

**BELGRADE CITY COUNCIL  
MEETING MINUTES  
COUNCIL CHAMBERS  
August 15, 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 Martha Sellers, Jim Simon, Kristine Menicucci, Jim Doyle and Renae Mattimoe.

City staff in attendance were City Manager Neil Cardwell, City Attorney Rick Ramler, City Clerk Susan Caldwell, Executive Assistant Dana Jambor, Community Development Director Jason Karp, Public Works Director Steve Klotz, Fire Chief Greg Tryon, Finance Director Charity Wilson, City Engineer Tom Eastwood.

Others in attendance were Vivian Crouse, Judy Doyle, Wayne Freeman, Karen Davis. Others in attendance via zoom were Mat Johnson, Kaye Trevarthen, Ali Vasarella.

**ACTION: Council Member Simon moved to excuse Council Member Meis. Council Member Sellers 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**

- Resolution 2022-45 regarding General Obligation Bond for Library Project
- Request for Final Plat Approval for GTM First Minor Subdivision
- Water/Sewer Access Easement Agreement – thru Home Storage LLC property
- Water/Sewer Access Easement Agreement – thru Leep property
- Council Meeting Minutes for 08/01/2022

Council Member Sellers stated a correction to the Council Meeting Minutes regarding comments made about the newly formed Senior Center Advisory Board. She did not intend to volunteer to serve on the board at that time. City Manager Cardwell noted that no official nominations had been made yet and this correction would be made.

Council Member Simon noted that the names listed on the Easement agreements still showed Ted Barkley as the City Manager on the signature page. The City Clerk said she would have the corrections made before signatures were applied.

City Manager Cardwell commented on Resolution 2022-45 regarding the GO bonds for the Library project. He noted that an adjustment was required in regard to the interest rate being listed at no more than 7%.

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

## **PUBLIC HEARING**

### **Ordinance 2022-13 (second reading) to Update City Code Section 10-5-17 regarding Sidewalks (continued from July 18th meeting)**

Community Development Director Karp reviewed the proposed sidewalk ordinance amendments. The main change would allow waiver requests to come through City staff and the City Manager for approval. Any appeals would go through the Board of Adjustment. He also discussed options related to paying cash-in-lieu.

Discussion followed about how cash-in-lieu fees would be determined. Council expressed concern about how such payments would be tracked and used. Cardwell noted that the proposed ordinance would include an amount figured at 125% of the current cost of a sidewalk as written.

Council discussed the option to continue the practice of having individuals sign a waiver of right to protest future installation of sidewalks with no cash-in-lieu required. Cardwell noted his plan to establish a Sidewalk Fund to start addressing the need for sidewalk connectivity in both old and new parts of Belgrade. Cash-in-lieu fees, if approved, would be included in this special fund, along with a regularly budgeted amount set aside by the City for this purpose. Cardwell said it would be included for Council's review in the upcoming budget presentation for the new year.

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

City Attorney Ramler noted that if Council wanted to remove the requirement for a cash-in-lieu fee, they should state the change of language. He suggested adding language to require the applicant to sign the waiver of right to protest or object if and when the City required them to install a sidewalk. Wording could also include that the City Manager may require such mitigating requirements as may be deemed appropriate under the circumstances.

Cardwell noted that if Council decided to strike out the required monetary fee, it would not change the plan to create a Sidewalk Fund within the new budget.

**ACTION: Council Member Sellers moved to approve and adopt Ordinance 2022-13 upon second reading and after public hearing, amending the sidewalk ordinance as proposed with changes to strike out a monetary payment, to add a required waiver of protest and add that the City Manager may require mitigating requirements as deemed appropriate. Council Member Simon seconded the motion. Motion carried 5-0**

#### **Roll Call Vote:**

**Council Members voting aye: Sellers, Simon, Menicucci, Doyle, Mattimoe**

**Council Members absent: Meis**

## **PUBLIC HEARING**

### **Consider Annexation Service Plan for Four Graces Property**

Karp reviewed the Annexation Service Plan proposed for the Four Graces property. He noted this plan was still under the old annexation policy and had been delayed due to going through the County subdivision process. Karp noted the property was located west of the JLD and Ashton Meadows project, south of Weaver Road. It included approximately 278 acres and was similar to Ashton Meadows in requirements.

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

**ACTION: Council Member Sellers moved to approve the Four Graces Annexation Service Plan for Tracts 1,2, and 5 of the Four Graces Minor Subdivision No. 539 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 2022-46 to Annex the Four Graces Property**

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

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

**ACTION: Council Member Doyle moved to approve Resolution 2022-46 to annex Tracts 1,2, and 5 of the Four Graces Minor Subdivision No. 539 into the City of Belgrade including the adjacent Weaver Road and Collins Road rights-of-way. Council Member Sellers seconded the motion. All voted aye, motion carried unanimously.**

## **PUBLIC HEARING**

### **Consider Resolution 2022-47 to Create Special Improvement Lighting District No. 2445 for Bridger Heights**

Karp reviewed the finalized plans for the Bridger Heights Lighting District and noted it would cover all phases of the subdivision.

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

**ACTION: Council Member Sellers moved to approve Resolution 2022-47 creating Special Improvement Lighting District No. 2445 for Bridger Heights Subdivision and to**

**authorize the City Manager to sign a contract with NorthWestern Energy for the installation, maintenance and assessment of the lighting fixtures within the proposed district. Council Member Doyle seconded the motion. All voted aye, motion carried unanimously.**

## **PUBLIC HEARING**

### **Consider Resolution 2022-48 Adoption of Updated Annexation Policy**

Karp reviewed the revised Annexation Policy and noted the intent to enter into annexation agreements instead of service plans going forward. This was also related to Belgrade's new designation as a First Class City. He noted that this update would provide more flexibility. The previous resolution had been in effect since 2004.

Karp noted a proposed addition of language to page 1, Section 1, item 3, which stated: "The City requires annexation of all land proposed for development that proposes to utilize municipal water or sewer systems excepting properties and buildings owned or controlled by the Gallatin Airport Authority used specifically for airport purposes" and to add the wording to item 3: "or in unique circumstances where a contract is agreed upon between the City Council and another public or private entity for the City to provide utility services without annexation".

Karp noted that this additional language was reiterated further along in Section 2, item 10 on page 4 of the Policy. He discussed examples of how these unique circumstances might apply in regard to School District properties. The Central Valley Fire District Station was also noted as an example of a building with a non-aviation purpose being located on Airport property.

City Manager Cardwell discussed efforts in Gallatin Valley to start regionalization of water/sewer services. Such resources being discussed on such a large scale would have the potential for non-typical circumstances to come into play. The updated Annexation Policy would assist in providing flexibility moving forward.

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

**ACTION: Council Member Mattimoe moved to approve and adopt Resolution 2022-48 revising and establishing goals and policies for future annexations of properties into the City of Belgrade. Upon adoption, Resolution 2004-2 is hereby repealed with recommended adjustments as stated. Council Member Simon seconded the motion. All voted aye, motion carried unanimously.**

## **DISCUSSION AGENDA**

### **Reconsider Sidewalk Variance for Williamson and Larson**

City Manager Cardwell recommended that Council direct him to review the applications for Williamson and Larson under the new policy, effective in 30 days.

Mayor Nelson called for public comment. There was none.

**ACTION: Council Member Menicucci moved to send this to the City Manager for review under the newly approved sidewalk ordinance, 2nd by Sellers. Council Member seconded the motion. All voted aye, motion carried unanimously.**

City Manager Cardwell requested a change in the order of the Agenda and asked to now consider the Memo of Understanding for the School Resource Officer Program. Council agreed.

**Consider Authorizing the City Manager to enter into an updated Memo of Understanding (MOU) for the School Resource Officer Program pending action by the Belgrade School District**

City Manager Cardwell noted his plan to attend the upcoming School Board meeting later in the week when the School District would consider the updated agreement. He recommended Cardwell noted this would expand the SRO program and establish a feasible fiscal model. The proposal provided a reasonable split based on the number of months the Officer would work for the School and the number of months worked for the City. Pay ranges would be filled in once the candidate officers were designated.

Council discussed the language of the agreement and wanting to stress the importance of being a personal resource to the students. Cardwell noted this was very similar to the existing agreement from years past and was considered standard in form. This represented the fiscal, technical, legal and procedural side of things. More intricate aspects of the engagement between the officers and the students would be best developed in the school environment. The foremost concern was for safety. Individual engagement and positive interaction with the students and staff would continue to come into play. Cardwell noted this would provide framework as we continued to grow and increase the number of schools.

Mayor Nelson called for public comment. There was none.

**ACTION: Council Member Simon moved to authorize the City Manager to sign the Memo of Understanding for the School Resource Officer Program pending approval by the Belgrade School District. Council Member Menicucci seconded the motion. All voted aye, motion carried unanimously.**

**Consider Analysis of Strengths, Weaknesses, Opportunities and Threats (SWOT) related to the City's various codes and long-range plans**

Community Development Director Karp introduced Wayne Freeman with Cushing Terrell. He noted that Cushing Terrell had also assisted with Belgrade's Growth Policy and Downtown Plan and had actively assisted in Zone Code revisions, particularly for our un-zoned sections for both the City of Belgrade and County areas.

Wayne Freeman, Cushing Terrell, reviewed the need for this long-range analysis and overview. He noted working with other planning communities that were facing such growth.

Cushing Terrell conducted many interviews with City staff, a review of existing documents, and a workshop held with City staff to identify any and all issues. Belgrade's system was found to be antiquated. Freeman reviewed a summary report provided for Council's information. The current system did not provide an easy way to read or find information. The various plans did not mesh and were not always harmonious. Maps were also not sufficient. The recommended goal was to update and bring plans into harmony through a web-based process to improve efficiency and ease of access.

Discussion followed about the cost. Cardwell noted this was a large scale project that would most likely take 2 to 3 years. He noted some key areas he felt should be tackled first such as water, sewer and traffic plans. He estimated a cost of about \$500,000 over the course of the first year or so. This would require a major shift to a digital information base with a GIS component to maintain current data. Cardwell noted that the associated costs would be part of the upcoming budget presentation.

Mayor Nelson called for public comment. There was none.

## **REPORTS**

Mayor Nelson had nothing to report.

City Attorney Ramler had nothing to report.

City Manager Cardwell reported that Tom Eastwood had been designated as the Director of the City Engineering Department, now its own department.

Cardwell reported that the Wastewater Treatment Facility project had reached Milestone #1 which was signed off as of August 12<sup>th</sup>. Staff would now be present on site with lab equipment for testing and it would start coming online. They were rapidly approaching Milestone #2 when we would start using capacity and issuing capacity letters.

Cardwell reported on receiving a response from Rural Development in regard to approval of the City's settlement agreement on the WWTP project so that process can now be completed.

Cardwell reported that the Swagit install for broadcast services was set for mid-September. He recommended that the October 3<sup>rd</sup> Council meeting be the first meeting to go online with the system. All boards and commissions that were scheduled to use the City Council Chambers could be broadcast this way from that day forward. Cardwell clarified that this would involve a "directed camera" broadcast for Council and Planning Board meetings. These would be live broadcasts accessible through the City website. All other board meetings would have a wide angle shot and be broadcast accordingly.

The newly updated City Website was scheduled to come online by September 14<sup>th</sup>. Cardwell noted that the look of the Agenda would change because the system would allow submittal through the website. The goal was to be able to provide a full digital link for agenda

items as desired. He noted the option of going paperless and providing electronic devices/tablets for council to use going forward if they so desired.

Mayor Nelson called for public comment.

Judy Doyle, resident of Belgrade, inquired how citizens would interact with the Swagit system and how one would obtain a copy of the agenda. Cardwell said they would be able to listen and view the broadcast, but personal attendance at the meeting would be required in order to engage and give comment. Cardwell said there would be a link available to download and view agendas.

## **FOR YOUR INFORMATION**

Council Member Mattimoe reported on having a very active Park Board meeting. She noted activities of moving and installing playground equipment from one part to another. She noted the group working on the Pump Track were working on a grant application for up to \$300,000 and were setting up fundraising efforts to continue moving forward. She noted that it was Camp Night this Thursday at the Belgrade Farmers Market. She noted the upcoming meeting on Aquatics in the County on August 22<sup>nd</sup>. Cardwell noted that he would be attending along with Public Works Director Klotz. Council Member Mattimoe and Simon also planned on attending.

Council Member Doyle had nothing to report.

Council Member Menicucci reported overgrowth of weeds in alley areas. Cardwell said he would discuss the specific areas with her further.

Council Member Simon asked if he was still scheduled for a Budget meeting on August 23<sup>rd</sup> at 5:30. Cardwell confirmed there would be small group meetings on the budget for them to provide feedback to City staff so the preliminary budget could be prepared. Two meetings on one day, one meeting on another day. Simon confirmed he would attend the budget meeting, but would not be able to attend this month's Fire Board meeting. Council Member Menicucci said she could attend the Fire Board meeting in Simon's place at 5:30pm.

Council Member Sellers had nothing to report.

Mayor Nelson discussed his ongoing concerns about excessive weeds throughout the Yellowstone Airport Plaza property, next to the road and the interior areas. He felt the developer should take better care of the properties.

Karp noted that this subject had come up during a recent meeting he had attended with these developers. They agreed to review and take care of the weeds. Cardwell said he was confident that our Code Enforcement officers had also issued letters of notice.

Cardwell discussed that he could also approach MDT at their next meeting and propose an exchange of duties. Perhaps City staff could maintain the roadside areas and we might trade this for other services as we have done in the past with MDT. In general, Cardwell felt that the City's

abatement program should be reviewed as it was not proving to be effective in resolving weed control issues. He noted there were some changes happening at the State level in this regard.

City Attorney Ramler said we may want to go to a civil abatement process. He was looking at options.

Council inquired about the status of various projects and developments within the Yellowstone Airport Plaza. Karp noted that the Worker Housing building was progressing. He noted that the HRDC's subsidized housing project had been pulled out of the Airport Plaza and there were now working with the developers of the West Post project.

Cardwell reported that Bird Scooters had operated for a short time but had now pulled their services out of Belgrade.

**ADJOURN**

Council Member Simon moved to adjourn the meeting at 8:41 pm.

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Russell C. Nelson, Mayor

Attest

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Susan Caldwell, City Clerk