

BELGRADE CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
May 5, 2014
7:00 PM

Mayor Russell C. Nelson called the meeting to order. Mayor and Council Members in attendance were: Russell C. Nelson, Brad Cooper, Anne Koentopp, Ken Smith, Mark Criner, John Youngberg. Others in attendance were: City Attorney Rick Ramler, City Manager Ted Barkley, Finance Director Phyllis Wernikowski, City Planner Jason Karp, Lyle Cusson, Dennis Foreman, Jenny Connelley, Dave Schmit, April Buonamici and Michael Tucker.

Council Member Koentopp moved to excuse Council Member Menicucci. Council Member Cooper seconded the motion.

All voted aye, motion carried unanimously.

APPROVED MINUTES OF THE APRIL 21, 2014 MEETING

Council Member Youngberg moved to approve the minutes of the 04-21-14 meeting. Council Member Criner seconded the motion

All voted aye, motion carried unanimously.

PUBLIC FORUM

Mayor Nelson called three times for public comment. There being none, public forum was closed.

PUBLIC HEARING

Proposed Ordinance 2014-1 Recodification of Medical Marijuana Ordinance

City Attorney Ramler reviewed the proposed change to the existing Ordinance to correct the chapter and title number within the City Code. Mayor Nelson called for public comment three times. There being none, public comment was closed.

Council Member Youngberg moved to adopt Ordinance 2014-1 recodifying the Medical Marijuana Ordinance. Council Member Criner seconded the motion.

All voted aye, motion carried unanimously.

Request for Conditional Use Permit for Town Pump to exceed Sign Requirements

City Planner Jason Karp reviewed the request details. Karp noted the location was outside the City limits, but still within the City zoning donut. Planning Board voted unanimously on 4-28-14 to recommend approval of this Conditional Use Permit with the

conditions listed in the Staff Report. Applicant Lyle Cusson also spoke before the Council regarding line of sight concerns.

Mayor Nelson called for public comment three times. There being none, public comment was closed.

Council members continued to discuss the possible negative effect of raising the height of signs and the layout of the property.

Council Member Cooper moved to approve Request for Conditional Use Permit for Town Pump to Exceed Sign Requirements. Council Member Smith seconded the motion.

The motion carried 3 to 2. Council Members voting aye were Smith, Koentopp and Cooper. Council Members voting nay were Criner and Youngberg.

REPORTS

Mayor Nelson reported that he acted as a moderator for the My Voice Program at the Belgrade High School at the request of Rick Phillips, interviewing 5 students from each grade level asking questions related to the survey with the results forwarded to the School Board for their consideration. One consistent item brought up by all grades was the school policy restricting the wearing of hats.

City Attorney Ramler had nothing to report.

City Manager Barkley reported the date set for the Spring Cleanup Day as 5-15-14 which was also printed on the recently mailed water bills.

Reported on planned meeting with prospective Consultant on water rights acquisition and having something back before the Council to consider regarding a Letter of Engagement.

Indicated plans to have a Budget Amendment before the Council for first consideration related to the current FY13-14 budget on the Agenda for the 5-19-14 council meeting.

Reported plans to have discussions for the FY14-15 Preliminary Budget on the Agenda for 6-2-14 council meeting.

Reported that the Belgrade Youth Sports Complex Committee Members included Bill Debuss, Tracy Johnson, Peter Morgan, Joy Dewell, Ann Koentopp, Mark Criner and Blaine Pederson. May 8, 2014 was chosen as date of next meeting. Rick Phillips would represent the School District, Barkley would represent the City and Mark Maierle would be there as Consultant. Suggested Agenda would include (1) giving a short review of the formative process that created the park and the committee, (2) a review of the 3 projects already approved and their status, (3) a review of the conceptual plan developed by Morrison Maierle last year with possible changes, (4) establishment of a public process for input regarding park design and facilities, (5)

discussion regarding a master plan for consideration and adoption, (6) discussion regarding long term sustainability of the park in regard to support operation and maintenance, (7) housekeeping issues relating to the committee needing a Chair, co-chair and perhaps a secretary in order to support the life of the project. Meeting would be held Thursday, May 8th in the Belgrade Jury Room at 7pm

Reported that the ads for the Board Openings were being refined

Reported ongoing discussions at the staff level of executive and judicial branches to refine the animal control ordinance so something can be brought before the Council that has more clarity and support.

Reported receiving requests to allow placement of basketball goals in city streets within cul-de-sacs. Barkley referred to a City ordinance that notes a person may put an obstruction in the public street with the permission of the City Manager. Barkley indicated this may be unwise in view of the considerable amount of liability risk associated with condoning people playing in the street. Barkley also indicated that unless he received other direction from the Council, he would be unlikely to approve this type of request.

Reported that the Belgrade Planning Department was seeing an increase in activity. Current needs included a qualified Plumbing Inspector. City Planner Karp agreed that the City could look to use someone on a contract basis as needed. Barkley indicated that a Letter of Engagement would be brought before the Council for approval hopefully by the next meeting. Future needs could include the addition of a Permit Technician depending on the activity level within the Planning and Building Department.

Reported regarding the improvements to the Streamline Bus Stop. Barkley indicated there is not a process in place when the City encroaches on their own Right of Way. In regard to the ramp for ADA access, which would be in our own Right of Way, permits would still be completed and issued so the process could be tracked.

Reported significant discussions about signage at the Youth Sports Complex, also naming the Tennis Courts for Martia Anderson who was the donor. Both of these items need to be mutually agreed upon by the Council and the School District before moving ahead.

Reported on the efforts of Public Works Director Klotz and Finance Director Wernikowski in scheduling Shakespeare in the Park performance on August 13, 2014 at 6pm in the Lewis & Clark Park. Barkley indicated the progress of related fund raising and further information coming through to the Council. The Library would also promote some programs related to the theme of Shakespeare. The event will be free and open to the public.

Reported on seasonal employment with the City with one position for Park Maintenance being advertised.

Reported that the State Transportation Improvement Plan Draft was now available. Barkley noted the East Belgrade Interchange project as well as other significant improvements planned for Jackrabbit road.

Reported acceptance into the Building Belgrade Program and planned participation beginning in September 2014.

Reported that the closing documents for the Water and Sewer Loan Refinance proposals were ready for signature by the Mayor and Finance Director.

Reported that the Arbor Day Poster Contest Winners had been selected which would be announced by the School District. Finance Director Wernikowski indicated that the Tree Planting ceremony would take place on May 9th, at 9:30am at Kathy Park.

DISCUSSION AGENDA

CONSIDER First Reading of proposed Ordinance 2014-3 to adjust the B-2 and M-2 Zoning Boundaries on the Knife River Property

City Planner Karp reviewed the proposed request for adjustment to zoning in light of the interchange construction. Karp also commented on an additional request for Conditional Use Permit related to Building Heights which was provided for the Council's information only as this second item would be considered at a future meeting in June. Karp indicated that the Planning Board approved the zoning change and recommended setting a public hearing for June 2, 2014. Karp noted that Dave Schmit was in attendance to answer additional questions.

Karp answered various questions from the Council regarding required public hearings for both the zoning adjustment and the Conditional Use Permit request.

Mayor Nelson called for public comment. There being none, public comment was closed.

Council Member Youngberg moved to approve Ordinance 2014-3 to adjust the B-2 and M-2 Zoning Boundaries on the Knife River Property and to set public hearing for June 2, 2014. Council Member Koentopp seconded the motion.

All voted aye, motion carried unanimously.

CONSIDER request for Preliminary Plat Approval for the Rabel Townhouse Minor Subdivision

City Planner Karp reviewed the request. Karp indicated that the Planning Board had reviewed this request and had voted unanimously to grant preliminary plat approval with the conditions listed in the staff report with individual water service lines required to each individual

unit. Karp noted that Dennis Forman was available to answer additional questions. Karp answered various questions from the Council about the density allowance in this area of the City.

Mayor Nelson called for public comment. There being none, public comment was closed.

Council Member Criner moved to grant Preliminary Plat Approval for the Rabel Townhouse Minor Subdivision subject to the conditions listed in the Staff Report and finding that the application review complied with the Belgrade Area Growth Policy, Belgrade City Code and the Montana Subdivision Platting Act. Council Member Smith seconded the motion.

All voted aye, motion carried unanimously.

DISCUSS the proposed Interlocal Agreement between the City and the Central Valley Fire District for Fire and EMS Services

City Manager Barkley reviewed the draft agreement and indicated this was not a request for action to approve or disapprove. The upcoming vote regarding the mil levy for the Fire District may affect the terms of the final agreement with the City, which would then be brought before the Council at a later date. Barkley noted the roles of the Fire Marshall and the Building Official would be more defined, the City would be the umbrella provider for Workman's Compensation Insurance for the combined workforce at no increased cost to the City. Barkley indicated language added to protect the City from employment related litigation.

The payment basis was also restated to reflect the full amount the City would contribute for Fire Service in terms of mils. This would facilitate future arrangements to provide joint services or if one entity should integrate into the other, the record would be established regarding property tax and how much each entity would bring to the table.

The agreement provided that the Council would continue to provide a delegate to be a non-voting member of the Central Valley Fire District Board of Trustees. The last agreement was for a period of 5 years, the new agreement can be negotiated on an annual basis.

Barkley noted that Council Member Koentopp was the next to attend the Fire Board Meeting scheduled for May 8th at 6pm. Barkley answered general questions about the term of the agreement and how the upcoming election might affect the level and cost of services.

Mayor Nelson called for public comment three times. There being none, public comment was closed.

CONSENT AGENDA

Approve April 2014 Payroll

Council Member Criner moved to approve the April 2014 Payroll, Council Member Cooper seconded the motion.

All voted aye, motion carried unanimously.

FOR YOUR INFORMATION

Council Member Cooper indicated hearing comments on the need for two lanes entering the interstate traveling east toward Bozeman. Dave Schmit with Knife River indicated the reasoning behind it as needing to slow down the traffic and the recent truck accidents. He also commented on the progress of the projects.

Council Member Koentopp had nothing to report.

Council Member Smith had nothing to report.

Council Member Criner had nothing to report.

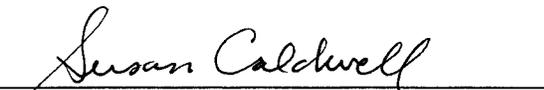
Council Member Youngberg commented on the Ditch Cleaning that had been done beside First Security Bank and Ressler. Council asked that the City Public Works department go ahead and remove the large stack of debris that had been left as a result of the cleaning. Youngberg also indicated his first duty as a Park Board Member was to help judge the Arbor Day Poster contest.

ADJOURN

Council Member Criner moved to adjourn the meeting at 8:08 p.m.



Russell C. Nelson, Mayor



Susan Caldwell,
Administrative Secretary