

BELGRADE CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
September 16, 2013
7:00 P.M.

Mayor Nelson called the meeting to order. Council Members present were: Brad Cooper, Anne Koentopp, Bob Retterath, Russell C. Nelson, Tudor Gee, and John Youngberg. Others in attendance were: City Attorney Rick Ramler, Acting City Manager E.J. Clark, Finance Director Phyllis Wernikowski, Public Works Director Steve Klotz, Dean of Gallatin College Bob Hietala, School Superintendent Candy Lubansky, Michael Neu of 814 Northern Pacific Avenue and Virgeana Brown of 720 Northern Pacific Avenue Belgrade.

Council Member Gee motioned to excuse Council Member Mark Criner from the meeting. Council Member Retterath seconded the motion. All voted aye, motion carried unanimously.

PUBLIC FORUM

Virgeana Brown of 720 Northern Pacific Ave stated she wanted to know when the City was going to do something about the stop sign at Northern Pacific.

Acting City Manager Clark stated that he had discussed the stop sign at Northern Pacific today with Public Works Director Klotz. If the grant we applied for comes through, we are going to place bollards in that area. When we finish repairing the sprayer, we will be able to paint the area.

Michael Neu 814 Northern Pacific is the city of Belgrade going to look into the increase of train traffic. On August 28 I observed four trains that blocked off the southeastern part of Belgrade for 20 minutes. If anyone needed emergency vehicles over there, they would have to backtrack to Broadway or as far as Jackrabbit Lane. Could the City talk to the railroad about their scheduling? I am worried that it will become worse when they put in the new I-90 interchange.

Acting City Manager Clark stated that the new I-90 interchange should actually help that because it is going under the railroad tracks. We will be able to get emergency vehicles through that. That will be the only crossing where we can get emergency vehicles through if the trains block the whole area.

Michael Neu stated he had heard that the railroad will be increasing their trains to 150 cars and that is three miles long.

Council Member Youngberg stated that is not going to happen. It is logistically impossible for the railroad to increase cars without rebuilding all of their sidings. The maximum amount of cars they can handle is 110 cars. They cannot get more on the siding. They would have to rebuild every siding from Seattle to Montana.

Mayor Nelson called three times for any members of the public to speak during the public forum. Hearing none, the public forum was closed.

REPORTS

Mayor had nothing to report

City Attorney had nothing to report

Acting City Manager Clark stated in talking with Valley Bank about financing the fire truck we can do a 10-year loan through Valley Bank with no closing fees. We can end the loan at any time. This will lower our yearly payment by about \$14,000, which can go into our reserves. I will come before the Council on October 7 to request the transfer of financing from the State to Valley Bank.

DISCUSSION AGENDA

PRESENTATION OF THE DEVELOPMENT OF GALLATIN COLLEGE AND THE COMING COUNTY WIDE TWO-YEAR MILL LEVY ELECTION BY BOB HIETALA, DEAN OF GALLATIN COLLEGE MONTANA STATE UNIVERSITY. Bob Hietala gave a detailed presentation of Gallatin College.

Bob Hietala stated that the Gallatin College assesses what our industry needs are. Two years ago, we found 26 specific degree or certificate programs that our community listed as high need. A head count enrollment in 2005 we had 407 students. Today we are up to 1,068 students. We project in the next six years we will see enrollment of up to 16,000 students. Currently we are using space at Bozeman High School. We are leasing space around town. Eventually, we will need a Gallatin College facility. The levy of 1.5 mills proposed will raise \$369,000 in annual funding which will support program enrollment growth. It will help us build our County skilled work force. The Gallatin College meets the Board of Regents requirement for local support. The mill levy will allow us to create additional one and two-year programs. The mill levy will cost Gallatin County residents who own \$100,000 in assessed property \$2.08 annually, for 200,000 it will be \$4.15. This will come on the November ballot. They will be mailing ballots across the county around the middle of October. The university system goes through a long-range building process identifying needs. We will be a part of that process. It can be a slow process. It is important to move forward and develop programs.

Superintendent Lubansky stated I would share with you, as a City Council that the spirit and intent of what the Gallatin College Program does is invite people into a learning setting that results in immediate employment opportunities. That strategy helps people desire to continue their educational experience. At the Gallatin Public Health Meeting, we learned that medical coding would triple in the number of employees needed. Gallatin College peaks your interest in continuing to learn within that field. Maybe you become an excellent medical coder, but because of a learning opportunity that is so responsive like the Gallatin College, you keep growing in that field. You are able to pursue deeper interest and seek more training. I think that it is a very important opportunity to offer our residents. The other piece that I see as a Superintendent is we have many kids that just go on to college because it is what the family expects, and what everybody does. They get to college they are without direction they are spending a large amount of money. They last about a year and decide that college is not for me. The Gallatin College Program can get you into a training field quickly. It is a close relationship and personalized

learning opportunity that will get and hold those kids to completion much better. Gallatin College fills the needs of our community and our graduating kids.

DISCUSSION OF CITY OF BELGRADE APPLICATION FOR CTEP FUNDS AND SET DATE FOR PUBLIC HEARING - Public Works Director Klotz stated this program is going away in the next fiscal year. The Transportation Enhancement Program will take over CTEP. The City submitted three projects for Transportation Enhancement. One of them is for intersection safety discussed earlier in this meeting. We had two intersections nominated. They are both about \$50,000 to build. In CTEP we are allocated a certain amount of money each year. If we did not have an application in for a project this year, we would lose about \$130,000. We currently have approximately \$260,000 in that account. We have applied for one project for that entire amount. We are trying to fill in segmented areas or that have gaps. We have two locations on Jackrabbit Lane. Once finished there will be sidewalk all along South Jackrabbit. When the other sidewalk project is finished, there will be sidewalk from Broadway all the way to Clarkin Park. We would then bring the sidewalk down Broadway, across the tracks to the City Parking Lot downtown.

Council Member Youngberg asked if the areas without designated driveways would have curbing with sidewalk making designated driveways to clean that up.

Public Works Director Klotz stated this does not include the approaches. It includes six-inch sidewalk through those approaches. When we build the sidewalk through the approach, you would be able to drive on it.

Council Member Youngberg asked on the west side of Madison would the six-inch sidewalks be higher than the asphalt

Public Works Director Klotz stated that it would be flush with the asphalt. It would be a sidewalk running all the way along that. This is just the stage where we are applying for the project. Once funded, we go through engineering. Then we would look at that with Planning. I have spoken with City Planner Karp on those. There is a certain width of the approaches. That is an area where we should have designated approaches in and out. City Planner Karp and I looked at creating approaches in this section and we came up with doing the sidewalk portion of it. We do need to straighten up that area.

Council Member Youngberg stated people would just drive across the sidewalk anywhere without some kind of designated approach.

Acting City Manager Clark stated part of the issue on Broadway is that the State Engineers must be involved in design because Broadway belongs to the State. Our Engineer would also be involved so Broadway does not turn into a mixed quagmire.

Public Works Director Klotz stated the State approves the approach permits on Broadway. We are trying to put something together that will meet the entire amount that we can spend. The engineering is actual cost, but I am on the high-end of current unit prices on projects. We have gotten better prices on the last projects we have done.

Council Member Koentopp stated she was walking down the sidewalk on Quaw and it is disrepair. What can we do for older sidewalks that need repair?

Public Works Director Klotz stated this project just puts new sidewalks in. It does not replace old sidewalks. As do the other projects, we have put in for Transportation Enhancement. Currently, the adjacent property owner is responsible for the sidewalk. We have the responsibility to notify the homeowner their sidewalk is not up to specification and could be a hazard. After notification, it is the homeowners' responsibility. We have the option of creating a citywide SID where we just start building and repairing sidewalks throughout the entire City. Other than that, we could build sidewalk funded out of street maintenance if we raise street maintenance dollars.

Council Member Cooper stated that since the City has so many old sidewalks it would be worth looking at a sidewalk maintenance district in the near future. It would be better to do it soon. It is not going to get cheaper. There are so many old sidewalks in disrepair that people would never be able to afford repairing them all. I would sooner see us do something cheaper and easier to have people go along with it. I think it would be worth it.

Public Works Director Klotz stated our traditional funding sources were CTEP and Safe Walks to School. Those are going to be more difficult to obtain now that it is a competition.

Acting City Manager Clark stated it is competitive all across the state. Everybody is after the same amount of money.

Council Member Cooper stated that he would like to see us try to work at improving sidewalks this year and see what it would cost. Would it take an engineer to tell us the price of a project to create a citywide sidewalk maintenance district?

Public Works Director Klotz stated he has been involved with sidewalk maintenance districts before and it just depends how you do them. Sometimes you do just area by area, but it is just a matter of a bigger area. You can assess every property owner the same. You can take into consideration that some property owners have good sidewalks they have invested in already and it takes going through each adjacent property to evaluate the needs and figure what the price would be for each particular homeowner. The homeowner would pay a little more for the sale of the bond and the engineering for it, but they also end up paying less for the larger project per unit cost. It ends up being less expensive for the homeowner than if they did it themselves and they have the opportunity to pay it back over a specified number of years.

Council Member Cooper stated when we started the street maintenance we allowed everyone with new pavement that paid bonds not to be included in that. For a while it worked, but then eventually you have to repair them too. I would like to see us work on that sometime.

Acting City Manager Clark stated we do not actually need a public hearing for this item. Public Works Director Klotz just wanted to discuss this with the Council and in front of the public. By requirement of CTEP we do not have to do a public hearing. The ideas for these projects came from complaints submitted by the public that Former City Manager Menicucci and Public Works Director Klotz had been working on for three years. Now that they are pushing us to spend the money or lose it, we have to get these done.

Public Works Director Klotz stated that we have committed to some of these in the past. The project on Spooner Road by Bandit Field is a piece of sidewalk we are planning to put into CTEP that will help with the soccer field across the street and the softball fields. Completion of the sidewalk on Yellowstone and Oregon will join the Las Campanas subdivision. It would create continuity on that side.

Acting City Manager Clark stated the other grant Public Works Director Klotz has applied for would create many more sidewalks. That grant will provide sidewalks for children walking to school.

Council Member Youngberg stated he would like to see a curb system with designated driveways and encroachments for the businesses on Broadway Street. Those businesses have no designated driveway and you can drive off anywhere you want to. If we put sidewalks there what is the chance of that standing up to semi-truck traffic crossing it. The Johns Mansville plant on Broadway for instance, they have a heavy amount of semi-truck traffic with no designated driveway. I think that if you have a designated driveway and different specification for the depth of the cement in those areas it makes better sense down the road.

Public Works Director Klotz stated he would look into that once we get going on the project. We will probably bring something back later when we have something going on engineering.

Mayor Nelson called for three times for any public comment. Hearing none, public comment was closed.

DISCUSSION AND ADOPTION OF RES.2013-18 TO REMAIN A THIRD CLASS CITY- Acting City Manager Clark stated Finance Director Wernikowski brought to our attention that we have to adopt a resolution to remain a third class city.

Council Member Youngberg asked City Attorney Ramler if there is a point where it would be mandatory to move up to a second or first class city.

City Attorney Ramler stated population from 5,000 to 7,500 you can elect to be either a second or third class city. Based on the 10-year census and we were less than 7,500 at the last census. If the City has a population between 9,000 to 10,000 you can elect to be a first or second class city.

Mayor Nelson asked if a second-class city would require a fire department.

City Attorney Ramler stated that a first class city is required to have a paid fire department.

Finance Director Wernikowski stated that the legislature has never defined whether a second-class city can contract for fire services.

Attorney Rick Ramler stated that every city having a population of less than 10,000 and more than 5,000 is a second-class city unless you opt differently. Every city having a population of 10,000 or more is a first-class city. If you are between 9,000 and 10,000 you can opt to be either a first or second-class city. If you are between 5,000 and 7,500 you can opt to be either a second or third-class city.

Mayor Nelson asked if 7,500 to 9,000 is a second-class city. Could you still be a third-class city at that population?

Attorney Rick Ramler stated that if the population is between 7,500 and 10,000 you are a second-class city or you can elect to be a first-class city. When you reach 9,000 you can elect to be a first-class

Council Member Youngberg stated that we should stay a third-class city as long as we can, because we can operate by contracting with the Central Valley Fire Department now.

Council Member Cooper asked if changing classes would give the city more opportunities for grants, transportation money, and urban money.

Council Member Youngberg stated moving up in class may not benefit the city because currently as a third class city we can use some of our gas tax money for capital equipment purchases and as a second-class city you cannot do that. A second-class city can extend zoning up to two miles, but as a third-class we only can go out a mile beyond the city limits.

Council Member Koentopp stated that in seven years we could be very close to 10,000 in population.

City Attorney Ramler stated that there would be some opportunity to change the legislature if we felt we were going to be a first-class city in 2020.

Finance Director Wernikowski stated that she talked with Alec Hanson about just that and he thought that it would be a good idea to talk to other cities of similar size that are going to hit that 10,000 mark. Having to pay for a full fire department is a very expensive proposition. The 10,000-population number for a fully paid fire department goes back to an 1899 law. Across the country cities with a population of 10,000 do not have fully paid fire departments. Alec Hanson thought we could get interest from other cities to have the legislature change it in a future year.

Council Member Youngberg stated that you would get some real opposition from the firefighters.

Council Member John Youngberg motioned to Adopt Res. 2013-18 to remain a third-class city.

Council Member Gee seconded the motion.

All voted aye. The motion carries unanimously.

DISCUSSION AND ADOPTION OF RES. 2013-19 TO CLOSE SID 76 – Finance Director Wernikowski stated that we have paid off all the loans in SID 76. This is the excess cash. We can close SID 76 and put the money back into the general fund.

Council Member Gee motioned to Adopt Res. 2013-19 and Close SID 76.

Council Member Retterath seconded the motion

All voted aye. Motion carries unanimously.

DISCUSSION AND ADOPTION OF RES 2013-20 TO CORRECT MILL LEVY CALCULATION IN PRIOR YEARS FOR PLANNING FUND – Finance Director Wernikowski stated a couple of years ago an error was made on our mill levy sheet. The auditors brought it to our attention during our last audit. We went to the State and asked how to correct it. The State helped us do the calculation so that we just need to reduce our mill levy by .16. The correction is in the budget. It was an error made a year ago because the way mill levy sheets are done it carries over from year to year until you fix it.

Council Member Youngberg asked if we are paying back the error last year, this is just going forward. This is not reducing it to pay back anything. The State made this mistake in giving us the amount for the mill levy.

Finance Director Wernikowski stated the prior finance director had put an incorrect number on the form. We levied too much.

Council Member Youngberg asked if we are paying back the mistake to the state with this.

Finance Director Wernikowski stated we do not have to pay it back we just have to reduce what we are levying. It is a reduction for all future mill levies.

Council Member Koentopp motioned to Adopt Res. 2013-20 to Correct Mill Levy Calculation in prior years for Planning Fund.

Council Member Gee seconded the motion.

All voted aye. Motion carries unanimously.

RES. 2013-21 DISCUSSION AND ADOPTION THE FINAL BUDGET FOR FY 2013-2014 – Acting City Manager Clark stated there are not a lot of changes. Once we have the financing for the new fire truck, there will be a budget amendment.

Finance Director Wernikowski stated we received a \$25,000 donation for parks in lieu to purchase a climbing rock. The library received an addition grant for \$4,000.

Mayor Nelson asked Finance Director Wernikowski what is amount expected on account number 5211 it is a negative \$675,000. What is the future offsetting entry for that?

Finance Director Wernikowski stated that we will receive \$500,000 once the project is signed off.

Mayor Nelson asked we would still be a negative \$175,000 that is a special fund, so we are going to take that from the water-operating fund.

Finance Director Wernikowski stated that is correct it is related to water operations.

Mayor Nelson asked if the special water fund would be zeroed out by the end of this fiscal year.

Finance Director Wernikowski stated that is correct. The only thing that is flowing through that operating fund is the litigation. The litigation can be moved into the general water fund.

Virgeana Brown of 720 Northern Pacific Ave stated that she cannot attend the public hearing on the October 7th Council Meeting. I am coming in now because I think it ties into your budget. I know that you are going to request a 40% increase on the water and sewer. I live on a fixed income I will not be able to water my lawn if the rates increase. I have concerns about this. It will be a problem for me personally.

Finance Director Wernikowski stated to clarify the total increase is a 20.6% increase overall for water and sewer rates. For a large number of families that works out to be \$7.43 per month increase in the water and sewer.

Council Member Youngberg motioned to Adopt Res 2013-21 and Adopt the Final Budget for FY 2013-2014

Council Member Retterath seconded the Motion.

All voted aye. Motion carried unanimously.

CONSENT AGENDA

Approve August Warrants Payable

Council Member Retterath motioned to approve the August Warrants Payable

Council Member Cooper seconded the motion.

All voted aye. Motion carries unanimously

FOR YOUR INFORMATION

Mayor Nelson stated that the ground breaking for the I-90 Interchange is scheduled for September 24 at 2:00 PM.

Acting City Manager Clark stated that Greg Prothman has given us a schedule of the process for city manager interviews.

Council Member Youngberg stated he wanted to thank the city crew for the fall festival preparation and clean up. I attended the fireboard meeting. They have been working on agreements with the firefighters as to compensation or repaying them their costs. They are reassessing how the repay their volunteers.

Council Member Gee stated he would also like to thank the city crew for their work on the fall festival.

Council Member Retterath stated I would like to than Mr. Wilbur Spring for the picture that hangs in the Council Chamber, he is no longer with us.

Council Member Koentopp had nothing to report.

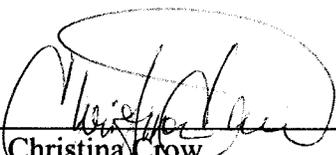
Council Member Cooper stated that there is a person's driveway on the north side of town that we tore out because of a sidewalk issue. Do we have a plan to help Mr. Noble out?

Acting City Manager Clark stated we are waiting for City Engineer Daniels to return from a trip. These are the roadways that dead-end into Rudy Suta's property. Mr. Suta put those streets in. City Engineer Daniels and Public Works Director Klotz told them to stop because their grading was off and wrong. Public Works Director Klotz, City Attorney Ramler and I have met with Mr. Noble. When City Engineer returns we will meet with City Attorney Ramler again. There will be letters and conversations with Mr. Suta to fix it properly. There are two streets involved in this issue and we are working on it.

Acting City Manager Clark stated that Ryan Glenn had a turnaround. Williams Plumbing took ownership.

Mayor Nelson stated that there is one-year rider redemption on the property. The preliminary plat has expired.

Council Member Gee motioned to adjourn the meeting at 8:15 PM


Christina Crow
Administrative Secretary


Russell C. Nelson, Mayor