83
11	2	63-3471698	60	234 CENTRAL AVE N	D	000	305478	A	$32,900	$226,700	$259,600	9/23/2026	$260,000	99.85
12	2	63-3430082	60	1268 MAIN ST W	D	000	305314	A	$68,800	$295,700	$364,500	8/24/2026	$350,000	104.14
* 13	2	63-3780160	Zone D	1266 4TH AVE NW	D	000	305234	A	$53,200	$0	$53,200	8/10/2026	$45,000	118.22
* 14	2	63-3780165	Zone D	1252 4TH AVE NW	D	000	305234	A	$53,200	$0	$53,200	8/10/2026	$45,000	118.22
* 15	2	63-5861035	Zone C	312 8TH AVE NE	D	000	305464	A	$27,400	$140,500	$167,900	9/21/2026	$137,400	122.20
* 16	2	63-3020268	Zone A	720 5TH ST NW	D	000	304954	A	$26,100	$29,600	$55,700	7/1/2026	$40,000	139.25
									$831,000	$3,431,000	$4,262,000		$5,146,401	

Building Residual	$4,315,401
Indicated Map Factor	N/A

* denotes sale is part of multiparcel sale

Valley City Assessor

Sales Ratio Sale Price Strata

Study Name 2026 Sales Ratio Study
Study Date 01/01/2026-12/31/2026
Options Test Tables, Adjusted Sale Amt.

PDFs 2, 8
Time Adj. None
NUTC 000

Sale Price Strata	# of Sales	% of Total	Median Ratio	COD Median	Mean Ratio	P.R.D.	Low Sale	Mean Sale	Median Sale	High Sale
0 - 9,999										
10,000 - 19,999	1	6.25	95.83		95.83	1.00	12,000	12,000	12,000	12,000
20,000 - 29,999										
30,000 - 39,999										
40,000 - 49,999	4	25.00	118.22	16.15	109.64	1.02	40,000	44,750	45,000	49,000
50,000 - 59,999										
60,000 - 69,999										
70,000 - 79,999										
80,000 - 89,999	2	12.50	72.67	12.04	72.67	0.99	80,100	85,001	85,001	89,901
90,000 - 99,999										
100,000 - 119,999										
120,000 - 139,999	1	6.25	122.20		122.20	1.00	137,400	137,400	137,400	137,400
140,000 - 159,999										
160,000 - 179,999										
180,000 - 199,999										
200,000 - 249,999										
250,000 - 299,999	4	25.00	90.79	4.22	91.49	1.00	260,000	275,000	280,000	280,000
300,000 - 349,999										
350,000 - 399,999	1	6.25	104.14		104.14	1.00	350,000	350,000	350,000	350,000
400,000 - 449,999										
450,000 - 499,999	2	12.50	77.91	11.86	77.91	0.99	450,000	474,000	474,000	498,000
500,000 - 599,999										
600,000 - 699,999										
700,000 - 799,999										
800,000 - 899,999										
900,000 - 999,999										
1,000,000 - & UP	1	6.25	73.47		73.47	1.00	2,250,000	2,250,000	2,250,000	2,250,000
Strata Totals.....	**16**	**100.00**	**90.79**	**18.98**	**93.83**	**1.13**	**12,000**	**321,650**	**198,700**	**2,250,000**

Valley City Assessor

Sales Ratio Style Strata

Study Name 2026 Sales Ratio Study
Study Date 01/01/2026-12/31/2026
Options Test Tables, Adjusted Sale Amt.

PDFs 2, 8
Time Adj. None
NUTC 000

Building Style Strata	# of Sales	% of Total	Median Ratio	COD Median	Mean Ratio	P.R.D.	Low Sale	Mean Sale	Median Sale	High Sale
Commercial / Industrial	6	37.50	82.98	10.50	83.23	1.06	89,901	652,984	400,000	2,250,000
Other	1	6.25	99.85		99.85	1.00	260,000	260,000	260,000	260,000
Vacant	8	50.00	107.02	18.41	104.77	1.06	12,000	111,050	47,000	280,000
Yard Item	1	6.25	63.92		63.92	1.00	80,100	80,100	80,100	80,100
Strata Totals	**16**	**100.00**	**90.79**	**18.98**	**93.83**	**1.13**	**12,000**	**321,650**	**198,700**	**2,250,000**

Valley City Assessor

Sales Ratio Occupancy Strata

Study Name 2026 Sales Ratio Study
Study Date 01/01/2026-12/31/2026
Options Test Tables, Adjusted Sale Amt.

PDFs 2, 8
Time Adj. None
NUTC 000

Occupancy Strata	# of Sales	% of Total	Median Ratio	COD Median	Mean Ratio	P.R.D.	Low Sale	Mean Sale	Median Sale	High Sale
203 - Store - Grocery	1	6.25	73.47		73.47	1.00	2,250,000	2,250,000	2,250,000	2,250,000
501 - Office - General	1	6.25	104.14		104.14	1.00	350,000	350,000	350,000	350,000
601 - Metal Warehouse - Rigid	1	6.25	87.15		87.15	1.00	498,000	498,000	498,000	498,000
701 - Warehouse (Storage)	1	6.25	81.42		81.42	1.00	89,901	89,901	89,901	89,901
702 - Apartment	2	12.50	76.61	10.36	76.61	1.02	280,000	365,000	365,000	450,000
Other	1	6.25	99.85		99.85	1.00	260,000	260,000	260,000	260,000
Vacant	8	50.00	107.02	18.41	104.77	1.06	12,000	111,050	47,000	280,000
Yard Item	1	6.25	63.92		63.92	1.00	80,100	80,100	80,100	80,100
Strata Totals	**16**	**100.00**	**90.79**	**18.98**	**93.83**	**1.13**	**12,000**	**321,650**	**198,700**	**2,250,000**