

**BELGRADE CITY COUNCIL MEETING MINUTES**  
**COUNCIL CHAMBERS**  
**June 6, 2022**  
**7:00 PM**

This meeting was open to the public and attended in person and via Zoom video platform.

Mayor Russell C. Nelson called the meeting to order. Council Members in attendance were Mike Meis, Jim Simon, Kristine Menicucci, Jim Doyle and Renae Mattimoe. Council Member Martha Sellers attended via Zoom video.

City staff in attendance were City Manager Neil Cardwell, City Attorney Rick Ramler, City Clerk Susan Caldwell, Executive Assistant Dana Jambor, Executive Director of Finance Charity Wilson, Community Development Director Jason Karp, Acting Fire Chief Greg Tryon, Police Chief Dustin Lensing, Judge Chris Gregory, Public Works Director Steve Klotz, Executive Consultant Ted Barkley, City Engineer Tom Eastwood.

Others in attendance were Ali Vasarella, Vivian Crouse, Kelsey Heiberg, Anthony Heiberg, April Johnson, Jessi McCloud, Elizabeth Marum, Amanda Fay, Judy Doyle.

Others in attendance via zoom were Dale Mailey, Max Dupras, Nicole Cardwell, Jeremy May, Diana Setterberg, Scott Mullen, Becker, Ryan McLane.

**PUBLIC FORUM**

Mayor Nelson called for public comment.

Anthony Heiberg, residing on Low Line Spur Road, reported a problem with cats in his neighborhood because owners were allowing them to roam and cause damage in other people's yards. Heiberg had been asking owners to keep them out of his yard but the cats were continuing to defecate, spray urine and kill song birds. In his efforts to work with the City's Animal Control staff, it was found that there were no guidelines to help control cats. Current rules only dealt with dogs. Heiberg asked to change the code to add cats to the rules for better control.

City Attorney Ramler said he would check on current levels of enforcement available in this area and bring back more information to the City Manager and Council.

Elizabeth Marum, residing on East Missoula, complimented the new playground equipment and layout of the play area at Lewis & Clark Park that was recently opened for use. Seeing ADA-friendly equipment for those who were handicapped was very much appreciated.

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

**CONSENT AGENDA**

-Resolution 2022-29 Intent to Consider Annexation (a portion of Lot 10A of the Amended Plat of Belgrade North Business Park Subdivision Phase 2 (Plat J-208C)) for Greater Rocky Mountain Stone, LLC, and set date for public hearing on June 20, 2022

-Resolution 2022-30 Intent to Consider Annexation (Lot 23 of Belgrade North Business Park Subdivision, Phase 3) for Bowen Construction Services, LLC, and set date for public hearing on June 20, 2022

-Resolution 2022-31 Intent to Consider Annexation (Tracts 1-4 of Sunnyside Estates Minor Subdivision, No. 530) for Sunnyside Estates, LLC, and set date for public hearing on July 5, 2022

-Authorize City Manager to sign Land Use License Application for Monitoring Wells

-Authorize Mayor to sign Letter to Gallatin County Commission regarding Housing Strategy

-Council Meeting Minutes for June 7, 2021

-Council Meeting Minutes for June 21, 2021

-Council Meeting Minutes for May 16, 2022

**ACTION: Council Member Menicucci moved to approve of all Consent agenda items as submitted. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.**

## **DISCUSSION AGENDA**

### **Consider Resolution 2022-32 Adopting Interlocal Agreement for City-County Board of Health**

Mayor Nelson called for public comment. There was none.

**ACTION: Council Member Meis moved to approve Resolution 2022-32 adopting the Interlocal Agreement among Gallatin County, City of Bozeman and City of Belgrade, establishing a City-County Board of Health as presented. Council Member Mattimoe seconded the motion. All voted aye, motion carried unanimously.**

### **Consider an appointment to the Governing Body of City-County Board of Health**

City Manager Cardwell noted the structure of the governing body for the new Board of Health. With this updated version of the interlocal agreement, he asked the Council to reaffirm their previous appointment of Mayor Nelson to this position if they so desired.

Mayor Nelson called for public comment. There was none.

**ACTION: Council Member Simon moved to approve and appoint Mayor Russell C. Nelson to the Gallatin City-County Board of Health Governing Body as the Council Representative for the City of Belgrade. Council Member Doyle seconded the motion. All voted aye, motion carried unanimously.**

### **Consider an appointment to the Health Board of the City-County Board of Health**

City Manager Cardwell noted part 5 of the agreement dictated the structure of the Board of Health with one Belgrade Council member or designee. With the updated agreement, he asked the Council to reaffirm their previous appointment of Mayor Nelson to this position if they so desired.

Mayor Nelson called for public comment. There was none.

**ACTION: Council Member Menicucci moved to approve and appoint Russell C. Nelson to serve on the Gallatin City-County Board of Health as a Council representative for City of Belgrade. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.**

### **Consider process for appointment for Belgrade reps to the City-County Board of Health**

City Manager Cardwell noted that part 5 of the interlocal agreement dictated appointing two members from the community. Cardwell suggested using a similar application review process currently in place for other City advisory boards. Vacancies would be advertised and applications would be submitted to the City Clerk and passed on to the Mayor for recommendation.

Mayor Nelson called for public comment. There was none.

Cardwell noted that a Health Board meeting had been scheduled for the end of June so we were looking to fill Belgrade's two vacancies as soon as possible. This was the goal, but there was no specific deadline for filling the seats. Discussion followed about the desired background and knowledge base being sought for successful candidates to bring to the Board. It was suggested that the openings be posted to various professional engineering association information boards as well.

**ACTION: Council Member Mattimoe moved to approve and adopt the process for Belgrade appointments to the Gallatin City-County Board of Health as presented. Council Member Meis seconded the motion. All voted aye, motion carried unanimously.**

### **Consider future Belgrade Aquatics Center**

City Manager Cardwell noted ongoing planning efforts by the Belgrade Aquatics Foundation to building a facility in Belgrade. They were now seeking support from Council in a similar way that the Library project was supported. They desired to raise a percentage of funds and gain the support of Council to place a bond question to the voters for the remainder.

Jessie McCloud, Director, and April Johnson, Vice President of the Belgrade Aquatics Foundation, reviewed the Enterprise Plan and proposed services to be provided. The requested a Letter of Support from Council to show their backing as they go out to seek private donations. Not only would this facility benefit Belgrade, but it would also bring regional benefits. Plans included teaming with Bannock Group for fund raising efforts and other Pool consultants to form concept designs, cost estimates and sustainable plans.

Council suggested making estimates on the higher side due to changeable material costs that our area was experiencing. The felt it would be used to the full by all area communities. Cardwell noted that the location was still slated for Menicucci Park. He said he would start working on the Letter of Support if Council gave approval.

Mayor Nelson called for public comment, there was none.

**ACTION: Council Member Simon moved to approve and support the Belgrade Aquatics Foundation and agree to support a bond referendum proposal if the Foundation raised 10% of the projected costs in donations to the City of Belgrade. Council Member Sellers seconded the motion. All voted aye, motion carried unanimously.**

### **Consider Contract for Engineering Services – Well #8 Project**

City Engineer Tom Eastwood reviewed the professional services agreement for engineering services related to the project for constructing Well No. 8, addressing the need for additional water capacity. This would help the City to identify a suitable location for the well and progress to putting bids out for construction. Cardwell noted funding could come from a matching grant for water and sewer improvements available to the City.

Mayor Nelson called for public comment, there was none.

**ACTION: Council Member Meis moved to approve and authorize the City Manager to sign an Agreement with Dowl, LLC in the amount of \$142,849.00 for Engineering Services related to the Municipal Well No. 8 project. Council Member Doyle seconded the motion. All voted aye, motion carried unanimously.**

### **Consider acquiring a DNRC Permanent Easement for future Public Works Facility**

City Manager Cardwell reviewed the proposed area for a future Public Works facility near the wastewater treatment plant.

Executive Consultant Ted Barkley discussed progress over the past 3 years or so with efforts to separate out some of the land shared with the airport and owned by DNRC. Several sites were reviewed. DNRC had a new Land Manager who was willing to work with the City of Belgrade. Barkley noted that the subject property was just under 30 acres which would allow consolidation of Public Works assets onto one location. Existing monitoring wells were already located on the subject property and it would create a buffer for the property to the north. This was desirable for both the City and for DNRC. An appraisal was completed at \$65,000 per acre. This was less expensive compared to other properties that had been reviewed. Barkley noted that this would be a permanent perpetual easement. This was in addition to the existing easements and would replace the current land use agreement for the monitoring wells.

Mayor Nelson called for public comment, there was none.

Discussion followed about options for funding the easement costs. Cardwell noted that the City Finance Director would make a recommendation for financing.

**ACTION: Council Member Menicucci moved to approve and authorize the City Manager to negotiate the acquisition of 20-30 acres of DNRC property as presented with a not-to-exceed price of \$65,000 per acre and authorize the city manager to sign all documents related therein. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.**

**Consider Improvements Agreement for Annexation of Lot 27, North Business Park, Belgrade Sales & Service**

Community Development Director Jason Karp reviewed the proposed Improvements Agreement which would extend water and sewer services into Happy Lane as part of the annexation. The applicant asked that this be deferred until other properties were brought in. The associated Letter of Credit would be in effect for two years, with possible extension upon cost evaluation.

Mayor Nelson called for public comment, there was none.

**ACTION: Council Member Menicucci moved to approve the Improvements Agreement for infrastructure for Lot 27 of Belgrade North Business Park Subdivision Phase 3 as per the annexation service plan adopted by the Belgrade City Council on August 2, 2021 and upon receipt of the Letter of Credit complying with the terms of the Improvements Agreement. Council Member Meis seconded the motion. All voted aye, motion carried unanimously.**

**Consider Board Appointment for Belgrade Library Board of Trustees**

Mayor Nelson recommended appointment of Scott Mullen to the Library Board of Trustees. Council Member Sellers said she had also reviewed the applicant's information as requested.

Mayor Nelson called for public comment, there was none.

**ACTION: Council Member Sellers moved to approve and appoint Scott Mullen to serve on the Library Board of Trustees for a 5-year term. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.**

**Discuss and Consider City of Belgrade Logo**

City Manager Cardwell reviewed the options available for a new City logo and thanked the committee members who had worked on this project.

Council discussed the various options and color schemes for a new logo. They inquired about incorporating some of the elements of the existing logo. Cardwell explained that it would need to be recreated into a digital format that could be used for the purpose of the new City website among other things. This process might incur additional cost.

Mayor Nelson called for public comment, there was none.

**ACTION: Council Member Sellers moved to authorize the City Manager to have the design firm recreate the original city logo in a digital format and bring it back to Council for review along with the other options. Council Member Doyle seconded the motion. All voted aye, motion carried unanimously.**

## **EXECUTIVE SESSION**

At 8:05pm Mayor Nelson called for Executive Session and closed the meeting to the public in order to discuss litigation strategy in regard to Trout Unlimited, Inc., v. City of Belgrade.

At 8:45pm Mayor Nelson closed Executive Session and reopened the meeting to the public.

## **REPORTS**

Mayor Nelson had nothing to report.

City Attorney Ramler had nothing to report

City Manager Cardwell thanked Bridger Aerospace for their donation toward improvements at Lewis & Clark Park and commented on the ribbon cutting event recently held. He reported that the sign for Hollis' Wish was damaged, but it would be replaced very soon.

Cardwell reminded Council that he would be out of town for the next meeting and Police Chief Lensing would be sitting in for him at the June 20<sup>th</sup> council meeting.

## **FOR YOUR INFORMATION**

Council Member Meis reported that the PCC meeting was scheduled for June 21<sup>st</sup> and Council Member Menicucci would be attending in his place. Meis would also be traveling that week and planned to join the June 20<sup>th</sup> council meeting via zoom. He reported on discussions with City Manager Cardwell regarding potential grants available for use on the new Library related to use of solar panels. There were other rebates available related to energy efficiency efforts that might apply as well through NorthWestern Energy.

Council Member Simon reported on his attendance at the recent Fire Board meeting where they discussed their budget presentation for the district and changes in station usage. He discussed their progress on recruitment and interviews of potential Fire Chief candidates.

Council Member Sellers reported on the recent Library meeting where they said goodbye to board member Pam Knowles. She reported that the Planet Walk event was very successful with hundreds participating. She thanked Chief Lensing and the police officers who responded to fireworks being set off in her neighborhood on the night of May 29<sup>th</sup> and she appreciated how they addressed the situation.

Council Member Menicucci noted that she had reported over 200 participants at the planet/solar event, but the Library Director requested that she correct the number to over 400.

Regarding the Water Quality Board's recent meeting, she noted that the nitrate numbers were coming in high, all the way to Dry Creek Road. It could be cattle and fertilizer that was causing the rise in the numbers. She also commented on suggestions to placing water-saving plants around the new Library. Menicucci also requested a review of existing Wards because she felt they were growing very large. She noted that she and Council Member Doyle covered the same ward, but Ryen Glenn was separated by quite some distance and they didn't even know each other's neighborhoods.

Council Member Doyle had nothing to report.

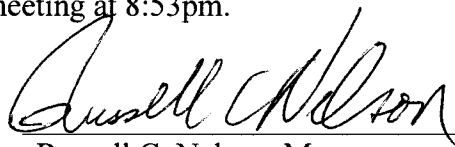
Council Member Mattimoe reported attending the ribbon cutting at Lewis & Clark Park for Hollis' Wish and noted it was very well attended. She was also excited to see the older equipment go to Sunnyside Park. She noted her attendance at Belgrade's High School graduation with over 200 seniors and that this week was the last week of school for the year. She invited all to the Roller derby this Saturday.

Mayor Nelson asked to confirm that the first Council meeting in July was on Tuesday July 5<sup>th</sup> due to the holiday. The City Clerk confirmed this was correct. Mayor Nelson noted that he would not be in attendance for the first meeting in August due to travel so the Deputy Mayor would be asked to conduct the meeting.

City Manager Cardwell noted that he planned to bring a draft ordinance regarding Fireworks to a meeting in July for Council's consideration.

**ADJOURN**

Council Member Simon moved to adjourn the meeting at 8:53pm.

  
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Russell C. Nelson, Mayor

  
  
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Susan Caldwell, City Clerk