

**BELGRADE CITY COUNCIL MEETING MINUTES**  
**COUNCIL CHAMBERS**  
**February 16, 2016**  
**7:00 PM**

Mayor Russell Nelson called the meeting to order. Council Members in attendance were: Brad Cooper, Anne Koentopp, Jim Simon, Mark Criner, and Ken Smith.

Others in attendance were: City Manager Ted Barkley, City Attorney Rick Ramler, Finance Director Diane Eagleson, Planning Director Jason Karp, Library Director Gale Bacon, Marilee Brown, Lorraine Ekegren, Wade Pehl, Jason Guffey, Brenda Gallagher, Ben Nistler, Dave Casto, Erin Breyer, Lila Beard and Stan Campbell.

Council Member Criner moved to excuse Council Member Menicucci. Council Member Smith seconded the motion. All voted aye, motion carried unanimously.

**APPROVED MINUTES OF THE January 19, 2016 COUNCIL MEETING and the February 1, 2016 COUNCIL MEETING**

**ACTION:** Council Member Cooper moved to approve the minutes of the January 19, 2016 council meeting. Council Member Koentopp seconded the motion. All voted aye, motion carried unanimously.

**ACTION:** Council Member Smith moved to approve the minutes of the February 1, 2016 council meeting. Council Member Criner seconded the motion. All voted aye, motion carried unanimously.

**PUBLIC FORUM**

Mayor Nelson called for public comment.

Library Director Gale Bacon reported in response to the past inquiry by Council regarding the number and demographics of individuals using the library's services. She summarized several categories and noted that 2,972 were residents of the City and 3,070 were residing outside of the city limits. Bacon noted these numbers will vary from day to day. She also summarized the various revenue sources for the Library through tax levies and county contributions.

Marilee Brown, representing the group Citizens for Safety, reported on trying to get a separate use bike path along Frontage Road. She and her group felt this was the time for this to be done due to upcoming construction planned by Montana Department of Transportation (MDT) on the shoulder widening project. She felt this type of pathway would bring more business into Belgrade as a positive side effect. This would be a tourist benefit as well. Safety benefits would be clearly seen. She noted other committees who have joined in to make a motion for this to happen. She asked those present to let the MDT know of their support. She provided copies of contact information for the Council.

Mayor Nelson called 2 more times for public comment. There being none, the public forum was closed.

## **PUBLIC HEARING**

### **Divine Mercy Academy Application for Conditional Use Permit (CUP)**

Planning Director Karp reviewed the application. Dave Casto was also present to answer questions. The plan showed that 2 existing residential structures would be renovated and used as classrooms. Notice was sent out to neighbors within 300 feet and this was approved 3 to 1 by the Planning Board, with the conditions listed. The property would also require connection to city water and abandonment of the existing well, along with meeting current building and fire codes. Parking would be required on the site, and not on the street.

Karp noted that a letter from Dawn Clemens was received in opposition to this application for conditional use. A letter from Kris and Joy Dual was also presented in support of this use of the property.

General discussion followed regarding the surrounding neighborhood and fire access.

Dave Casto spoke as a representative for the applicant. He noted the circular driveway would make it similar to a cul-de-sac in addition to a small expansion of the existing parking lot. He noted school hours are 8:30am to 3:30pm so noise should not be excessive. When asked about student capacity after the remodel is done, Casto estimated 80 children at the most per fire codes. Projected enrollment would not reach this until around the year of 2020.

Erin Breyer, residing at 600 Amsterdam, asked about plans to build another building on the lot to meet the larger capacity of students. She shares a property line near the Gym and she expressed concern about the noise after school hours. She noted that the owners have allowed the recreation center to be used by basketball leagues and groups that use it for training etc after normal business hours. She was concerned about bells ringing to call kids back to class, walking through the neighbors' yards as a shorter route. She stated her understanding that only 25% of the lot could be occupied and this did not seem to correlate with everything that is planned. Karp said driveways do not count toward 25%. Karp confirmed this application is only for the existing buildings.

Mayor Nelson called a second time for public comment.

Lila and Jerry Beard, residing at 301 McEwen Drive, both spoke in support of allowing the school usage and stated their property is next to the large area. They felt the impact would be minimal.

Mayor Nelson called a 3<sup>rd</sup> time for public comment. There being none, the public forum was closed.

Council generally discussed a possible reconsideration of the assigned address to better reflect the location and entrance to this property.

**ACTION: Council Member Cooper moved to approve the CUP for Divine Mercy Academy to use the property at 601 W. Cameron Avenue as a private K-8 School with the 8 conditions listed in the staff report as recommended by the Belgrade City-County Planning Board. Council Member Criner seconded the motion. Motion carried 4 to 1. Council Members voting aye: Cooper, Simon, Criner, Smith  
Council Members abstaining: Koentopp**

## **REPORTS**

### **Mayor's Report**

Mayor Nelson reported on attending the Central Valley Fire District Board Meeting. He discussed the CVFD's review of available properties for future building and plans to outsource inspections and plan reviews until a new fire marshal is hired. General discussion followed about keeping a certain number of fire apparatus within City limits and current contract requirements.

### **City Attorney's Report**

City Attorney Ramler reported on the property located at 611 Missoula. He confirmed that Notice had been sent out in June 2015 to the owners, with a 30 day notice to either fix it or tear it down. There were conversations with owners, then a bank got involved with foreclosure with an auction set for Feb 1<sup>st</sup> 2016. The bank then stopped the foreclosure proceedings. If the bank had gone through with it, we expected them to clean up the property. Ramler noted that there is a procedure under uniform building code and nuisance ordinance, giving 30 days notice, unless there is an appeal. It is not terribly lengthy. Ramler felt we should re-notice it due to the delay, and then assess the cost under a tax. We should be able to get in front of the banks lien on the property and receive payment through collecting taxes. The bank just doesn't want to foreclose. Ramler said the City could still wait but who knows how long the bank might wait to take action.

Ramler confirmed that there are individuals interested in buying the property if the bank would actually foreclose. Notice involves personal service, or by certified mail, and posting once on each building. Previous efforts with certified mail have not been successful. Barkley noted that the type of mitigation of possible asbestos siding is not overly complicated and should be manageable. We will just need to proceed carefully. At the end of 30 days the City can then go in and do a thorough assessment in a safe manner.

## City Manager Report

City Manager Barkley provided each council member with a copy of a report on the Proposed Replacement and Relocation of the Belgrade-Central Valley Fire District Administrative Fire Station dated 2/12/16.

Barkley reported on the grant application being sought through the Montana Land Information Act program. These funds will support our GIS program to purchase tablets to collect GPS data with a station in the City Hall as well. The total project cost would be \$20,385 including the matching funds from the City. This system would give highly detailed maps of the City's utility systems.

**ACTION: Council Member Criner moved to approve applying for this grant and authorize City Manager Barkley to sign the grant application for \$12,720. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.**

City Manager Barkley reported on a new application received from John Youngberg to serve on the Belgrade City-County Planning Board. Barkley confirmed there is an opening on the board in addition to the reappointments recommended by Planning Director Karp.

Barkley reported estimated increases in health insurance rates for the upcoming year.

Barkley reported on meeting with MDT regarding sign options. They are planning to move ahead with a signal at the Valley Center spur and taking out the flashing signal at Nelson Road. They plan to make bigger and longer turning lanes in conjunction with the completion of their new buildings on Frontage Road. Council suggested adding yellow warning lights for truck traffic. Barkley also reported on the signage on Airway Blvd and Dry Creek Road and laying out the concerns on speed limits. MDT has agreed to look into this, especially in view of the traffic related to construction in Meadowlark and Ryen Glenn subdivisions. MDT is also starting to review the "Fix America Transportation Act" and there may be funds to use for surface transportation and safety related issues where railroads cross streets at grade, and perhaps get the Silent Crossing Program for Belgrade. MDT is also continuing to work on the South Jackrabbit project and are hopeful to keep progressing forward.

Barkley reported plans to speak with a tentative applicant to serve on the Impact Fee Committee at the end of this week. This applicant is also a CPA.

Barkley reported that the Request for Proposal has been published for the Contract City Engineer services. Bids are due back to the City by 2/26/16.

Barkley reported that advertisements had been placed for the new position of Permit Tech/Public Works Clerk. First review of applicants will be 2/26/16.

Barkley reported that 7 bids had been received for the Water/Waste Water Engineering and Planning projects. He noted that the top 3 will be interviewed next week with a recommendation coming soon to the Council.

## **DISCUSSION AGENDA**

### **Consider Planning Board Appointments**

Planning Director Karp reviewed reappointments and new applications for appointment.

**ACTION: Council Member Koentopp moved to approve reappointment of Sandy Lee, Elizabeth Marum and Bill Dryer to the Belgrade City-County Planning Board with a two year term, and approved the new appointment of John Youngberg to the Board with a two year term. Council Member Cooper seconded the motion. All voted aye, motion carried unanimously.**

### **FOR YOUR INFORMATION**

Council Member Cooper had nothing to report.

Council Member Koentopp had nothing to report.

Council Member Simon encouraged all to review the information that the school district had posted on their website about improvements to be on the ballot in May for a tax proposal.

Council Member Criner asked about Alaska and Frank, he asked if Frank had to have a stop sign for no reason, perhaps replacing it with a yield sign would be better. Criner also asked if the City could require a house to be finished within a certain amount of time from the initial plan approval. He asked if changed wording could be reviewed.

Council Member Smith reported attending the Water Quality meeting and the final draft of the State of the Water in Gallatin Valley. He felt it was done well and encouraged others to review it.

Mayor Nelson asked about an update on fire services and the legislative activities. Barkley said he would bring this up to date at a future meeting.

Barkley inquired about designating a council member to part of the working committee to consider issues of the Belgrade Fire and CVFD with meetings set during the work day. Council Member Criner volunteered to join the working committee. Barkley confirmed the working committee members would be listed as Fire Chief Ron Lindroth, City Manager Ted Barkley, Fire Board Member Ty Elliott and Council Member Mark Criner.

General discussion followed about how to proceed with the information provided by Marilee Brown, the contact information she provided, and how to include Trail connectivity into

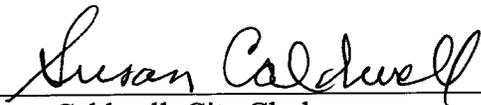
Belgrade's future transportation plans. Planning Director Karp suggested asking the Planning Board to look into this so it can be discussed more in depth at that level. Letting it stand as its own project may be more successful.

**ADJOURN**

Council Member Criner moved to adjourn the meeting at 8:45p.m.

A handwritten signature in cursive script, appearing to read "Russell Nelson", written over a horizontal line.

Russell C. Nelson, Mayor

A handwritten signature in cursive script, appearing to read "Susan Caldwell", written over a horizontal line.

Susan Caldwell, City Clerk