

**BELGRADE CITY COUNCIL
MEETING MINUTES
COUNCIL CHAMBERS**

May 16, 2016

7:00 PM

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

Others in attendance were: City Manager Ted Barkley, City Attorney Richard Ramler, Planning Director Jason Karp, Mac Fogelson, Landy Leep, Jason Leep, Bill Green, Wade Pehl, Ben Nistler, Ed Roe, Keith Waring, Michael Tucker, Fred Stodwell and Bryan Moss.

APPROVED MINUTES OF THE May 2, 2016 Council Meeting.

ACTION: Council Member Menicucci moved to approve the minutes of the May 2, 2016 Council meeting. Council Member Smith seconded the motion. All voted aye, motion carried unanimously.

PUBLIC FORUM

Mayor Nelson called for public comment.

Bill Green, residing at 308 N Kennedy, spoke in regard to past suggested revisions to the animal control ordinance. He inquired if this subject could be readdressed, in view of recent dog bite attacks that have taken place. He did not feel the penalties matched the severity of the harm inflicted.

General discussion followed regarding current ordinances. City Attorney Ramler pointed out various allowances and authority under the nuisance determination and that the Court has discretion to imply various penalties which is up to the Judge. Ramler confirmed that this had been discussed at length with the sitting judge between 2012 and 2014. Council expressed concern as to why there seemed to be a lack of response to the citizen's inquiry since 2014. Ramler agreed to review the information and bring it to the Council for consideration in June.

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

REPORTS

Mayor's Report – the Mayor had nothing to report.

City Attorney's Report – the City Attorney had nothing to report.

City Manager Report

City Manager Barkley provided a copy of Gallatin Airport statistics for Council's information showing growth trends.

Barkley reported on the Notice of Award being issued for the CTEP Sidewalk Project. They are planning to start construction on July 5th for about 6 weeks. In September we will have to coordinate with the Railroad for work at the crossings. Public Works Director Klotz has been visiting with some of the property owners that will be impacted by the construction of the sidewalks.

Barkley reported that the telephone menu options at City Hall have been adjusted to better channels the calls to the various departments and to minimize inconvenience to callers.

Barkley reported on the progress of the Court front office remodel. Furniture has been ordered and the new counter/window construction is in the works.

Barkley reported that the Library is benefiting from the generosity of the Madison River Brewery during their event scheduled on May 19th.

Barkley reported current job openings at the City including Summer Seasonal Workers and a Support Services Tech in the Police Department.

Barkley reported that the Skate Park group has secured additional funding and in-kind donations to be able to start building. They are in the process of creating a sketch plan and construction drawings which will be coming before the Council at the first meeting in June for final approval. General discussion followed about the location options.

Barkley reported his plans to begin scheduling various department directors to give reports to the Council beginning in June as requested.

Barkley reported on a productive meeting with property owners along Frank Road. The potential for a Special Improvement District looks promising and the property owners have expressed significant interest in annexation.

Barkley reported that Montana Department of Transportation (MDT) is preparing to do a corridor study along the P205 Corridor. Barkley planned to ask MDT to extend the study beyond Jackrabbit if possible. He noted that Public Works Director Klotz and Planning Director Karp have been designated as committee members for this group, but they are also asking to have an elected official from Ward 2 or 3 to be added to the group. He encouraged the Council to think about who might be able to serve on this committee and it could be decided at the next council meeting.

Barkley reported on the abandoned property on Missoula and that two quotes have been obtained thus far for demolition services. Quotes have ranged between \$31,000 and \$34,000,

and one additional quote will be obtained before bringing it before Council. The funding source for these fees have been determined along with how the costs will be have determined attaching the cost to the taxes, include asbestos remediation.

Barkley reported that MDT has verbally approved funding for the City to be used for planning assistance in the amount of \$100,000.

Barkley reported that the Community Design Center (CDC) will be able to continue work on the Library planning project. Their workload has shifted over the summer and they are now offering to evaluate mechanical systems, perform a daylight study for energy efficiency and also evaluate and design plans for a new interior. This would require additional funding in the amount of \$1,000 which would include the services of a Design Professor. Barkley recommended that the City and Library be allowed to take advantage of these services at this low cost if the Council was inclined to agree.

ACTION: Council Member Menicucci moved to authorize expenditure up to \$1000 for additional work by the Community Design Center group on the Library Planning project. Council Member Cooper seconded the motion. All voted aye, motion carried unanimously.

DISCUSSION AGENDA

Consider Reappointment of Mark Halvorson to the Board of Adjustment

Mayor Nelson recommended reappointment.

ACTION: Council Member Koentopp moved to approve reappointment of Mark Halvorson to the Board of Adjustment with a 3 year term ending April 30, 2019. Council Member Menicucci seconded the motion. All voted aye, motion carried unanimously.

Consider Request for Approval of Improvements Agreement for the Meadowlark Ranch PUD/Subdivision Phase 2

Planning Director Karp summarized the proposed improvements agreement and corresponding letter of credit. Time and completion of improvements was amended to show the date of December 31, 2016. The amounts have been reviewed by the City engineer and found to be adequate at 125% per City regulations. Karp confirmed that the improvements agreement for Phase 1 has now expired, but there are some warranty items to be addressed. With the exception of sidewalks, warranty items will need to be fixed.

Jason Leep, representing Meadowlark Ranch Inc., stated that all improvements are part of a contract with Sime Construction and are in process of being completed. Leep confirmed there are 88 lots in Phase 2 and 12 lots in Phase 3. They are waiting for final determination of flood plain classification before moving ahead on Phase 3 at this time.

Mayor Nelson called for public comment.

Stan Guthrie, residing at 902 Powers Blvd, stated that Phase 1 is not complete as there are many things that were promised but not done related to sidewalks and parks. He asked the Council to deny this application and letter of credit until Phase 1 is complete. He felt this was the only way enforcement could be exercised. Council suggested researching the covenants and taking it up directly with the developers.

Mayor Nelson called for additional public comment. There was none.

General discussion followed regarding a July 2015 meeting and the concerns brought up between the homeowners and the developers of Meadowlark Ranch Phase 1. It was noted that if the developer has met the conditions it is difficult to deny approval for preliminary plat. Sidewalks are usually built along with a house, so empty lots probably do not have a sidewalk. Council asked Leep if he had addressed the resident's concerns. Leep responded that their concerns were centered around drainage issues last year. Leep stated that he had not seen the same issues this year and they have also installed some solutions. Leep claimed this was the first time he had heard about missing sidewalks. He felt this was a separate issue. He pointed out that the Improvements Agreement for Phase 2 requires that all sidewalks will be in at the end of 3 years.

ACTION: Council Member Cooper moved to approve the Improvements Agreement to be accompanied by a Letter of Credit acceptable to the City of Belgrade in the amount of \$1,027,625.00 and complying with the terms of the Improvements Agreement. Council Member Smith seconded the motion. All voted aye, motion carried unanimously.

Consider Final Plat Approval for Meadowlark Ranch PUD/Subdivision Phase 2

Planning Director Karp noted that with the approval of the Improvements Agreement the applicant is asking for Final Plat approval. Karp also noted their plan for a Park cash-in-lieu amount which would involve 2.98 acres worth \$125,872 which will go into the city park fund for benefit of this subdivision. Park impact fees will also be collected with each house built.

Karp also noted efforts are underway to work with NorthWestern Energy (NWE) to install streetlights throughout Ryen Glenn and Meadowlark Ranch subdivisions, subject to NWE's scheduling.

Mayor Nelson called for public comment.

Stan Guthrie spoke again in opposition of approving Final Plat until phase 1 has been complete. He felt that this developer wears down the residents until they give up. Playgrounds have not been completed as promised. He felt their profits could be invested into the parks and trails as promised. There was a blatant lack of trees, lack of playgrounds, and lack of parks.

Their sales brochures show these things and he felt it was setting a negative precedent in Belgrade.

Mayor Nelson called for additional public comment. There was none.

ACTION: Council Member Koentopp moved to grant final plat approval to the Meadowlark Ranch Phase 2 subject to the transmittal of the signed Improvements Agreement and Letter of Credit that is acceptable to the City of Belgrade, finding that all conditions of preliminary plat approval have been met and the subdivision complies with the Montana Subdivision and Platting Act and the Belgrade City Code. Council Member Criner seconded the motion. All voted aye, motion carried unanimously.

Consider Authorization to Proceed with Completion of the Yukon Lane Sewer Project

City Manager Barkley summarized this project noting the benefit of installing the sewer line before paving takes place. The cost was estimated at an amount up to \$70,000.

Mayor Nelson called for public comment. There was none.

ACTION: Council Member Menicucci moved to authorize staff to proceed with completion of the Sewer Main along Yukon Lane including design and inspection by the City engineer. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.

Consider Proposals received for Professional Lawn Care Services

City Manager Barkley explained the various ways the City has accomplished maintenance of the parks in past years. Bids were solicited to explore the use of professional maintenance services, but the cost was much higher than anticipated. Staff recommended the bids be rejected due to the high costs and the city will proceed to hire seasonal maintenance workers as in the past.

Mayor Nelson called for public comment. There was none.

ACTION: Council Member Criner moved to reject all bids for professional lawn care maintenance. Council Member Smith seconded the motion. All voted aye, motion carried unanimously.

Consider Contract with TD&H for Water and Sewer Master Plans and Utility Rate Study

City Manager Barkley noted that these studies and plans must be done to become eligible for future grants and funding sources. Staff recommended approval of contract.

Keith Waring, City Engineer, discussed the items to be included in the studies, current permits we have, where our growth will take us and what will be needed. The last water study

was completed approximately 9 years ago. The last sewer study was partially revised about 13 years ago. A full review of these systems is overdue. Plans are unique to our area and needs. Limits are negotiated. Mechanical plant options will also be reviewed, but the goal is to work with lagoon technology. Storm water will be a separate study down the road.

Mayor Nelson called for public comment. There was none.

ACTION: Council Member Criner moved to authorize the City Manager to sign the contract for Water and Sewer Master Plans and Utility Rate Study with TD&H Engineering. Council Member Menicucci seconded the motion. All voted aye, motion carried unanimously.

FOR YOUR INFORMATION

Council Member Smith had nothing to report.

Council Member Criner inquired about the next meeting for the coordinated planning committee between Belgrade, Bozeman and the County. It was noted that those designated to attend from Belgrade would be Council Member Menicucci, Planning Director Karp, and Planning Board Member Liz Marum. Bozeman Mayor Carson Taylor, Belgrade Mayor Nelson, Bozeman City Manager Kukulski and Belgrade City Manager Barkley should also be at the meeting. A date has yet to be set for the next meeting.

Criner also asked about who is responsible for maintaining right-of-ways and it was confirmed it is the adjacent property owners' responsibility. The City Code enforcement officer can enforce. Barkley noted that an expanded street maintenance program could address this for weeds and alleys in ROW's. Right now they just need to mow.

Council Member Menicucci wanted to thank our Police for taking care of domestic concerns within the City. She commented on the recent article in the newspaper about Belgrade Police and their ongoing efforts.

Council Member Simon asked about how to go about requesting repairs at Rail Road crossings, particularly near the sidewalk crossings and on Oregon Street by the spur which is a very rough crossing. Simon also reported attending the Fire board meeting for May and their request to the County to improve the paging system to avoid critical page failures and delays. Discussions also included future plans for the current station located near Lewis & Clark Park.

Council Member Koentopp had nothing to report.

Council Member Cooper had nothing to report.

City Manager Barkley noted that the Fire District had been under the assumption that Belgrade would be participating on an equal basis in regard to plans on the new Fire Station. Barkley said this was not his understanding, and he communicated this to Fire Chief Ron

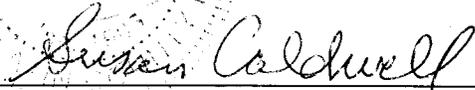
Lindroth so now they are clear on that point. There is interest in using the old fire station and training facility for various things.

Mayor Nelson inquired about a report on water rights and future needs.

ADJOURN

Council Member Criner moved to adjourn the meeting at 8:55 p.m.





Susan Caldwell, City Clerk



Russell C. Nelson, Mayor