

BELGRADE CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
August 18, 2014
7:00 PM

Mayor Russell Nelson called the meeting to order. Council Members in attendance were: Brad Cooper, Anne Koentopp, Ken Smith, Kristine Menicucci, Mark Criner and John Youngberg. Others in attendance were: City Manager Ted Barkley, Planning Director Jason Karp, Planning Intern Mike Everett, Finance Director Phyllis Wernikowski, Police Chief E.J. Clark, Jr., Ed Roe, Henry Parsons, Krystal and Tom Hebert, Wade Pehl and Kris Killorn.

APPROVED MINUTES OF THE August 4, 2014 MEETING

Council Member Criner moved to approve the minutes of the August 4, 2014 meeting. Council Member Cooper seconded the motion

All voted aye, motion carried unanimously.

PUBLIC FORUM

Mayor Nelson called for public comment 3 times. There being none, public forum was closed.

PUBLIC HEARING

There were no items for Public Hearing.

REPORTS

Mayor Nelson reported that he was asked to attend an awards ceremony for Belgrade Girl Scouts Troop 3766. He assisted in awarding 3 Belgrade students with Presidential Volunteer Service Awards for their efforts in the local community. Nelson commended the recipients for their efforts.

City Attorney Ramler was not present.

City Manager Barkley reported that the building had started on the detour road at Airway Blvd, which should take about a week. Then they would begin lowering the grade at the intersection of Airway Blvd and Frontage Road. Detours were planned parallel to the Frontage Road. The Railroad track is scheduled to be replaced to its original location on top of the new bridge starting the next week.

Barkley reported that the Splash Park is scheduled to close at the end of the day on September 7th. He also noted that the first day of School will be August 27th.

Barkley reported that the Cameron Street Project is progressing. The new bypass road over to Broadway started that morning, with efforts to keep access open to the Senior Center as much as possible.

Barkley reported that the Belgrade Youth Sports Complex (BYSC) Advisory Committee's recommendations were approved by the School Board last Monday night. An Interlocal Agreement would soon be brought before City Council for approval. Public Forum meetings were being set tentatively for September 10th and 13th, upon commitment from the Facilitator which was expected this week.

Barkley indicated August 27th was the day for Northwestern Energy to do an energy audit of the City Hall. Energy audits for our other utilities were being requested as well.

Barkley reported receiving final determination from MMIA regarding claims related to area flooding that occurred on June 26th. It was reported that Belgrade had received 0.60 inches of rain within 3 minutes, 0.71 inches within 10 minutes, and a total of 1.60 inches within 1 hour. It was determined that this exceeded the standard of a 100 year storm event and that the City's actions did not contribute to the flooding. The claims will be denied on this basis.

Barkley also directed the Council's attention to a letter received from Arianna Heinrichs, age 9, requesting swings be installed at the Prescott Park. Barkley indicated her request would be considered at the upcoming Park Board Meeting in September.

Council Member Criner asked about the sensors at the Splash Park. City Employee Ed Roe clarified that the sensor was not being used at this time because it had been overheating, causing overload of the fuse. Therefore, for the last 2 years, the water features were being run continuously 9am to 9pm. Council Member Koentopp commented that the water bucket features was not currently working. Roe confirmed he would be working on getting them up and running again. The Park is very popular and has become more of a regional attraction. Barkley indicated ongoing discussions with staff regarding maintenance and future improvements. Funding is a challenge.

Council Member Menicucci brought up concerns about trimming around the ditch near the BYSC. Barkley indicated that a request could be directed to those who maintain the Ditch, and there had been recent discussion regarding control of the noxious weeds as well. This is also a joint responsibility between the School and the City.

DISCUSSION AGENDA

CONSIDER Contract with Heart of the Valley Animal Shelter FY14-15

City Manager Barkley explained this was an extension of the existing agreement with Heart of the Valley Shelter. The increase would be approximately 2.5% per year which seemed reasonable. The working relationship with Heart of the Valley has been very good and Barkley recommended this extension be approved.

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

ACTION: Council Member Youngberg moved to approve the contract amendment with Heart of the Valley Animal Shelter and authorized the City Manager to sign said Contract. Council Member Koentopp seconded the motion.

All voted aye, motion carried unanimously

CONSIDER Planning Board Recommendation to Delineate Pedestrian Areas along Main Street

Planning Director Karp introduced Planning Intern Mike Everett who proceeded to present the findings of the Planning Board on this recommendation. Planning Board Chairman Parsons was also in attendance for comment on this proposal. Everett explained the photos included in the packet. He reported this recommendation was a less expensive way to help mark the areas for pedestrian traffic in these heavily traveled corridors. Painting lines along the State Route-Main Street area would be negotiated with MDOT, with a meeting scheduled for August 19th at City Hall. The areas indicated on the plans were all asphalt with some transitions between existing sidewalks. Costs associated with this project would be paid out of the Street Maintenance Fund.

Barkley indicated this was one of the suggestions made during the Sonoran Institute and Strong Cities presentations hosted by the Chamber earlier this year. It is considered an intermediate step in cases where resources were not available to actually install sidewalks. Areas within the City's responsibility would also include snow removal. There had been some discussion regarding trading services with MDOT.

ACTION: Council Member Koentopp moved to authorize City staff to work with the MDOT to delineate pedestrian walkways along Main Street and at cross-walks in Downtown Belgrade. Council Member Menicucci seconded the motion.

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

All voted aye, motion carried unanimously.

CONSIDER Request for Variance from Sidewalk Requirements for Kristal Hebert at 526 Westwood Circle

City Planner Karp explained the request as being similar to another request that came before the Council last month. These requests were unrelated. The lot had been vacant for some time and now the owners wanted to place a mobile home with a permanent foundation. Karp pointed out the condition to have the property owner sign a waiver and acknowledge that the City may require sidewalks be installed at any time. Karp indicated the applicants were in attendance and were available for questions. The waiver would be recorded and would stay with the land, regardless of owner.

Council commented on the difficulty in filling in the sidewalks throughout the city when variances were granted. Barkley brought up the future review of the City Transportation plan during which Sidewalk Policies should also be reviewed.

ACTION: Council Member Criner moved to grant a variance from the sidewalk requirements to allow a home to be placed at 526 Westwood Circle without requiring sidewalks to be installed adjacent to the property with the condition that the applicant waive the right to protest future special assessments or special improvement district for the installation of sidewalks and acknowledge that the City may at any time require sidewalks to be installed. Council Member Smith seconded the motion.

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

Motion carried with 4 voting aye, 2 voting nay. Council Members voting aye were Smith, Koentopp, Menicucci and Criner. Council Members voting nay were Cooper and Youngberg.

CONSIDER Proposed Resolution 2014-14 Disposal of Surplus Property

City Manager Barkley explained the plan to use a website to help sell the items. They would be listed for approximately 30 days, then disposed. These items are not the Zearth items referred to by EJ Clark.

ACTION: Council Member Youngberg moved to approve Resolution 2014-14 authorizing the sale or disposal of surplus obsolete equipment as listed. Council Member Cooper seconded the motion.

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

All voted aye, motion carried unanimously.

CONSIDER Continued Review of Preliminary Budget FY14-15 General Fund and Public Safety

Barkley reiterated the goals of the budget, with most of the concerns focused on the General Fund and declines in various revenues. Parks, Library, Law Enforcement, and the Court seemed to have the most challenges in regard to revenue sources. He also commented on additional court fees to provide some relief. Funds transferred from SID reserves would greatly assist the City to maintain services this year while other options were explored. Barkley reiterated that this is the last year that the General Fund can be balanced using reserves and transfers. For 2015-2016, new revenue sources, such as a voted mill levy, will be required to maintain current services and staffing.

Barkley explained several areas showing restricted funds for payroll related costs such as paying out employees who retire or terminate for vacation, sick pay and other unused benefits.

He also reviewed planned expenses for Cameron Street project, equipment purchases and the CTEP project. Larger reserves were noted in the Water and Sewer funds to meet the requirements of the Bond covenants and replacement of equipment.

1000 General Fund Revenues were reviewed including funds from the State, County, cable franchise, etc. Court fines had been in decline due in part to the nature and complexity of crimes taking the resources of the Police Department. This would be an area of future focus. Barkley also summarized funds being transferred out of other funds into the General fund.

Expenditures were reviewed. Barkley also stated the Council would be given a list of the breakdown of how each employee's wages were split between the funds.

Barkley commented that at some point in the future, the payroll may be changed from Monthly to bi-monthly or every two weeks, and possible software changes would be implemented to better meet the City's needs.

Facilities Fund was reviewed. Barkley commented on the effort to bring wi-fi services to the City Hall with one open system for the general public and one password protected system for employees. General building repairs are also needed in addition to carpet replacement.

Public Safety fund was reviewed. Barkley mentioned the past agreement which provided both Social Security and Montana Police Officer's Retirement (MPORS) benefits to our police force. This had been in place since the 1950's and could not be undone. Barkley reported that repairs and maintenance are also being scheduled this year for police vehicles. Public Safety Mill Levy was noted as being a 34 mills, going back to vote in 2017 for re-approval. Planned purchases include a shooting range program and a radio repeater system, and some other upgrades in the armory.

Community Service fund was reviewed in regard to code enforcement and animal control/stray services

Parks and Recreation Fund was reviewed. Barkley discussed the way wages were apportioned, also planned expenses. Future improvements and options for the tennis courts were also briefly discussed along with plans to finish the concession stand for the Splash Park.

Fire Truck Payments, General Liability costs, and CTEP matching funds were reviewed.

City Wide Street Maintenance District Fund was reviewed. Expenses would include the Cameron Street Project, Chip Seal Project and purchase of a Skid Steer, including attachments.

Barkley also noted the requirement to report the budget to the State by October 1, 2014.

Council asked about the status of the City-owned house at 314 Broadway, which they felt was looking a bit rundown with the lawn looking brown and dry. Barkley discussed the long term prospects for the intersection and that the tenants would be advised about the condition.

SET PUBLIC HEARING for 9/2/14 to review Preliminary Budget for FY14-15

ACTION: Council Member Youngberg moved to set Public Hearing for September 2, 2014, to review the Preliminary Budget for FY 2014-2015. Council Member Koentopp seconded the motion.

All voted aye, motion carried unanimously.

CONSENT AGENDA

WARRANTS PAYABLE for July 2014

Council Member Koentopp moved to approve the Warrants Payable for July 2014. Council Member Cooper seconded the motion.

All voted aye, motion carried unanimously.

EXECUTIVE SESSION

At 8:37p.m., the session was closed in order to discuss litigation strategy. Session was reopened at 9:29 p.m.

ACTION: Council Member Youngberg moved to authorize settling the Lawsuit with W Construction by paying a Cash Settlement in the sum of \$650,000.00, and authorized the City Manager to sign and file the requisite paperwork to execute the settlement. Council Member Smith seconded the motion.

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

All voted aye, motion carried unanimously.

Barkley reviewed the planned Press Release to inform the public of the settlement. Also, this settlement would move the City from being a defendant to being a witness and therefore, Council and staff were still not at liberty to discuss it with anyone.

FOR YOUR INFORMATION

Mayor Nelson reminded Council that the next meeting will be on Tuesday, September 2nd, due to the Labor Day Holiday falling on Monday. Council Member Youngberg advised that he would not be able to attend the next meeting.

Council Member Cooper reported that Bob and Diane Coughlin's residential water service on Minnesota Street had been turned off by mistake this past month. The process for posting intent to shut off service was reviewed. Barkley said he would follow up on this.

Council Member Koentopp inquired about the recent break-in at the City Shop. Barkley indicated they had gotten in by cutting a hole in the fence. Nothing of value had been taken this time. Additional security measures were being reviewed. Koentopp also inquired about the success of the "Shakespeare in the Park" event. Good attendance was noted and it was well received.

Council Member Smith commented on expiring board memberships, particularly the Water Quality Board.

ACTION: Council Member Cooper moved to reappoint Council Member Smith to the Water Quality Board. Council Member Koentopp seconded the motion.

All voted aye, motion carried unanimously.

Council Member Menicucci reported that many of her family members had spent time in Belgrade to attend a Wedding. They thoroughly enjoyed the week's events in and around the Belgrade area.

Council Member Criner had nothing to report.

Council Member Youngberg commented on the sidewalks in the Las Campanas Subdivision and asked if there was an update on sidewalks in the common areas. Barkley commented that he had asked the question but did not have an answer yet.

ADJOURN

Council Member Criner moved to adjourn the meeting at 9:40 p.m.



Russell C. Nelson, Mayor



Susan Caldwell,
Administrative Assistant to the City Manager