

**BELGRADE CITY COUNCIL
MEETING MINUTES
COUNCIL CHAMBERS
June 21, 2022 (Tuesday)
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 Jim Simon, Kristine Menicucci, Jim Doyle and Renae Mattimoe. Council Member attending via zoom was Martha Sellers.

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

Others in attendance were Vivian Crouse, Lisa Beedy, Drew Kirsch, Judy Doyle. Others in attendance via zoom were Diana Setterberg and Dale Mailey.

ACTION: Council Member Simon moved to excuse Council Member Meis. Council Member Menicucci seconded the motion. All voted aye, motion carried unanimously.

PUBLIC FORUM

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

CONSENT AGENDA

- Ordinance 2022-10 (first reading) Adoption of Updated Building Codes and set date for public hearing on July 5, 2022
- Resolution 2022-33 Intent to Annex Lots 28 & 29 of Belgrade North Business Park Phase 3 for Jason Lea and set date for public hearing on July 18, 2022
- Council Meeting Minutes: 6/29/21 Special, 7/6/21 Special, 7/6/21 Regular, 6/6/22 Regular

ACTION: Council Member Simon moved to approve all Consent Agenda items as submitted. Council Member Doyle seconded the motion. All voted aye, motion carried unanimously.

PUBLIC HEARING

Consider Adoption of Annexation Service Plan for Lot 23 of Belgrade North Business Park Subdivision, Phase 3, Bowen Construction Services, LLC

Community Development Director Karp reviewed the Annexation Service Plan for the property located at the corner of Glider Lane and Happy Lane. He noted that this was a standard service plan for the area and had been reviewed by the City Engineer.

Mayor Nelson opened the public hearing and called three times for public comment. There was none and the public hearing was closed.

ACTION: Council Member Simon moved to approve the Bowen Annexation Service Plan for Lot 23 of Belgrade North Business Park Phase 3 in accordance with 7-2-4610 Montana Code Annotated. Council Member Menicucci seconded the motion. All voted aye, motion carried unanimously.

PUBLIC HEARING

Consider Resolution 2022-34 Adoption of Annexation for Lot 23 of Belgrade North Business Park Subdivision, Phase 3, Bowen Construction Services, LLC

Karp noted that with the approval of the Annexation Service Plan, the Council could now consider approval of annexing the Bowen property.

Mayor Nelson opened the public hearing and called three times for public comment. There was none and the public hearing was closed.

ACTION: Council Member Doyle moved to approve Resolution 2022-34 to Annex Lot 23 of Belgrade North Business Park Phase 3 into the City of Belgrade including the adjacent Glider Lane and Happy Lane rights-of-way. Council Member Mattimoe seconded the motion. All voted aye, motion carried unanimously.

PUBLIC HEARING

Consider Adoption of Annexation Service Plan for a portion of Lot 10A of the Amended Plat of Belgrade North Business Park Subdivision Phase 2 (Plat J-208C), Greater Rocky Mountain Stone, LLC

Karp reviewed the Annexation Service Plan for the Greater Rocky Mountain Stone property. He noted that they had realigned this property which had resulted in adding to the vacant lot that was already inside City limits. There were no rights-of-way involved.

Mayor Nelson opened the public hearing and called three times for public comment. There was none and the public hearing was closed.

ACTION: Council Member Menicucci moved to approve the Greater Rocky Mountain Stone, LLC Annexation Service Plan for portion of Lot 10A of Amended Plat J-208C in accordance with 7-2-4610 Montana Code Annotated. Council Member Mattimoe seconded the motion. All voted aye, motion carried unanimously.

PUBLIC HEARING

Consider Resolution 2022-35 Adoption of Annexation for a portion of Lot 10A of the Amended Plat of Belgrade North Business Park Subdivision Phase 2 (Plat J-208C), Greater Rocky Mountain Stone, LLC

Karp noted that with the approval of the Annexation Service Plan, the Council could now consider approval of annexing the Greater Rocky Mountain Stone property.

Mayor Nelson opened the public hearing and called three times for public comment. There was none and the public hearing was closed.

ACTION: Council Member Menicucci moved to approve Resolution 2022-35 to Annex a portion of Lot 10A of Amended Plat J-208C into the City of Belgrade. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.

DISCUSSION AGENDA

Consider Improvements Agreement for Bridger Heights Phase 3B Major Subdivision

Karp noted reviewed the Improvement Agreements for Phase 3B. The City Engineer had also reviewed the agreements. The area covered about 1 block on Black Diamond Street. The sidewalk agreement would be for a period of 3 years. The streets/blvds agreement would have a period of 1 year.

Drew Kirsch, engineer representing the applicant, stated that he was available for questions.

Mayor Nelson called for public comment. There was none.

ACTION: Council Member Mattimoe moved to approve the Improvements Agreements for Bridger Heights Subdivision Phase 3B to be accompanied by Letters of Credit acceptable to the City in the amount of \$80,693.47 for sidewalks and boulevards and \$16,284.38 for remaining street improvements, complying with the terms of the Improvements Agreements. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.

Consider Request for Final Plat Approval for Bridger Heights Phase 3B Major Subdivision

Karp noted that with the approval of the Improvement Agreements, the Council could now consider approval of the Final Plat for Bridger Heights Subdivision Phase 3B.

Mayor Nelson called for public comment. There was none.

ACTION: Council Member Menicucci moved to grant final plat approval to the Bridger Heights Subdivision Phase 3B subject to the transmittal of the signed Improvements Agreements and Letters of Credit that were acceptable to the City, finding that all conditions of preliminary plat approval had been met and the subdivision complied with the Montana

Subdivision and Platting Act and the Belgrade City Code. Council Member Mattimoe seconded the motion. All voted aye, motion carried unanimously.

Consider Motion regarding Strategic Construction Solutions, Inc, (SCS) Settlement Agreement and Liner Project

City Attorney Ramler reviewed the claims submitted by SCS and noted that the City had disputed the initial claims and so the decision was made to go to mediation. He noted the resulting settlement document provided for Council's review. Upon Council's approval, the settlement agreement would be submitted for approval by Rural Development and Montana Department of Environmental Quality. In addition to paying out additional funds of about 1.35M to SCS related to delays associated with the pandemic, Ramler noted the terms of the agreement that outlined a change to who would be responsible for work on the Liner of Cell 1 and removal of sludge.

Public Works Director Klotz discussed options for removal of sludge and that this was a normal periodic requirement. The existing Liner had been in service for over 15 years so it would be tested as suggested by DEQ.

Ramler noted staff's recommendation that the City commit to sludge removal, leak inspection, and repair or replacement of the Liner according to the schedule noted in the Motion document.

Mayor Nelson called for public comment. There was none.

ACTION: Council Member Menicucci moved to approve the Settlement Agreement with Strategic Construction Solutions, Inc (SCS) and to commit to perform additional activities as presented and read the Motion Document into the record. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.

Klotz noted that liquid treatment processes should be up and operating within a couple of months. He anticipated SCS to be finished and off site by January or February 2023.

Consider Board Appointment – City County Board of Health

Mayor Nelson reviewed the application of John Edwards and recommended his appointment to the Health Board in view of his experience and skills.

Mayor Nelson called for public comment. There was none.

ACTION: Council Member Simon moved to approve of appointing John Edwards to serve on the City County Board of Health as a representative of Belgrade. Council Member Doyle seconded the motion. All voted aye, motion carried unanimously.

Consider finalization of City Logo Graphic

Police Chief/Acting City Manager Lensing reviewed the various logo designs and noted that a digitally updated version of the original city logo had been prepared for Council's review.

Mayor Nelson called for public comment. There was none.

ACTION: Council Member Sellers moved to approve the newly digitally produced version of the original City logo and use for all purposes. Council Member Mattimoe seconded the motion. All voted aye, motion carried unanimously.

REPORTS

Mayor Nelson had nothing to report.

City Attorney Ramler had nothing to report.

Police Chief / Acting City Manager Lensing reported that the Senior Center membership had voted overwhelmingly in favor of coming under the City's direction as a City department. The vote was 77 to 3 in favor.

Lisa Beedy, Senior Center Director, thanked City staff and Council for their support. She noted the assistance of Library Director Bacon and Belgrade Chamber Director Gee who were also present at the gathering of the membership and for the vote. She noted the growth they had seen in recent years and they were excited to become part of the City. City Attorney Ramler noted the next steps would involve producing a Memo of Understanding and other documents needed to perform a transfer of deed and such. Discussion followed about the reporting structure. Lensing noted that more information would be provided as the changeover progressed.

Lensing reported on the joint efforts in our Valley and inaugural Fire Academy graduation that had recently take place. He announced that Greg Tryon had been chosen to fill the position of Central Valley District Fire Chief. Council congratulated Chief Tryon on his appointment.

Fire Chief Tryon thanked Council for their recent letter of support in regard to his appointment. He reported the local training efforts and recent accomplishments. He noted the significance of the newly formed joint career academy for the entire valley and various jurisdictions. It was a great step in cooperative local training.

Community Development Director Karp reported on the wide variety of permits issued by the City and the activity during 2022. His summary included activity related to construction of buildings/remodels, camping, chickens, dogs, regular business licensing, marijuana business licensing, street cut permits and park pavilion reservations. He noted that each building permit also required corresponding plumbing, mechanical and electrical permits depending on the project.

FOR YOUR INFORMATION

Council Member Sellers gave an update on area flooding and the affect on communities. She reported on her efforts in Red Lodge and the devastation in that area. She encouraged all to help wherever they could.

Council Member Simon reported on attending the recent Central Valley Fire Board meeting and the graduates of the new Training Academy. He felt it was impressive to see all the emergency service providers in our area come together like this. He noted that Joe Nelson had retired from the

board after 7 years of service. Simon noted that he would not be able to attend the next Fire Board meeting. Council Member Doyle said he would attend in his place.

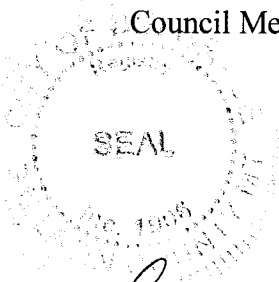
Council Member Menicucci inquired about lots where weeds were overgrown and asked if letters had been issued on these properties. Chief Lensing noted that he had recent staff shortages in the department, but now they had a newly hired Code Enforcement Officer to assist. He noted they were now working on putting out notices for owners to deal with overgrown weeds. Mayor Nelson added that he would like someone to contact owners of Yellowstone Plaza about weed removal as well. Council Member Menicucci reported attending the PCC meeting where they discussed how growth and residency was affecting area school operations and where new schools were being considered or even closed.

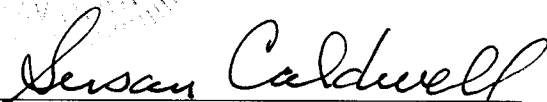
Council Member Doyle had nothing to report.

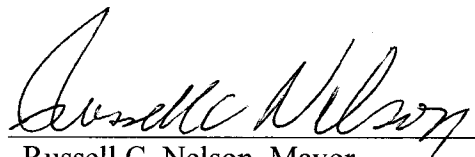
Council Member Mattimoe reported on the recent Park Board Meeting where they worked on progressing toward accepting donations for the Splash Park through a QR Code option. They looked forward to using the funds to replace items as needed. She reported that Park Board members were scheduled to attend training on how to properly conduct a municipal government meeting so they were looking forward to the opportunity.

ADJOURN

Council Member Simon moved to adjourn the meeting at 8:03pm.




Susan Caldwell, City Clerk


Russell C. Nelson, Mayor