

**BELGRADE CITY COUNCIL
MEETING MINUTES
COUNCIL CHAMBERS
June 20, 2016
7:00 PM**

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

Others in attendance were: City Manager Ted Barkley, City Attorney Richard Ramler, Planning Director Jason Karp, Finance Director Diane Eagleson, Luke Howard, Eve Parrow, Rudy Suta, Ron Murray, Tracy Menuetz, Travis Bos, Renae Mattimoe, Tiffany Maierle, Michael Tucker.

Council Member Cooper moved to excuse Mayor Nelson. Council Member Smith seconded the motion. All voted aye, motion carried unanimously.

APPROVED MINUTES OF THE June 6, 2016 Council Meeting.

ACTION: Council Member Smith moved to approve the minutes of the June 6, 2016 Council meeting. Council Member Menicucci seconded the motion. All voted aye, motion carried unanimously.

PUBLIC FORUM

Deputy Mayor Criner called 3 times for public comment. There being none, the public forum was closed.

PUBLIC HEARINGS

Ordinance 2016-3 repealing the current Animal Control Ordinance, and adopting a new Animal Control Ordinance as Title 4, Chapter 1 of the Belgrade City Code

City Attorney Ramler noted the change requested by Council upon first reading at the last meeting. The change appeared on page 13 paragraph "f" under the penalty section where Council had requested adding a provision that any animal that has bitten 2 or more persons must be subject to certain mandatory action. Ramler also reviewed the definitions as listed.

Deputy Mayor Criner opened the public hearing and called for public comment.

Ron Murray, owner of Murray Kennels, spoke in favor of the new ordinance. As a Trainer, he felt the real problem is with the owners who don't take responsibility for their dangerous dogs. A dog that bites and is vicious should be euthanized. Murry also suggested taking advantage of the various reporting apps that may be coordinated with area veterinarians who could work with the City in reporting a dog's disposition. If the dog is already being vicious with the Vet techs, it could be useful information for the City. Murray He also talked

about his own dogs being protective in their own home property. He felt this needed clarification in the new policy.

City Attorney Ramler noted that the violation would be determined using the definitions as stated, which would be decided by the officer issuing the citation, and then the court would have the discretion to apply the penalty, fine or action against the dog owner.

Deputy Mayor Criner called a 2nd time for public comment. There being none, the public hearing was closed on this item.

ACTION: Council Member Menicucci moved to adopt Ordinance 2016-3 repealing the current Animal Control Ordinance Title 4, Chapter 1 of the Belgrade City Code, and adopting a new Animal Control Ordinance as Title 4, Chapter 1 of the Belgrade City Code. Council Member Cooper seconded the motion. All voted aye, motion carried unanimously.

Ordinance 2016-4 repealing the current General Penalty Provision and Civil or Criminal Action Provision, and adopting a new General Penalty Provision and Civil or Criminal Action Provision in Title 1, Chapter 4, of the Belgrade City Code

Ramler noted there was a very minor change in paragraph B adding the word “for” to correct the grammar. Otherwise, there were no substantive changes made from the first reading.

Deputy Mayor Criner opened the public hearing. There was no public comment on this item and the public hearing was closed.

ACTION: Council Member Menicucci moved to adopt Ordinance 2016-4 repealing the current General Penalty Provision and Civil or Criminal Action Provision, and adopting a new General Penalty Provision and Civil or Criminal Action Provision in Title 1, Chapter 4, of the Belgrade City Code . Council Member Smith seconded the motion. All voted aye, motion carried unanimously.

Ordinance 2016-5 Amending Title 7, Chapter 2, Part 1 of the Belgrade City Code, to require the issuance of a Permit to Obstruct a Sidewalk, Street or Alley

City Manager Barkley explained the need for this policy and permit process in view of increased construction throughout the various neighborhoods. There were no changes since the first reading, except the recommendation to reduce the permit from \$50 to \$25. It was noted that the permit fee is non-refundable as this covers the time of city staff to review the site and make the determination and also follow up on compliance. Council requested the clarification that this does not apply to motor vehicles and/or trailers which have their own set of regulations as to where to park and for what length of time. Barkley confirmed the goal was to apply this permitting process to non-vehicle items such as dumpsters, stacks of supplies, piles of gravel and such like things often placed in the right of way causing hazards.

Deputy Mayor Criner opened the public hearing on this item. There was no public comment and the public hearing was closed.

ACTION: Council Member Cooper moved to adoption of Ordinance 2016-5 amending Title 7, Chapter 2, Part 1 of the Belgrade City Code, to require the issuance of a Permit to Obstruct a Sidewalk, Street or Alley, with a permit fee of \$25 and adding the designation that this does not apply to motor vehicles or trailers. Council Member Koentopp seconded the motion. All voted aye, motion carried unanimously.

Resolution 2016-6 Resolution to Create Special Improvement Lighting District No.2438 for Ryen Glenn Estates, Phases 1,2 and 4 and Meadowlark Ranch, Phases 1 and 2

Planning Director Karp summarized the process thus far to create the Special Improvement Lighting District for the phases listed. The billing will take place annually along with the individual property owner's taxes.

Deputy Mayor Criner opened the public hearing on this item. There was no public comment and the public hearing was closed.

General discussion by the Council followed regarding efforts to combine all the lighting districts. Barkley noted that this is being researched by city staff.

ACTION: Council Member Koentopp moved to adopt Resolution 2016-6 to create Special Improvement Lighting District No.2438 for Ryen Glenn Estates Phases 1, 2 and 4, and Meadowlark Ranch Phases 1 and 2. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.

Resolution 2016-7 proposed Budget Amendment for FY14-15

City Manager Barkley reviewed the proposed budget amendment involving the Police Training fund, CTEP funds and the Volunteer Fire Department Retirement fund. The Fire fund was in the budget but it didn't carry over in the resolution. Staff recommended approval.

Deputy Mayor Criner opened the public hearing. There was no public comment and the public hearing was closed.

ACTION: Council Member Menicucci moved to approve Resolution 2016-7 providing for amendment to the Final Budget for FY2014-2015 to increase spending authority pursuant to compliance with MCA 7-6-4030, after notice of Public Hearing, and having held said Public Hearing. Council Member Smith seconded the motion. All voted aye, motion carried unanimously.

Resolution 2016-8 proposed Budget Amendment for FY15-16

City Manager Barkley reviewed the proposed Budget Amendment for FY15-16 for various funds. Again, the budget was figured very closely and there was enough room for flex. Estimates were off for both revenue and spending in some instances. Also the split of some salaries and how they were allocated were adjusted and corrected. Staff recommended approval.

Deputy Mayor Criner opened the public hearing. There was no public comment and the public hearing was closed.

ACTION: Council Member Koentopp moved to approve Resolution 2016-8 providing for amendment to the Final Budget for FY2015-2016 to increase spending authority pursuant to compliance with MCA 7-6-4030, after notice of Public Hearing, and having held said Public Hearing. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.

REPORTS

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

City Manager's Report

City Manager Barkley reported that Patrick Lonergan is scheduled to speak at our July 19th Council meeting and present the updated Emergency Management Plan for the Council's consideration. The Belgrade Police Chief may also be presenting an update on his department's activities if the agenda is not too full. Barkley noted the plan to schedule periodic presentations by each City Department Director as requested by the Council.

Barkley reported giving a "State of the City" presentation at a Business Luncheon sponsored by the Chamber of Commerce last week. Barkley felt he received good feedback.

Barkley reported that due to a scheduled vacation, he will be absent from the Council meeting on July 5th. Also, during his absence during the week of July 4th through the 8th, Police Chief Clark will be the Acting City Manager.

Barkley reported meeting with Montana Department of Transportation (MDT) and with Town Pump representatives. Town Pump is considering options for developing their property between Madison and Missoula on Jackrabbit. Considerations include what improvements are needed to handle traffic. MDT will come back with a budget estimate to work with.

Barkley reported meeting with members of the Belgrade City/County Planning Board about starting to revise the land use plan which will be unfolding this fall.

Barkley reported that the City is no longer the owner of record of Valley Bank.

DISCUSSION AGENDA

City Manager Barkley noted that the next 8 items on the agenda were related to the acquisition and rehab of Big Sky Villas with HRDC as a partner. Tracy Menez was also present. The City is acting as the administrator of the grant funds. HRDC is the sub-recipient of the grant in the amount of \$832,000, and total funding will amount to approximately \$3.68 million from various sources. Most of the following actions were required due to the Federal funds involved.

Consider Resolution 2016-9 Adopting a Fair Housing Policy

Tracy Menez, HRDC representative, noted that HRDC is the sub-grantee. She explained details about the project, the ownership by HRDC of the land and housing units, and the resulting continuation of another 46 years in keeping these as affordable, low income housing for the Belgrade area. She also discussed the pursuit of tax exempt status which is still being researched. The Big Sky Villas are already rent-restricted so this program will add 46 more years to the rent-restriction time period.

Deputy Mayor Criner called for public comment. There was none.

ACTION: Council Member Koentopp moved to approve Res 2016-9 adopting a Fair Housing policy for the City of Belgrade. Council Member Smith seconded the motion. All voted aye, motion carried unanimously.

Consider Resolution 2016-10 Adopting a Hatch Act Policy

Barkley explained that the Hatch Act restricts political activity of local government employees employed in connection with the programs financed by federal funding sources. This policy would also designate the City Clerk as the Hatch Act Information Officer in order to provide information and monitor compliance with the provisions of the Act.

Deputy Mayor Criner called for public comment. There was none.

ACTION: Council Member Menicucci moved to approve Res 2016-10 adopting a Hatch Act Policy for the City of Belgrade. Council Member Smith seconded the motion. All voted aye, motion carried unanimously.

Consider Resolution 2016-11 Establishing Budgetary Authority to expend HOME funds

Deputy Mayor Criner called for public comment. There was none.

ACTION: Council Member Menicucci moved to approve Res 2016-11 providing budgetary authority to allocate grant funds awarded to the City of Belgrade via a sub-grant to HRDC IX by the HOME Fund. Council Member Koentopp seconded the motion. All voted aye, motion carried unanimously.

Consider Resolution 2016-12 Designating an Environmental Certifying Officer

City Manager Barkley noted that another requirement of using these federal funds called for designation of an Environmental Certifying Officer, by formal resolution, in order to produce an environmental review record for the Big Sky Villas rehabilitation project. Planning Director Jason Karp has been chosen for this designation.

Deputy Mayor Criner called for public comment. There was none.

ACTION: Council Member Menicucci moved to approve Res 2016-12 designating Planning Director Karp as an Environmental Certifying Official to produce an environmental review record for the rehabilitation of the Big Sky Villas Project. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.

Consider Resolution 2016-13 Adopting an Anti-Displacement and Relocation Assistance Plan

City Manager Barkley noted that HRDC will be responsible for working through these requirements as the sub-grantee in this project. Tracy Menuz confirmed that each building as 12 units, 3 pods, so they will work on 4 units at a time to minimize displacement. They estimate that each section will take about 4 weeks to remodel.

Deputy Mayor Criner called for public comment. There was none.

ACTION: Council Member Koentopp moved to approve Res 2016-13 adopting an anti-displacement and relocation assistance plan policy for the City of Belgrade. Council Member Menicucci seconded the motion. All voted aye, motion carried unanimously.

Consider Granting Authority to open a separate bank account to administer the HOME project funds.

City Manager Barkley explained this was also a requirement for working with these federal funds to be administered. A separate non-interest bearing account is required for this purpose. He stated that the separate account will be closed when the project is closed.

Deputy Mayor Criner called for public comment. There was none.

ACTION: Council Member Koentopp moved to authorize the Finance Director to open a separate bank account for the purpose of administering the HOME project funds. Council Member Menicucci seconded the motion. All voted aye, motion carried unanimously.

Consider Approval of Contract between the MT Dept. of Commerce HOME program and the City of Belgrade

Deputy Mayor Criner called for public comment. There was none.

ACTION: Council Member Menicucci moved to approve the contract as stated and authorize the City Manager to sign said contract #MT-HOME-16RD-SGC-1. Council Member Cooper seconded the motion. All voted aye, motion carried unanimously.

Consider Granting Authority to sign a Sub-Recipient Agreement with HRDC

City Manager Barkley noted that the agreement had been reviewed by the City Attorney and defines the relationship and liabilities associated with this type of project. General discussion also followed regarding the administrative costs associated with this type of project. Tracy

Menuiez noted that a list of qualified expenses will always be submitted before any draw can be taken against the funds.

Deputy Mayor Criner called for public comment. There was none.

ACTION: Council Member Cooper moved to authorize the City Manager to sign the Sub-Recipient Agreement with HRDC. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.

Consider Agreement with Gallatin Valley Skate Park Association (GVSA)

City Manager Barkley reviewed the project progress and revisions. Three (3) items were specified for Council's consideration and approval by motion if they so desired. General discussion followed regarding the specified location in Lewis & Clark Park between the backside of the Town Pump building and the walkway. It was noted that some objections to building the skate park inside L&C Park had been expressed by the Chamber of Commerce related to Fall Festival activities and usage. The proposed site seemed to cause the least amount of impact for all involved, while still meeting the granting criteria calling for an integrated site that was not isolated. Barkley noted that the City Public Works department had also reviewed the plans and found them satisfactory as to design and construction standards. The City's liability insurance provider, MMIA, also gave their approval of this designer.

Travis Bos, President of the GVSA, spoke about the grant funds being awarded through Mountain Sky Guest Ranch and this being dependent upon signing the final agreement with the City. He also talked about the planned phases, and due to additional donations of materials and funding, two phases are now ready to proceed. The City will also be contributing in kind, such as moving sprinklers and moving trees.

Deputy Mayor Criner called for public comment. There was none.

ACTION: Council Member Koentopp moved to approve the Parks Improvement Agreement with GVSA and authorize the City Manager to sign said agreement. Council Member Smith seconded the motion. All voted aye, motion carried unanimously.

Deputy Mayor Criner called for public comment on the designated location for the Skate Park. There was none.

ACTION: Council Member Cooper moved to approve the designation location within Lewis & Clark Park to construct the Skate Park as shown in the attachments to the Parks Improvement Agreement. Council Member Koentopp seconded the motion. All voted aye, motion carried unanimously.

Deputy Mayor Criner called for public comment on the design and proposed construction details for the Skate Park. There was none.

ACTION: Council Member Koentopp moved to approve the design and construction proposal as shown on the drawings for the Skate Park project. Council Member Menicucci seconded the motion. All voted aye, motion carried unanimously.

Consider Amending the Water System Design Standards for Residential Development

City Manager Barkley explained that the Water Plan approved in 2008 showed a level of water usage parameters at 200 gallons per capita per day for residential construction purposes. This number has been in place for 8 or 9 years. TD&H Engineering is not sure exactly how this number was calculated, including the possible assumption of a high level of leakage that has since been fixed. Now that the Department of Environmental Quality (DEQ) has changed the way capacities are measured (as of 2014) it has resulted in making it appear that Belgrade has a reduced amount of water available for development. According to the 2008 numbers, we are approaching the edge of what our infrastructure can deliver at peak demands.

A review was done of Belgrade's historical water usage between 2001 and 2006. This showed an average of 116 gallons per capita per day, well below the 2008 design standard. This measurement will be done again soon in updating the Water Master Plan. In order to give a more accurate picture of our system's capacity, a change to our design standards would be in order. Staff and TD&H recommend amending the 2008 Master Water Plan and changing our design standards from 200 to 160 gallons per capita per day. Such an amendment is allowed by DEQ. This adjustment would give Belgrade time to work on the next phase in determining our ability to deliver water.

Deputy Mayor Criner called for public comment. There was none.

ACTION: Council Member Koentopp moved to amend the 2008 Water Master Plan Residential Design Standards from 200 gallons per capita per day to 160 gallons per capita per day. Council Member Smith seconded the motion. All voted aye, motion carried unanimously.

Consider Auditor's Contract

City Manager Barkley recommended continuing with Amatics for audit services to maintain continuity and in view of the many changes in Finance personnel at the City over the past 2 years. He also noted that additional costs may be associated with audits related to the HRDC HOME project.

Deputy Mayor Criner called for public comment. There was none.

ACTION: Council Member Menicucci moved to approve the contract with Amatics CPA Group, the City of Belgrade and the Montana State Department of Administration Local Government Services Bureau; and authorize the City Manager to sign said contract for a 3 year term. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.

Establish Eligibility for prospective tenants of the City-owned rental house at 314 S. Broadway

City Manager explained that 11 applications had been received from individuals wishing to rent the house located at 314 S. Broadway in Belgrade. Each name was written on a slip of paper and placed in a bowl and the Deputy Mayor randomly selected them for the purpose of determining the order of consideration. The first applicant would be considered as to their ability to pass credit worthiness, pass a landlord/housing reference check and show ability to pay. If the first applicant was found unacceptable, the next person in number line would be considered, and so on.

The following order of eligibility was established and numbers assigned:

1. Clinton Holman
2. Brandon Burdg
3. Seth Kucharski
4. Amy Lanzendorf
5. Latoya Keen
6. William Sheets
7. Emily Munday
8. Mark Neddenreip
9. Alice Unacks
10. Samantha Gondeiro
11. Sara Hahn

CONSENT AGENDA

Warrants Payable for May 2016

ACTION: Council Member Cooper moved to approve Warrants Payable for May 2016. Council Member Menicucci seconded the motion. All voted aye, motion carried unanimously.

FOR YOUR INFORMATION

Council Member Criner expressed his concern about traffic overload on Jackrabbit and Amsterdam. Even though it is the State's responsibility he felt that our police are tending wrecks on those roads very often. Traffic keeps increasing. Barkley noted that a signal light is planned at the intersection of Frank and Jackrabbit for the future. Criner also brought up the landscaping that was supposed to have been done by Town Pump from previous discussions with Council. Barkley noted that Karp has been working with them and Barkley would follow-up.

Council Member Cooper brought up his concern about overgrowth of weeds. He asked if there could be a fine involved for those who ignore the problem. Barkley noted the current process is long and drawn out and after required notices are given it may be the end of the season before any action can be taken. Cooper said he would supply a list of some of the properties he

is concerned about for staff's review. Cooper also reported his attendance at the monthly Fire Board meeting. The new Fire Marshal should be here July 1st. They have also hired a project manager for the new fire station.

Council Member Menicucci reported attendance at a joint meeting with the Library Board and the Library Foundation. It was a very production meeting related to fundraising for future growth and they plan to meet this way on a quarterly basis. They are also looking to increase membership of the Library Foundation for any who are interested. Members of the Foundation do not require residency within the city limits.

Council Member Simon asked about status of the Park Board. Barkley explained there was a lack of board members due to changes in their personal circumstances. New Park Board Members are being sought and Barkley noted he would be checking in with the Public Works Director about this as well.

Council Member Koentopp had nothing to report.

Council Member Smith had nothing to report.

ADJOURN

Council Member Menicucci moved to adjourn the meeting at 9:15 p.m.





Susan Caldwell, City Clerk



Russell C. Nelson, Mayor