

May 2, 2023 Committee on Childcare in Minot

Committee on Childcare in Minot – May 2, 2023 AT 1:30 P.M.

Members Present:

Scott Burlingame, Amy Jenkins, Rianne Kuhn, Lisa Olson, Keli Rosselli-Sullivan, Harold Stewart, John Van Dyke, Becca Oswill, Terry Schumalz, Heather Cymbaluk

Members Absent:

None

Also Present:

Mikayla McWilliams (City Clerk)

The meeting was called to order by Chairman Scott Burlingame at 1:31 pm. John Van Dyke, City of Minot Principal Planner, presented to the committee on the various city codes and regulations. He started by stating the purpose of the regulation, which is to serve the public health, safety, and general welfare of the City and its jurisdiction. The City of Minot inspects two types of daycares: home daycares and commercial daycares. These daycares are regulated by the Fire Department and Community Development Department.

John discussed the differences in the fire inspection for the two types of daycares. Home daycares have occupancy limit codes. The City of Minot has a limit of 18 children in a home daycare and that is in the Minot Land Development Code and the Minot Fire Code. The State of ND has a different limit of 12 children per the State Building Code and State Fire Code. John also presented the committee comparisons of the Minot Zoning Code to other communities in North Dakota.

Next was the process of permitting and licensing. Planning considers home daycares as a home occupation and no permit is required or planning inspection conducted. Building Inspections does not issue any permit or conduct any inspection unless there are modifications to the existing building being done. A fire inspection is required before occupancy and is required annually with the licensure of the daycare. John provided the committee with samples of the fire inspection written reports for both the residential and commercial inspections.

Commercial daycare permitting requirements are different than a home daycare. A DRT or Development Review Team meeting is strongly encouraged prior to construction or change in use. Planning will ensure the commercial daycare is in the correct zone and will review the site plan to check for compliance on design, parking, and landscaping requirements. The Inspections Department will do a complete plan review prior to issuing a building permit and will thoroughly inspect it prior to issuing a Certificate of Occupancy. The Fire Department will review site and building plans to ensure conformance to fire codes prior to issuance of building permit and will also do a thorough inspection before the Certificate of Occupancy is issued.

Once completed, John opened it up to the committee for questions. Alderman Burlingame inquired about how often is the City of Minot approached for either a home daycare or commercial daycare and the provider is either denied or not able to conform to the codes. John mentioned the only issue he could think of was the scenario when a daycare provider wanted to have a home daycare in a residential home they did not reside in. It is a city regulation the home be occupied and then become a home occupation.

Alderwoman Olson asked if there were any zones in the city where childcare could not be permitted. John mentioned in a Light Industrial Zone there would need a permit and in a Residential Zone there may be a need for a conditional permit. She also brought up concerns she has had with residents about the extra traffic in residential areas due to pick up and drop off of the children. Technically a homebased occupation only allows one other employee. Home daycares can allow up to 18 kids but more than likely are required to have more than the one employee, which could allow for street parking issues and traffic issues at peak times.

Rianne Kuhn inquired about the change from 12 kids to 18 kids in a home daycare per City of Minot codes. John believed this was done in 2018/2019 timeframe in an attempt to mimic the state. There could have been a bigger need for childcare at the time, which made the City of Minot look into changing the code. Luke Tillema, City of

Minot Building Inspector, discussed with the committee the R4 Commercial Codes being more restrictive than the R3 Residential Codes. The new construction of a residence would not allow for more than 16 children, and it would be considered institutional if over the 16 children.

Amy Jenkins and John Van Dyke discussed needing improvement on the licensing process and communication with the State of ND and the City of Minot. Amy also would like the committee to address what is going on and not necessarily the future. Right now, group licensing is the most popular and she agrees with the regulatory items but she would like to see more collaboration. She used home how occupation packets were provided to the licenser by the city as an example of past collaboration. The packet included a copy of the city codes, an application, and a notification of fee.

The committee discussed the best process for recommendations. The committee should look at items such as limits and staff can help explain the consequences, if any, of the changes. The committee and staff will also need to make sure any change follows the state code. Luke Tillema discussed how to begin the process of changing the State Building Code. The Department of Commerce has a place on the website where you can submit a code change and then it has to be adopted through legislature.

Finally, the committee discussed item #2 on the survey for parents, employers, and providers. Alderman Burlingame was just asking the committee for any ideas of questions for the different surveys. Some ideas included:

- Did the employee not return to work after desired time off due to lack of daycare?
- What are the times employers would like to see available for daycare?
- What are you paying in childcare?
- Does your place of employment provide free childcare?
- How many employees does your business employ?

By conducting the survey, the committee is hoping to get accurate data on the issues with all aspects of childcare.

The next meeting will be Thursday, May 18, 2023 at 2:00 pm at the new City Hall (10 3rd Ave SW). He also mentioned the discussion will be on childcare and the State Legislature session and the meeting will probably be about 1.5 hours. There being no further business, the meeting adjourned at 2:47 pm.