**JANUARY 9TH, 2018,** The Three Forks City Council met in session in City Hall at 206 Main Street, with the Three Forks Rural Fire District for the annual meeting. The Mayor called the meeting to order as it is the City’s turn to host this joint meeting.

**PRESENT:** Council members Deb Mickelberry, Teri Whitesitt, Gene Townsend, Ed Tharp, and Dennis Nelson. George Chancellor was absent from the Council. Three Forks Rural Fire Board Members were Dale Kober, Dave Hargrove, Bruce Felz, and Justin Kamerman. Roger Nerlin was absent from the Rural Board.

The record reflects that a quorum was present, with the attendance of five (5) City Council members and four (4) Rural Board members, and the meeting proceeded.

**GUESTS:** Fire Chief Keith Aune, Asst. Chief John Whitesitt, City Clerk Crystal Turner and City Treasurer Kelly Smith.

**MEETING:** Mayor Hamilton reported that the Fire Training Center floodplain issues have been addressed, except for one camper needing to be removed. The storage containers have been moved to higher ground.

Dave Hargrove, Chairman of the Rural Board, reported per the Interlocal agreement, inventory has been taken of all Rural and City equipment and a copy was provided to each group of the other’s inventory.

Dennis Nelson added that for the Rural Board’s information, he and George Chancellor have put together a bathroom remodel with shower install project within the fire hall that may be included in the City’s capital improvement plan.

Chief Aune provided an update on radio communication changes which may be happening in the next few years, which may require Thee Forks to upgrade its radios. Portable ones will run around $5,000/each in the future. They will search every grant option available. Gene Townsend asked if Keith thought the Fire Council would put the grant in for all smaller entities combined. Keith believed so, but wanted to inform the Rural Board and Council that we will need to plan for this in the near future, much like we did for the replacements of SCBAs a few years ago. Keith also brought up that tablets are used during wild land fires. Once in the fire trucks, tablets would need to have data in order to have service. Asst. Chief Whitesitt clarified that these would not be used just on wild land fires, but are also used to show who has arrived or who is en route to city incidents/calls. Crystal Turner informed the Board that she and Kelly Smith, along with Dave Hargrove briefly discussed that it would be less expensive to add data service to the tablets via the City’s existing Verizon account, rather than the Rural setting up its own Verizon account. There was discussion on blank service spots Verizon has and if those would still apply to the tablets. John Whitesitt said he is not sure if that would be 100% accurate as some are map applications that are downloaded from satellite and available on the tablet after a complete download, at a later date without service requirements.

Keith Aune said that dual band radio is supposed to fix all those “hills and valleys” in the radio waves. He added, “The County is putting in around $5 million into better radios.”

There was discussion on the West End Training Center funding and if it would remain a separate account or would it go under the City? Right now all funds still rest with the Willow Creek Fire Department chief, George Reich.

The Three Forks Ambulance Service District is having a lot of trouble finding volunteers. Firefighters have been called out to have someone drive the ambulance at times. Both boards were appreciative of the number of fire department volunteers.

Gene Townsend brought up that he received a bill this month for EMS for Charles Eastty – the Rural approved a check for half the payment, which was $17.50, but the Rural has never paid an invoice like this before. Crystal added the City has never paid this bill either. John Whitesitt said he believes this is the “QRU” and he is unsure who is responsible for paying the bill. He believes it is the license proving you have a certain amount of medical equipment on the truck. It is possible that it has historically been paid out of the firefighter’s account.

**ADJOURNMENT**

Mayor Hamilton adjourned the meeting at 6:57PM.

**CITY COUNCIL APPROVAL**

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**THREE FORKS RURAL FIRE BOARD APPROVAL**

Dave Hargrove, Chairman Eugene Townsend, Secretary

**JANUARY 9TH, 2018,** The Three Forks City Council met in session in City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:00 P.M. for the FIRST meeting of JANUARY 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Teri Whitesitt, Gene Townsend, Ed Tharp and Dennis Nelson. City Attorney Susan Swimley, City Treasurer Kelly Smith and City Clerk Crystal Turner were also present.

The record reflects that a quorum was present, with the attendance of six (6) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

Reminder to the public that the meeting was being recorded and for all those present tonight to review the policies of conduct on the back on the agenda.

**GUESTS:** Gloria Howland, Matt & Kelly Bugland, Asst. Chief John (Dave) Whitesitt, Sheriff Brian Gootkin, Capt. Peterson, Dep. Mike Emmons, and Sgt. Dan McDonough.

**APPOINTMENT OF COUNCIL OFFICERS**

A) Council President

Councilman Nelson made a motion that we appoint Ed [Tharp] as Council President. Councilman Chancellor seconded the motion. There was no Council discussion.

**Motion Passed Unanimously.**

B) Zoning & Planning Representative

George Chancellor said he would like to continue to serve on this Board. Councilman Nelson made a motion that we retain George as the Zoning & Planning representation for City Council. Councilman Townsend seconded the motion. There was no Council discussion.

**Motion Passed Unanimously**

C) Council Committee Appointments:

1. Auditing/Budgeting
2. Ordinances
3. Parks
4. Public Safety
5. Safety
6. Streets & Alleys
7. Town Property
8. Water/Sewer

Mayor Hamilton distributed the 2018 appointments (see packet) and asked if anyone wanted to switch to please speak up.

Teri Whitesitt said regarding her Water/Sewer Committee appointment, she knows they typically meet in the day and she is not available at all unless over the lunch hour via teleconference. The Mayor encouraged any meetings be moved to after 5PM to accommodate Mrs. Whitesitt’s schedule.

Councilwoman Whitesitt moved that we approve the council committees for the 2018 year. Councilman Nelson seconded the motion. There was no Council discussion.

**Motion Passed Unanimously.**

**PUBLIC COMMENTS/CONCERNS** (For items not on the agenda)

Sheriff Gootkin said he has been in contact with Crystal Turner over the last couple months about a variety of issues. She keeps him informed of any complaints or praises reported at City Hall regarding law enforcement. Gallatin County has been very busy promoting two captains and two sergeants, and rearranging sheriff positions like animal control will now also have a code enforcement aspect to the position. He reported that everyone probably is already aware Don Peterson made Captain. Sheriff Gootkin stated he could not be more proud of Mr. Peterson – he earned that [promotion] by so many things he completed with Three Forks. He introduced Dan McDonough as the newest Sheriff Sergeant assigned to Three Forks. The Sheriff said he will send an email to Crystal soon about opening up the law enforcement contract for negotiations as it has been five years already!

Sgt. McDonough said he would not spend time reiterating everything the Sheriff said. He believes he has met everyone already and just wanted all to know they will be seeing more of him in the daytime hours. Cpt. Peterson said the Sheriff said it best too when speaking about him – he does not think he would have gotten the Captain job without the experience of all he did here in Three Forks. The Council thanked the Sheriff officers present and congratulated both Don and Dan on their promotions.

**CONSENT AGENDA**

1. Approval of Claim Paid Due to Timeliness by 12/29/2017 in the Amount of $158,144.08
2. Approval of Claims Paid on 12/29/2017 to Mail Utility Bills in the Amount of $156.92
3. Approval of Claims per List(s)
4. Approval of Meeting Minutes from December 12, 2017
5. Approval of Pledged Securities through December 31, 2017

Dennis Nelson added that there is one claim in the bills to be paid to Great West and he does not feel we need to spend any more time letting them administer grants for a project that is 99% complete. He and Kelly Smith chatted briefly today and they would encourage closing this up with Great West by the end of January.

Councilman Chancellor moved we approve the consent agenda. Councilwoman Mickelberry seconded the motion. Gene Townsend asked where the pledged security report is in his packet. Crystal Turner explained how she sets up the consent items in one folder for all Council members. There was no public comment.

**Motion Passed Unanimously.**

**PUBLIC HEARINGS**

**Public Hearing and Decision on a Second Reading of an Ordinance (#379-2017) Amending Title 11, Chapter 12, Section 3 to Update Conditional Use Submittal Requirements**

The Mayor noted this was read into the record in its entirety, so unless anyone specifically requests it to be re-read he will not do so.

Kelly Smith said there are public comments in the packet that were submitted after the last meeting which include some good points. Susan Swimley agreed, and said she would like to address some of those comments. In Part B (1), the application already requires the applicant to state the project; adding “plot” or “plat number” is not needed as the application already requires the legal description; she believes there is no issue with adding “to scale” in all areas suggested as well as adding the reference to easements; she is unsure about adding the risk assessment suggestion however.

In Part B (2), Susan would not suggest crossing out the word “minimum” but does agree to add “scale” and everything else is similar to comments already mentioned. Kelly Smith agreed, but also adding “ADA compliant” would be a good idea as our sidewalk ordinance was too specific when building/design regulations changed for sidewalk construction, our ordinance needs changed to match the new regulations. Mayor Hamilton said that if the Council wished to include any of these amendments, we would schedule this for a third reading after implementing the changes.

Public Comment: Matt Bugland asked if you get a discount if you fill it out right the first time. The room filled with laughter.

Councilwoman Whitesitt moved that we have a third reading on our next meeting with all the changes that were discussed today. Councilman Nelson seconded the motion. Mayor Hamilton asked, “Approved as amended and scheduled for third reading?” Mrs. Whitesitt agreed. Councilwoman Mickelberry seconded the amendment to the motion. There was no further Council discussion nor public comment.

**Motion Passed Unanimously.**

**Public Hearing and Decision on a Second Reading of an Ordinance Amending Title 11, Chapter 2, Section 2 to add a Definition of Building Residential**

The Mayor noted this was read into the record in its entirety, so unless anyone specifically requests it to be re-read he will not do so.

Gene Townsend asked why this is being added to the ordinances. George Chancellor explained there was an application to create a duplex by bringing an additional home and attaching it to an existing building, which are both on the same lot. Matt Bugland said this addresses a lot of the public’s concerns at those meetings. Gene commented that it makes sense, but he assumed a multi-family building would be on one foundation. Mr. Chancellor explained the previous application did not propose a single foundation so the Zoning & Planning Board suggested this definition.

Councilman Chancellor made a motion that we approve the second reading of Ordinance #380-2017, an ordinance of the Three Forks City Council adding a definition of “building residential” to Title 11, Chapter 2, Section 2 of the Three Forks Code. Councilwoman Whitesitt seconded the motion. Public comment: Kelly Bugland said, “Yay!”

**Motion Passed Unanimously.**

Mayor Hamilton said this will go into effect in thirty days.

**Public Hearing and Decision to Adopt the 2018-2022 Capital Improvement Resolution**

Mayor Hamilton read the resolution into the record in its entirety, noting if approved it would be Resolution #281-2018.

There was discussion on impact fee eligibility for Fire Department radio enhancements. Kelly Smith will look into it. Susan Swimley suggested rewording the communications needs from “upgrade” to “new” since the funding source most likely would use impact fees. Dennis Nelson and George Chancellor agreed also that the Fire Hall bathroom remodel would be a single bathroom remodel shared by both sexes, with a separate room with shower stall and not two full bathrooms with shower stalls.

George Chancellor asked if the City Council would omit the SCBA refill compressor? Dennis Nelson agreed he did not think a compressor would be required and could be removed from the list. Teri Whitesitt suggested asking Asst. Chief Whitesitt for input on behalf of the Fire Department. Dave said Three Forks is the only department who does not have its own compressor. The trailer cascade system will not fill the new SCBA bottles to full capacity. “We made a $38,000 purchase that does not allow us to utilize the system to its full capacity. If we were to get called to a large structure fire that required mutual aid from other departments we essentially do not have the capability to allow the other engines to refill their SCBAs,” he added. He knows there are a lot of Fire Department requests on this list, but in his opinion this air compressor is an essential piece of equipment. Dennis asked what Dave would prefer more if he had to remove one project off the list. Dave said none and everyone chuckled. Dennis said he would rather have the department get new radios than a compressor since he knows how the fill system is working right now. He knows that when other agencies come out to help, they bring their SCBA fill systems as well. Dave argued that is true, but we need those assisting to be on more important tasks than refills, when on site helping. If we had a big fire we want to be able to fill the bottles on the spot.

Gene Townsend asked about the resolution listing some projects at 5 year and some at 10 year plans. Crystal Turner explained that for the ease of reading, since some project ideas were provided to her notated as “in the next ten years”, she placed what seemed shorter term projects in the five year plan, and longer ones in the ten year plan. Not all notes provided to her were organized by years though. She added that they are in no particular order because one Council member’s notes had one project rated first, and the next Council member’s notes had that same project rated fifth. Crystal encouraged the Council to edit as it sees fit. Gene said that Dave brings up good points and the discussion has been held a lot at the Rural board meetings regarding utilizing Manhattan’s compressor equipment. The Rural makes a donation to the Manhattan Fire Department annually so they are not just taking advantage of their help. He understands that if we push projects down the road, like purchasing a compressor, the price may increase dramatically in the next five years. From sitting on the Fair Board he understands this with their bleacher project and the longer the project is put off the higher the price goes to complete it. Susan Swimley encouraged keeping projects on the capital improvement plan because without it being on there the City may forget and not look for grants or other funding options.

Dave said since his involvement with the Fire Department he feels that it is constantly “behind the 8-ball”. He feels the compressor is a piece of equipment that is necessary to operate a fire department, and we should have had one years ago. The building itself does not meet the needs of the department, and is reflected by a need to remodel the bathroom. His concern is if these items continue to be pushed down the road, we will become further and further behind. How will we come up with this money if we just push the needs into the future and the cost gets more expensive or the building gets older?

Public Comment: Kelly Bugland said she is sure the Fire Department is experiencing a larger call volume per year, like the ambulance is. Dave agreed. She added that in 2017 they had 300 calls for the year. This year to date the ambulance has had 11 calls and it is only the 9th day of the year. She thinks the emergency services will continue to see more demand. She had the fire department come tour the “old hospital” [apartment building on 2nd West and Hickory] to have them see the maze of the building. During this inspection the fire department realized it does not have a ladder tall enough to get to the third floor. The Bugland’s own one now and leave it at the building for a fire escape. She would prefer seeing [City] funds spent on needs like that before spending funds on the SCBA compressor system. Personally, she and her husband replaced many sidewalks on their properties this year and she appreciates that the City has been able to provide the ADA mats and removal of old concrete. She likes that the City is planning to continue that.

Kelly Smith commented it would be helpful to have Dave and Keith Aune attend the budgeting committee meetings yearly so they can provide input for each project. The City just does not have enough money to implement all these needs at one time. Dave felt his role is to also educate the City Council on the needs of the Fire Department.

Matt Bugland said there is so much growth in Broadwater County the department needs to be thinking about another fire station to serve that side of “Three Forks”. There was a little discussion/argument about whose responsibility that is: Broadwater County, the Rural Board, the City – the new trucks/apparatuses would not fit into the existing building because they are building equipment larger and larger. They do not fit in these old stations. Matt agrees a new Fire Hall is a need. A new compressor would be nice to be able to provide more training as well. George Chancellor said after the Fire Relief is fully funded, he would not be opposed to placing savings the Fire Department leaves on the table, towards a capital improvement fund to purchase a compressor.

Dave said the Rural contracts with the City for fire suppression services – so Matt has a valid point if the Rural has to purchase new equipment it is a valid concern for equipment not fitting in the existing structure.

The Mayor asked if there was anything the Council wished to strike from the resolution. No one said anything. He continued, “Is there anything to add to it?” Gene asked about a new fire hall which Dave mentioned and why it has been taken off the list? Crystal replied that she was only given input by three members of Council after the first draft was read, and those are the projects read in tonight’s version. Teri said she had notes to discuss at the last meeting, which she was not able to attend. Teri would like to see an amendment to include a new fire hall, possibly combining it with a new City Hall. She would put it at #4 or #5 within the first five years. Kelly Smith said we would like to see funding options. Susan Swimley suggested there could be impact fees for part of it, sell city assets, loans and grant the Council could document as funding sources. Steven Hamilton asked if the Council wished to vote on this tonight or send it to Town Property Committee? Deb Mickelberry said she likes adding the Fire Hall and City Hall; it does not mean it has to happen if it is on the list but means it is something we can work towards. The Mayor asked, “Anything else to add?” No one said anything. “Anything to take away?” he continued. No one said anything.

**REPORT OF OFFICERS**

City Treasurer Kelly Smith reported January 26th Rural Development will be here to do a site inspection of the rodeo grounds. She spoke with the President of saddle club in Whitehall who will provide use with the funding sources they used and the project specifics for Whitehall’s new fairground bleachers. The City Clerk still has not responded to our inquiries. Whitehall has eye beams installed but no cover yet – that is a future phase. They also built for a future concession stand area.

City Clerk Crystal Turner reported on the following training opportunities: Gallatin County Emergency Management’s department working on the five year update to the Emergency Management Plan. These meetings will be held around the County, but there will be one here in Three Forks on February 6, 2018, at the Ambulance Station. Representatives of the City must attend at least one of the meetings; Crystal is planning to attend this one but encouraged everyone else to attend any they could as well. She also reported registration for the Montana Rural Water School is open. She has already reserved four rooms in Great Falls as Three Forks’ wastewater project will be presented by Craig Pozega. If any Council members are interested in also speaking, or can be available for questions and answers, please let Crystal know. Registration is due by February 9th. Finally, Montana State University is hosting a “Building Active Communities” institute in Livingston May 8-10, 2018 if anyone is interested in attending.

Crystal also reported on website activity: most people stop visiting the site at the home page (46%) so this is where we post the majority of our news. Interesting fact that the second most popular page is “The History of Three Forks”. The City recently upgraded its credit card payment program which now allows for online payments. We have added a link on our homepage, sent out a press release via the email, and posted this news on our Facebook page.

Susan Swimley reported City Court is chugging along. Most cases are closing up. She met with Sgt. McDonough on his transition, and they will work on a plan to pattern enforcement of ordinances. As the Council heard tonight, the Sheriff’s Office is modifying some non-deputized positions to work on code enforcement too.

After 5PM tonight, Susan sent an email to the Ordinance Committee regarding sidewalk snow shoveling. She incorporated all comments she had been provided. If this ordinance is OK, she asked the Committee to get comments back to Crystal to write it in the ordinance form.

**REPORT OF COUNCIL COMMITTEES**

Water & Sewer Committee – Mixing Zone Study complete and Dennis Nelson read over the conclusion, “…we conclude that none of the parameters of concern have reasonable potential to exceed water quality standards and mixing zone is not required for any parameters at this time.

“Although we determined a mixing zone is not needed for any monitored discharge parameters at this item, the City’s MPDES Permit does require a mixing zone analysis that meets the requirements for a source specific mixing zone. This report is presented to satisfy that requirement.

“Below is a list of findings from our study:…

* There are no biologically important areas in the proposed mixing area. This area of the river is relatively straight with no apparent side channels or spawning areas. The area has been altered by bridge construction and the banks have been armored with rip/rap.
* There are no drinking water sources intakes within the mixing zone. There is a boat launch area in the mixing zones that would be improved by the higher water quality discharge. This discharge has existed at this location for decades and the water quality was significantly improved with the construction of a new wastewater treatment facility. UV disinfection has been added and the treatment efficiency, as measured by BOD and TSS, has significantly improved. The current wastewater discharge pollutant concentrations are significantly lower than discharge permit limits and accordingly, the public health risk has been reduced. Asethetic, aquatic and human health pollutant concentration levels have significantly improved over the historical condition, so the quality of the recreation area has significantly improved.
* There is no reason to believe there is anything in the discharge that would attract fish or other aquatic life. The current discharge does not appear to attract aquatic life and the new discharge is better water quality, further reducing any tendency to attract fish or other aquatic life.
* None of the currently identified contaminants of concern present toxicity or persistence concerns as presented in Section 6.0 of this report.
* The width of the river at the effluent discharge location at the 7Q10 flow is 105 ft. The proposed width of the source specific mixing zone is 43 ft, approximately 40% of the total width of the river. The width downstream from the discharge location is even wider. The proposed mixing zone will not prevent the passage of aquatic organisms.
* We are not aware of multiple mixing zones in the area of the proposed mixing zone.”

Budget Committee – can meet anytime next week after Kelly/Crystal print checks approved tonight.

**UNFINISHED BUSINESS**

**Wastewater Project**

There is nothing else to report.

**NEW BUSINESS**

**Approval of the Revised Fair Board Bylaws**

Moved to the January 23, 2018.

**Approval of Fire Department’s Recommendation of Probationary Volunteers**

Mayor Hamilton read the letter from Asst. Chief Whitesitt recommending Laura Plum as a probationary firefighter.

Councilman Townsend made a motion to accept Laura Plum as a volunteer probationary firefighter. Councilman Tharp seconded the motion. There was no public comment or Council discussion.

**Motion Passed Unanimously.**

**PUBLIC COMMENTS/CONCERNS**

Kelly Bugland recognized Kelly Smith for all her hard work on the grant paperwork and financial research for the Fair Board.

Kelly Bugland also reported that she called 9-1-1 again on 12/30/17, where two kids were outside the Sacajawea (ages around 7, 10 and 15), and there had been a 10-year-old reported missing previously in the evening, when temperatures were 1-degree outside. A deputy did show up 30-minutes later. She complained that she has never called 9-1-1 where a deputy was available in Three Forks. She has had to brandish her own firearm, try and talk a woman out of driving away with a threatening man, kids missing, vehicle accidents, etc. She said regardless of what Sheriff Gootkin says, you will not want to be the one having to wait for a half hour to an hour for law enforcement.

**MAYOR & COUNCIL ANNOUNCEMENTS**

Dennis Nelson congratulated the City on the snowplowing program – he has heard numerous positive comments. This will be addressed on the budget side; Wendell is tracking time and costs for us. We will need to consider the cost.

Ed Tharp reported that one of the yellow flashing lights in the crossing near the Sacajawea Hotel is out. Crystal Turner will let the Department of Transportation know.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 1/23/2018**

* **Public Hearing and Decision on a Third Reading of an Ordinance (#379-2017) Amending Title 11, Chapter 12, Section 3 to Update Conditional Use Submittal Requirements**
* **Public Hearing and Decision to Adopt the 2018-2011 Capital Improvement Resolution**
* **Approval of the Revised Fair Board Bylaws**
* **Wastewater Project Draw**
* **Council Permission to Apply for Recreational Trails Grant**
* **Annual Trails Report**

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Nelson “so moved” to adjourn. Councilman Tharp seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (8:47 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**JANUARY 23RD, 2018,** The Three Forks City Council met in session in City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:00 P.M. for the SECOND meeting of JANUARY 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Teri Whitesitt, Gene Townsend, Ed Tharp and Dennis Nelson. City Treasurer Kelly Smith, City Clerk Crystal Turner and Water Superintendent Randy Johnston were also present.

The record reflects that a quorum was present, with the attendance of six (6) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

Reminder to the public that the meeting was being recorded and a reminder for all those present to review the policies of conduct on the back on the agenda.

**GUESTS:** Gloria Howland, Cathe Felz, Matt and Kelly Bugland, Carey and Katy Hansen.

Mayor Hamilton asked if there wereany **PUBLIC COMMENTS/CONCERNS** that were not on the agenda**.** Seeing none, the Mayor introduced the **Consent Agenda**.

**CONSENT AGENDA**

1. Approval of Claims per List(s)
2. Approval of Meeting Minutes from January 9, 2018

Councilman Chancellor moved we approve the consent agenda. Councilman Townsend seconded the motion. There was no public comment.

**Motion Passed 5:0, Teri Whitesitt abstained citing she never received a anything for review.**

**PUBLIC HEARINGS**

**Public Hearing and Decision on a Third Reading of an Ordinance (#379-2017) Amending Title 11, Chapter 12, Section 3 to Update Conditional Use Submittal Requirements**

The Mayor noted this ordinance was read into the record in its entirety, so unless anyone specifically requests it to be re-read he will not do so. No one requested a full reading.

Councilwoman Whitesitt moved that we approve Ordinance #379-2017, an ordinance of the Three Forks City Council providing in depth submittal requirements for conditional use permits in Title 11, Chapter 12, Section 3 of the Three Forks Code. Councilman Townsend seconded the motion. There was neither public comment nor Council discussion.

**Public Hearing and Decision on a Resolution to Adopt the Capital Improvement Plan**

The Mayor noted the resolution is still in “track change mode”, edited per the comments said at the last meeting. Also included are copies of Dennis Nelson’s comments, and a spreadsheet listing the projects, with estimated costs and funding options. He asked if the Council would like to review the project and prioritize those tonight, or he suggested they prioritize the projects by year and get those comments back to the clerks who will compile it together. Kelly Smith added that Wendell Ewan provided a rough estimate for project titled “Improvements to the City storm water drainage system” at $15,000. Also she spoke with Steve Johnston today who provided a rough estimate on the “Outfall Line” project (for out of town areas only) around $640,000 including engineering costs. To rehabilitate the entire line into town would probably double that cost.

Randy Johnston explained the outfall line used to be our sewer line when all sewage ran out to the river. Back when the City put the new lagoon system in (1970s), the Council at that time opted not to use the outfall line for sewage as it is made of redwood. Three years ago we had a lot of infiltration, a horse fell through the line, started backing up water and flooding into town. Nash Enterprises came out last year and flushed it with their 750-foot line. There was a muskrat den inside. Steve Johnston, Wendell Ewan, Bill Wilson and Randy repaired the deteriorated section which has greatly improved removing water from basement areas of town. Deb Mickelberry asked if there are easements. Randy said the City worked with TD&H to get all the proper easements. Gene Townsend asked where Randy would recommend funding option(s) come from, wastewater? Randy thought wastewater would work. George Chancellor asked if it could be done in phases? Randy thought yes, and added a lot of the work could be done “in house” but it will end up needing professional work and engineering too. Because of Three Forks’ high water table, in December our gallons per day (gpd) was 350,000/day. Currently it is at 600,000/day with all our water around town from snow melt off and ground thawing. Randy continued, “We need to repair manholes, some around the school are seeping water in and will need sealed. When there is high water, basically Three Forks is under water.”

Public Comment: Kelly Bugland said on Friday water was coming off 1st Ave East, coming down Date Street, entering the sidewalk at the alley and following the path of the sidewalk and running into the basement of her rental property. It filled with approximately 7 feet of water, and only 2 feet remained until the water reached the main level of the home. City staff was alerted immediately and she worked with staff to barricade the runoff from the street, and they pumped some water out of the basement. She put her emphasis on storm drainage as a need for the City of Three Forks adding, “It is a very important thing.” The Mayor agreed these are very legitimate concerns. He added that we had a lot of rain prior to the snow melting. Matt Bugland added that there are a lot of people using sump pumps right now, which are feeding right into the sewage system. (By ordinance, this is illegal per 9-5-13-A.)

Randy Johnston added if we do any improvements he would prefer seeing those done on asphalt streets rather than dirt streets. From two storms this winter already, drains on dirt streets fill in with dirt and gravel.

The Mayor asked how the Council would wish to proceed.

Crystal Turner replied to Deb Mickelberry’s earlier question regarding easements. Crystal has been informed that we are unsure which easements exist and she is working with the Clerk & Recorder’s office to verify any easements, as well as research legal descriptions for any which may not exist. Since this is not complete, she would hate for the Council not to include costs to obtain easements if any are found not to exist.

Deb Mickelberry asked, for example the outfall line, if a project could be done in phases, would the Mayor want to see Council comments as “Phase 1 in year X; Phase 2 in year Y, etc…”?

Gene Townsend suggested it would help to number projects with the least priority as a #1, and the highest priority as a #5 for instance. (This would help when totaling everyone’s input as those with the highest score being the highest priority.) The Mayor agreed and asked that all Council members provide input by February 1st. Kelly Smith added that a variety of funding options may be used for each project; please feel free to add to those options if the Council has other ideas.

This item will be continued to February’s meeting.

**REPORT OF OFFICERS**

Water Superintendent Randy Johnston distributed a report of wells and their various statuses (see packet for details). He segued into his capital improvement project requests of a reverse osmosis package plant to blend the water from these wells and draw them at full capacity.

Deb Mickelberry said, “With as much work as you think you and Steve can do, are we still looking at $1,000,000 price tag?” Randy thought no, maybe more around $500-600,000. Unknown costs would be for engineering.

Gene Townsend asked if a reverse osmosis plant was installed, could it be designed to handle the 250 gallons per minute (gpm) Well #10 produces, and if so could production increase on Wells #8 and #9? Randy said yes, it can be sized for the gpm you have. Gene thought when Well #10 was drilled the City got more water than 250gpm. There was discussion regarding DEQ requirements for drilling and pumping for 48-hours then doing mandatory reductions so as to not draw at full capacity. Randy said, “By the time DEQ is done with you, you do not have as much as originally produced.” Randy is trying to keep the system we already have, going. Brent Miller has brought up several times the City has lots of water rights. With low producing wells, if we do not use water rights to full capacity, we could lose them. Randy’s first priority would be to pump the water over to where he can do quality testing for gross alpha or radium. If none found we can blend it.

Randy continued that he would like to continue looking at these over the next few months and keep them in the CIP. Marty Gagnon with Morrison-Maierle would like to give us a proposal on this project. Randy also talked about his other handout, for a new interrogator which if purchased by 2/15/18 saves 30%. That savings could be a lot of radios. In December 14 radios died. Randy believed he had $10,000 still available in his budget, which could be split 50/50 water and sewer. Kelly Smith added that it was budgeted for a replacement in the current fiscal year.

Mr. Townsend said, “Randy, you also mentioned in your notes the possibility of a tour.” Randy said he knows not all Council people have been to the sites and see the operation running. Gene suggested everyone take Randy up on the tour, and also go see how much water the old redwood outfall line collects and transfers out of town. Gene added where people see water collecting, like near the school, is not because of poorly built drains but because the ground is much like a swamp in some areas of town. The ground gets saturated and the water has no place to go. Mayor Hamilton added he took the tour when he was first on the Council and found it to be quite helpful.

Randy reported the wastewater project is working well. “By spending the extra money [for the UV], it put us way ahead of the State’s requirements.” He added he will be back at the next meeting. He is thankful the Council upgraded the old concrete water storage tank, and redid the steel tank. He also uses the tablet incessantly. He explained his various alarms he gets for any failures. He knows the Council made comments last year about money spent on communications, but this tablet has saved us two well heads in this last year.

City Treasurer Kelly Smith reported the Town of Manhattan, with MMIA and the Local Government Center, is hosting a Roles & Responsibilities for Government Officials’ training on February 1st at 5PM. This will be held at their new city hall: 207 S. 6th Street, Manhattan. If anyone wants to go Manhattan is asking us to contribute $100.

Ms. Smith also reported Rural Development will be here Friday around 1:30pm to do a site tour of the bleacher project.

City Clerk Crystal Turner reported a resignation by Bruce Weber from the Three Forks Ambulance Board, and a resignation by Sirsa Helvey from the Fire Department. The Council has another fire fighter application tonight for decision, and she has already begun the advertisement for board vacancies. Bill Frank had applied for the Ambulance Board at the last vacancy, then withdrew his application because a new volunteer also applied. Crystal has contact Mr. Frank to see if he would be interested in serving again.

**REPORT OF COUNCIL COMMITTEES**

There were no Council committee reports.

**UNFINISHED BUSINESS**

**Wastewater Project**

Mayor Hamilton said he visited with Craig Pozega of Great West, who anticipates hearing back from DEQ by mid-February. He would encourage not closing the project out until after we hear back from DEQ in the event anything needs modified, as WRDA funding will not be available after closeout. The Mayor added it is “better to be safe than sorry” and wait until the end of February before closing the project out. Kelly Smith added that we will have a draw at the next meeting and hopefully that will utilize the rest of the WRDA funds.

**NEW BUSINESS**

**Council Permission for FCCLA to Utilize the City Drug Forfeiture Money for Fatal Vision Marijuana Glasses (Money has been in the account since January 2015)**

Mrs. Felz introduced Carey Hansen, project lead of FCCLA. Carey said she and her partner, Halee (Wilson), is going to present to the sixth grade class on how drugs and alcohol affect the body. They are thinking about getting a package with activities including the goggles, the three fabric foxes, mazes and pens. One activity is performed using fatal vision goggles. Cathe Felz distributed goggles and two ping pong balls to the Council and Mayor. Katy Hansen asked if anyone minded having their pictures taken for the project. There was teasing and laughing, but no one vocally objected. They put the glasses on and then tried to bounce and catch the ping pong balls. It was very challenging to accomplish. This demonstrates how when not in the right frame of mind, you do not want to operate a motor vehicle. The marijuana glasses will demonstrate something similar and will be used by the students to learn about altered motor skills.

Councilman Chancellor made motion to give permission to the FCCLA to utilize the city’s drug forfeiture money to purchase fatal vision marijuana glasses. Councilwoman Mickelberry seconded the motion. Public Comment: Kelly Bugland said it would be money well spent. The Council asked to try those glasses once purchased. Cathe Felz said she would bring them once received.

**Motion Passed Unanimously.**

**Council Permission Provided to Gene Townsend in order to Apply for Recreational Trails Grant**

Gene Townsend reported since 1997 he has been applying for the Montana Grants and Loans Recreational Trails Program, administered by Fish, Wildlife and Parks. This is where a lot of the money came from to build the Headwaters Trail System. This grant requires the City Council’s approval to apply. He will be applying for $40,000 and in the past Imerys (his former employer) provided any match required. Imerys has committed to continue providing that match if a grant is awarded.

Councilman Nelson made a motion that we give Gene permission to apply for the Trails Grant. Councilman Tharp seconded the motion. There was neither public comment nor Council discussion.

**Motion Passed Unanimously.**

**Annual Trails Department Report**

Gene Townsend provided the yearly report of the Headwaters Trail System. It was kind of a slow year; he did not receive any grants this past year. This fiscal year he will apply for the Recreational Trails Grant due 2/1/18. He is also applying for the Rails to Trails grant in the amount of $35-40,000, due by 1/31. The Rails to Trails program is a nationwide program, which only doles out about 10 grants nationally. The western states have been recipients though so he is hopeful.

As he said, he did not receive any grants this year and he is a poor loser. He requested being present at the Recreational Trails’ annual meeting to provide his comments, and they agreed. He talked to the board about their scoring program. Out of roughly $1,000,000 available in grant funding, the board issued close to $400,000 to the Forest Service and other $100,000 to Bureau of Land Management. He did not feel it was right that almost half of the money went back to the federal government. Regarding scoring, they rate using numbers 1-10 and you can go online after and find out your scores. He received some 8s and 9s on his application, but some 3s and 4s – from the same committee. When he asked why the difference, he learned scoring is subjective and if one person is a cross country skier perhaps they would rate a ski trail application higher than perhaps a walking trails application. He felt better after reporting his frustration to that board.

Gene also reported Mr. Don Stockburger donated his four-wheeler and small trailer to the Headwaters Trail System. Pat O’Brien Townsend and Gene purchased a weed mower that can be hooked to the four-wheeler, and he worked with the City to purchase a small trailer to haul run equipment for the race. Dave and Amber Hargrove donated a spray tank and lots of weed spraying has been accomplished. He mentioned Randy Johnston helps him a lot with mowing too and he thanked the Council for allowing him to do that.

For this fiscal year he plans to spend $15,000, which was awarded two years ago, on maintenance. He has spoken with Steve Johnston regarding the piece of trail between Hwy 2 and the golf course. This section maybe was not built up high enough and the golf course waters it constantly. We want to pull that up and replace it with cement. He wants to repair a couple places where gophers have dug through the asphalt. Two benches will be replaced this year too: one by Droulliard and one on the east fork of the Madison. Gene would like to put in some riprap along the ponds. “Between the muskrats and the wave action, the banks are really deteriorating,” he said.

Regarding revenues, we received about $16,000 in donations last year, and had few expenses (mostly only the race). He plans to spend about $18,000 in maintenance this year. The race is the biggest fundraiser of each year, and upon speaking with runners a lot of people have told him they did not run because it was so hot this summer. There were also other runs scheduled around the same weekend which makes it hard for runners to hit more than one in one weekend. He opted for more advertising for the race this past year. This helps get the names of our sponsors out there in the other areas like Big Timber, West Yellowstone, Ennis and Livingston.

Public Comment: Kelly Bugland asked what date the 2018 race will be, as she will put it on the Ambulance’s calendar. Gene replied it will be July 21, 2018. Crystal Turner added that the Headwaters Trail System received another donation today from Imerys in the amount of $3,500.

Gene added that these two grants he is applying for are really funding the trail system. He encouraged the Council to consider reapplying for this year’s Transportation Alternative grant. The City applied for this grant last year but was unsuccessful. His goal is still to get a county-wide trail system, at a minimum he would like to connect the Headwaters Trail to Logan. He thanked the Council for the support it has given him in building the trails.

**Approval to Reinstate Jason Kelsey as a Probationary Firefighter**

The Mayor reported Mr. Kelsey was a firefighter and moved away for work, but now he is back.

Councilman Chancellor moved to reinstate Jason Kelsey as a probationary fire fighter. Councilwoman Whitesitt seconded the motion. Public Comment: Kelly Bugland encouraged Mr. Kelsey to be an EMT too.

**Motion Passed Unanimously.**

**PUBLIC COMMENTS/CONCERNS**

Kelly Bugland wanted to reiterate her thanks to City staff, especially Wendell Ewan, for working such long hours over this past weekend with their flooding issue.

Gloria Howland reported a little incident she had at the grain elevator with two people in there with a gun, but Sgt. McDonough handled it quickly and safely. Matt Bugland agreed, he passed a deputy with an A.R. out so he stopped to watch and witnessed Sgt. McDonough interviewing people all around quickly about the incident. Both thought Sgt. McDonough handled it very well.

**MAYOR & COUNCIL ANNOUNCEMENTS**

Gene asked if Steven had followed up on the money from the West End Training Center. He said no, but he would.

Ed reported the flashing light it still out. Crystal said she reported it to the State MDT and Kelly added that they called back and said they would take care of it.

Kelly Smith asked if there would be a Budget Committee meeting.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 2/13/2018**

* Wastewater Project Draw
* CIP Resolution
* Harassment Training

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Nelson “so moved” to adjourn. Councilman Tharp seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (8:31 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**FEBRUARY 13TH, 2018,** The Three Forks City Council met in session in City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:00 P.M. for the FIRST meeting of FEBRUARY 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Teri Whitesitt, Gene Townsend, Ed Tharp and Dennis Nelson. City Treasurer Kelly Smith and City Clerk Crystal Turner and were also present.

The record reflects that a quorum was present, with the attendance of six (6) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

Reminder to the public that the meeting was being recorded and a reminder for all those present to review the policies of conduct on the back on the agenda.

**GUESTS:** Gloria Howland, Jessica Morey, Paxton Morey, Justin Stenger, Greg Travis, Natalie Ross, Gabriel Ross, Jason Kovnesky, Nicolai Kovnesky, Melissa Moser, Atreyu Moser, Brian Tollison, Corbin Tollison, Chuck Wambeke, Matt Bugland, Kelly Bugland, Cathy Felz, Halee Wilson and Loree Wilson.

Mayor Hamilton asked for the Council’s permission to amend the agenda and move “New Business” item up. The Council agreed.

**NEW BUSINESS**

**Boy Scout Pack 3523 Presentation and Recognition of “Boy Scout Week” February 4-10, 2018**

Cub Master Jason Kovnesky introduced the Pack and highlighted recent activities including “Scouting for Food” on February 4th and collected over 500 pounds of food for the Headwaters Food Bank. This was “Scouting for Food” for all of Gallatin County. For the entire district, this Pack gathered 25% of the total food collected! Cub Master Kovnesky asked each scout to introduce themselves, state which den they are in, and then something like to do in Scouts:

Nicolai Kovnesky, Bear: He has been learning about building and cooking.

Corbin Tollison, Tiger: He recently was being kind in order to turn over his Tiger patch because you must do a “good turn” in order to attach it correctly to your uniform.

Atreyu Moser, Tiger: He hopes to continue to collect food.

Paxton Morey, Lion: He explained the Lions and Tigers did science and made balloons on top with flour and other things and made gas in the balloons.

Gabriel Ross, Wolves: (did not speak).

Cub Master Kovnesky thanked the community for its support. He added the he has a great group of parents for this den as well. Cub Master Kovnesky stated not only this government, but also the United Methodist Church of Three Forks and the entire community is so very supportive. He does not doubt that these Cubs will probably be sitting in seats like the Council some day.

The Mayor asked if there wereany **PUBLIC COMMENTS/CONCERNS** that were not on the agenda. He recognized Mrs. Felz with the FCCLA at Three Forks School.

While Mrs. Felz was setting up, Matt Bugland invited anyone interested (and added he believed the Boy Scouts would be doing the flag ceremony) has the American Legion “Americanism Day” on Tuesday at the 20th at 7PM.

Halee Wilson introduced herself and said FCCLA purchased marijuana goggles with the Drug Forfeiture funds the City provided. Councilman Nelson and Mayor Hamilton put on marijuana goggles and attempted to drive remote control cars over a rug that looked like a cityscape, including a construction zone and roundabout. The cars did not work very well so Mrs. Felz moved on to the next demonstration which was catching colored balls tossed to them by Halee. Participants were only supposed to catch black balls, but two black, two blue and two orange were tossed at the participants. (It is very difficult to differentiate colors when under the influence of marijuana.) Mrs. Felz said the FCCLA kids are doing activities with the 6th graders and in advisory period every day this week and all are welcome to attend.

The Mayor asked if there were any other **PUBLIC COMMENTS** not on the agenda.

Seeing none, he introduced the **Consent Agenda**.

**CONSENT AGENDA**

1. Approval of Claim Paid due to Timeliness to Mail Utility Billing in the Amount of $159.67
2. Approval of Claims per List
3. Approval of Fair Board Claims per List
4. Approval of Meeting Minutes from January 23, 2018
5. Approval of Joint City Council and Three Forks Rural Fire District Meeting Minutes from January 9, 2018
6. Approval of Contract with Manhattan Bank Regarding ACH Origination

Teri Whitesitt asked for more information on Claim #143122 for “Williams”. Crystal Turner clarified it was embroidery for a uniform shirt for Firefighter Williams.

Councilwoman Whitesitt moved we approve the consent agenda. Councilman Tharp seconded the motion. There was no public comment.

**Motion Passed Unanimously.**

(FCCLA and Boy Scouts left the meeting.)

**PUBLIC HEARINGS**

**Public Hearing and Decision on a Resolution to Adopt the Capital Improvement Plan**

The Mayor read the resolution into the record in its entirety and reported to the Council that if approved this would be Resolution #281-2018. The Mayor added that everyone turned in their priority sheets and we took those and compiled them by rank/priority.

Councilman Chancellor moved to approve Resolution #281-2018, a resolution of the Three Forks City Council to adopt the Capital Improvement Plan. Councilwoman Whitesitt seconded the motion. There were no public comments. Board Discussion: Gene Townsend asked how long this capital improvement plan would be in effect for. Mayor Hamilton stated five years, as per the Growth Plan. Mr. Townsend continued that he understands we will review the plan annually, but if something comes up can you include that into the Capital Improvement Plan? Kelly Smith said yes. She did not believe the Council would have to change the resolution just to replace a failed pump for instance – that would probably be maintenance-related. Dennis Nelson added that the Budget Committee will review this annually as well and include the prioritized items in the annual budget.

**Motion Passed Unanimously.**

**REPORT OF OFFICERS**

**Fair Board Annual Report**

Chuck Wambeke, Chairman of the Three Forks Rodeo Grounds Board thanked the Council for inviting him to this meeting. As the Council is aware, this year the City took over the Fair Board’s finances. It creates a little bit of a problem for the Board because the City’s software does not generate the reports the Board is accustomed to reviewing. He hopes that by the end of this fiscal year we have all the bugs worked out.

Also big this year was the rodeo; it was a record-setting year. A typical Friday night has about 1,000 attendees, and this year we had around 2,350. So Family Night will continue to be promoted!

Maintenance-wise, they re-keyed all locks on the buildings. A big purchase was a “Black Widow Groomer” for preparing the facility for events. They also repaired and added fencing along the alley on the backside of the rodeo grounds. A couple years ago the grounds were re-wired entirely, but they have not replaced wire from the panel to the individual RV outlets. This year we plan on replacing those five outlets with new wires. The soda shack (yellow trailer at the rodeo grounds) has had many issues with it over the years. This year, the wind caught the metal roof and peeled it back and it will need to be rebuilt or possibly do something different all together. Depending on how the bleachers’ project financing turns out, the Board will see if that can be replaced this fiscal year.

The big project this year is bleacher replacement. The Board is working on replacing our existing bleachers with the grandstands at the Bozeman High School track. Gene Townsend and Chuck went to inspect the bleachers in early January – these bleachers seat about 2,400. The Board is also working on financing options for a new set if the used set does not work out for them.

The High School Rodeo has always been a co-sponsored event between the Chamber of Commerce and the Fair Board. The Chamber wants to back out of this event, so the Board offered to take it over entirely. The Board already takes care of around 75% of the work so they believe this will run smoothly.

The Mayor said that the school now has a FFA group and suggested perhaps they would be willing to help with the HS Rodeo.

Gene Townsend reported that he, Mike Lane and Kelly Smith met with the USDA Rural Development folks here at the City office, and then toured the Fair Grounds. He felt the meeting was very positive. USDA Rural Development stated they had money available and no projects have applied at this time. Rural Development will get back to the City regarding financing options for the used bleachers. The engineer for that group lives just down the street from Van Winkle stadium (Bozeman’s) so he offered to go inspect those bleachers. The meeting was very positive.

(This concluded the Fair Board report.)

City Treasurer Kelly Smith reported she received an email that DNRC is accepting applications to the RRGL program right now. We had one in the past for a water project.

City Clerk Crystal Turner reported the Municipal Summit meetings have been scheduled for April in various locations around the state. These meetings are gears towards Mayors, Council members, City Managers, Clerks, and Public Works employees. Please talk to Crystal is you wish to attend one of these sessions. Crystal also reported the Three Forks Chamber invited the City to their annual dinner on 2/19 at 5:30pm at the Land of Magic; and the Gallatin County Commissioners are looking for a few locations in this end of the County, even possibly in Broadwater County regarding bridge replacements. They intend to apply for a grant and would like community input on which bridge they should apply for. Crystal will update the Council as she learns more specific details on when and where these meetings will be held.

**REPORT OF COUNCIL COMMITTEES**

Budget Committee – Dennis Nelson reported they met last week to review all departments affected by the General Fund (no problems noted) for the first half of the fiscal year. Real strong in our budget right now.

Crystal Turner apologized for the interruption, but added Sheriff Gootkin has requested a date for Law Enforcement negotiations. This would be February 20th at either 12 noon or 4PM. The Committee agreed to 12 noon and Crystal said she would reply to the Sheriff.

Ordinance Committee – Deb Mickelberry will touch base with Susan Swimley regarding a snow removal policy they are working on. The Committee has the ordinance roughed out for what they want, but there are other sidewalk standards to be updated still so she wants to chat about having the cart before the horse.

**UNFINISHED BUSINESS**

**Wastewater Project**

**Final Draw SRF #31 in the amount of $5,904.00 and WRDA #11 in the amount of $17,711.94 for a total of $23,615.94**

Mayor Hamilton introduced the draws.

Councilman Townsend made a motion to do the final draw on SRF #31 and WRDA #11 totaling $23,615.94. Councilman Tharp seconded the motion. There were no public or Council comments.

**Motion Passed Unanimously.**

Kelly Smith added the City did not use $19,000 of our WRDA money, and did not borrow $286,000 that we could have, so saved roughly $300,000 in the overall budget. The City received a total of $1.2 Million in grants.

Gloria Howland asked that when the Council brings up the snow removal ordinance that they write in the ordinance that parking on the sidewalk is not an adequate means to keeping snow off the sidewalks.

Mayor Hamilton reported he spoke with Sgt. McDonough last week who said they were working on an ordinance enforcer. He believed this person would begin next week. Teri Whitesitt asked if it was Sam? Mayor Hamilton said no, it was a different name but could not remember. Teri continued by asking how many hours this enforcer would be enforcing city ordinances per month. The Mayor was unsure.

**MAYOR & COUNCIL ANNOUNCEMENTS**

There were no Council announcements.

The Mayor reported he spoke with Jamie Kirby at DNRC’s Forestry program, and we were also awarded our Arbor Day Grant. One of the trees will be in memoriam of Hank Hecker. Dennis Nelson and he also attended the DES Emergency Plan meeting. The County has split the districts into five groups and then reviewed all the various hazards. Lots of groups in attendance: Bozeman Fire, WC Fire, TF Fire, and Gallatin County Sheriff.

The Mayor also reported that the School’s debaters wanted to qualify for the National Tournament and so they entered, and they all did well last weekend. He added, “They did very, very well actually.” They were tired at the end, debating until 11PM one night and back at 7AM the next day. “It took them most of Saturday to lose twice.”

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 2/27/2018**

* FB Bylaws (move to later date)
* Combined Fee Schedule resolution (also will be moved to a later date after the Growth Policy is updated)

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Nelson “so moved” to adjourn. Councilman Tharp seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (7:56 P.M.)

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(This concluded the Fair Board report.)

City Treasurer Kelly Smith reported she received an email that DNRC is accepting applications to the RRGL program right now. We had one in the past for a water project.

City Clerk Crystal Turner reported the Municipal Summit meetings have been scheduled for April in various locations around the state. These meetings are gears towards Mayors, Council members, City Managers, Clerks, and Public Works employees. Please talk to Crystal is you wish to attend one of these sessions. Crystal also reported the Three Forks Chamber invited the City to their annual dinner on 2/19 at 5:30pm at the Land of Magic; and the Gallatin County Commissioners are looking for a few locations in this end of the County, even possibly in Broadwater County regarding bridge replacements. They intend to apply for a grant and would like community input on which bridge they should apply for. Crystal will update the Council as she learns more specific details on when and where these meetings will be held.

**REPORT OF COUNCIL COMMITTEES**

Budget Committee – Dennis Nelson reported they met last week to review all departments affected by the General Fund (no problems noted) for the first half of the fiscal year. Real strong in our budget right now.

Crystal Turner apologized for the interruption, but added Sheriff Gootkin has requested a date for Law Enforcement negotiations. This would be February 20th at either 12 noon or 4PM. The Committee agreed to 12 noon and Crystal said she would reply to the Sheriff.

Ordinance Committee – Deb Mickelberry will touch base with Susan Swimley regarding a snow removal policy they are working on. The Committee has the ordinance roughed out for what they want, but there are other sidewalk standards to be updated still so she wants to chat about having the cart before the horse.

**UNFINISHED BUSINESS**

**Wastewater Project**

**Final Draw SRF #31 in the amount of $5,904.00 and WRDA #11 in the amount of $17,711.94 for a total of $23,615.94**

Mayor Hamilton introduced the draws.

Councilman Townsend made a motion to do the final draw on SRF #31 and WRDA #11 totaling $23,615.94. Councilman Tharp seconded the motion. There were no public or Council comments.

**Motion Passed Unanimously.**

Kelly Smith added the City did not use $19,000 of our WRDA money, and did not borrow $286,000 that we could have, so saved roughly $300,000 in the overall budget. The City received a total of $1.2 Million in grants.

Gloria Howland asked that when the Council brings up the snow removal ordinance that they write in the ordinance that parking on the sidewalk is not an adequate means to keeping snow off the sidewalks.

Mayor Hamilton reported he spoke with Sgt. McDonough last week who said they were working on an ordinance enforcer. He believed this person would begin next week. Teri Whitesitt asked if it was Sam? Mayor Hamilton said no, it was a different name but could not remember. Teri continued by asking how many hours this enforcer would be enforcing city ordinances per month. The Mayor was unsure.

**MAYOR & COUNCIL ANNOUNCEMENTS**

There were no Council announcements.

The Mayor reported he spoke with Jamie Kirby at DNRC’s Forestry program, and we were also awarded our Arbor Day Grant. One of the trees will be in memoriam of Hank Hecker. Dennis Nelson and he also attended the DES Emergency Plan meeting. The County has split the districts into five groups and then reviewed all the various hazards. Lots of groups in attendance: Bozeman Fire, WC Fire, TF Fire, and Gallatin County Sheriff.

The Mayor also reported that the School’s debaters wanted to qualify for the National Tournament and so they entered, and they all did well last weekend. He added, “They did very, very well actually.” They were tired at the end, debating until 11PM one night and back at 7AM the next day. “It took them most of Saturday to lose twice.”

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 2/27/2018**

* FB Bylaws (move to later date)
* Combined Fee Schedule resolution (also will be moved to a later date after the Growth Policy is updated)

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Nelson “so moved” to adjourn. Councilman Tharp seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (7:56 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**MARCH 13TH, 2018,** The Three Forks City Council met in session in City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:02 P.M. for the FIRST meeting of MARCH 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Teri Whitesitt, Gene Townsend, and Ed Tharp. Dennis Nelson was excused. City Attorney Susan Swimley, City Treasurer Kelly Smith and City Clerk Crystal Turner were also present.

The record reflects that a quorum was present, with the attendance of five (5) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

Reminder to the public that the meeting was being recorded and a reminder for all those present to review the policies of conduct on the back on the agenda.

**GUESTS:** Ron Benson, Gloria Howland, Assistant Fire Chief John Whitesitt, Sgt. McDonough, Community Support Officer Edelen.

The Mayor asked if there were any other **PUBLIC COMMENTS** not on the agenda.

Ron Benson introduced himself, 3 N. 2nd Avenue E., to speak in opposition of the recently-adopted parking ordinance. “If you read it, you did nothing. All you have to do is move the car across the street every 72-hours. If you have a vehicle which does not move for the winter, which most of us have, you will have a violating car.” Mr. Benson distributed a copy of a warning issued to him and many pictures of violations he witnessed around town last Saturday including semi-trucks (one with ten axels which are causing damage to the street as it is capable of hauling 100,000 pounds). He would like to know how the City will really enforce this: one street at a time, do the whole town at once, how?

Deb Mickelberry spoke on behalf of the Ordinance Committee, saying they met for over two years and she wished that Mr. Benson had attended some of those meetings. The goal is to keep things from being stored on the street. This ordinance was not thrown together haphazardly. Mr. Benson admitted he should have been here earlier. He is not trying to “throw anyone under the bus” and knows he is in violation with a cargo trailer he has parked on the street outside of his house. Mr. Benson asked if the semi-trucks in town have received tickets.

Mrs. Swimley apologized because what Mr. Benson is asking for, the Sergeant and Enforcement Office cannot respond to his question – she apologized for being obstreperous, but after the initial complaint everything else is deemed part of the criminal justice system and is not available to the public until a case is closed. Mr. Benson continued that many people in his neighborhood received notices of violations and there are vehicles he has witnessed not moving in years and this is resolving nothing.

**CONSENT AGENDA**

1. Approval of Claim Paid due to Timeliness, Including to Mail Utility Bills on 2/28/2018, Totaling $29,885.39, as Amended
2. Approval of Maintenance Contract with Copier Doctors for 3/4/2018 – 3/3/2019
3. Approval of Fair Board Claims per List
4. Approval of Claims per List
5. Approval of Board of Adjustment Minutes from November 16, 2017
6. Approval of Meeting Minutes from February 13, 2018

Councilman Tharp made a motion to approve the consent agenda. Councilman Townsend and Councilwoman Whitesitt seconded the motion in unison. There was no public comment.

**Motion Passed Unanimously.**

**PUBLIC HEARINGS**

**Review of RFPs Submitted for City Attorney, and Approval of 2-year Contract Effective 7/1/2018 – 6/30/2020**

The Mayor reported Mrs. Swimley’s proposal, from Swimley Law, was the only one received for $180/hour.

Councilman Chancellor made a motion that we approve the two year contract with Susan Swimley from 7/1/2018 to 6/30/2020. Councilwoman Mickelberry seconded the motion. There were neither Council comments nor public discussion.

**Motion Passed Unanimously.**

**REPORT OF OFFICERS**

**Sgt. McDonough Report on Law Enforcement**

JD Edelen was introduced. Ron Benson said, “So you’re the guy,” and the room erupted with laughter. Teri Whitesitt asked how many hours per month Three Forks will have him. JD said he works for the whole county, but he has tried to come in half a day every week to Three Forks. However, he does cover the whole county for animal calls and other code enforcement. Teri said, “We’ve been waiting for you for a long time, so welcome!” Sgt. McDonough said as follow up, they are trying to be as systematic as possible, but they cannot hit the whole town at once. We are again trying to educate the public and just make people aware of the ordinances. Everyone knows there are a lot of parking concerns all around town all the time. JD added to do their whole process, it takes about 30 minutes to make one contact (one “case”). It may appear to take only five minutes, but reports and record keeping of contact made or attempted per case takes roughly 30 minutes. Providing 15 notices a day would be a full day’s work.

Sgt. McDonough distributed a report of calls for service from 1/1/18 to date. He apologized if anyone felt he was insulting them for explaining what each case type is (like a “domestic”), but he thought he would break down what they refer to as “calls for service”. This year they have had 420 calls for service, which include 5 domestic, 2 disorderly conducts, 4 warrants, 3 burglary/theft, 4 mental health, 3 sex crimes, 3 traffic offense/arrest, 1 negligent endangerment, 1 drugs, 1 crashes, 1 custodial/parenting and 1 vicious dogs calls. Of those calls, 293 were attended to by Three Forks resident deputies; 127 from the Valley deputies. Regarding the parking ordinance mentioned earlier tonight, Gallatin County Sheriffs also issued 21 parking notices; of those 18 vehicles have complied and 3 are still pending. He believed people are being receptive towards compliance.

Gene Townsend said that 420 in less than three months will bring Three Forks to over 2,000 in a year. Is that high? Sgt. McDonough replied it was a good question, and also caught his attention. He ran numbers of a similar sized city in Gallatin County who only has 300 calls for service to date, and they have only four pending cases. We have 26 pending cases.

Mayor Hamilton stated that if the Council has questions later, he attests that Sgt. McDonough has always been very responsive to emailed or phoned questions. Sgt. McDonough added he would like to meet with the Council members individually and see what their goals are for law enforcement, as it can be such a broad term. There were no further questions.

Assistant Fire Chief John Whitesitt provided the quarterly report of Fire Department calls. In December they has 1 grass fire, 2 structure fires, 14 motor vehicle crashes, 1 gas odor, 1 poisoning, 1 alarm, 1 service call, 1 vehicle fire for a total of 22 calls and 60 man hours, 12 minutes. In January there were 3 motor vehicle crashes, 1 abdominal pain, 1 service call, 1 mutual aid, for a total of 6 calls and 13 man hours, 33 minutes. In February there were 2 motor vehicle crashes, 1 vehicle fire, 1 convulsion, 2 structure fires, 1 electrical wires down, for a total of 7 calls and 40 man hours, 14 minutes. The past two months took quite a few man hours for a smaller number of calls per month and that is due to mutual aid calls since the department has been helping the Three Forks Ambulance District quite a bit. “They are having difficulty getting volunteers, so we help them out quite a bit,” Mr. Whitesitt added. Total for 2017 – 12 structure fires which is quite a few for a town our size. Our highest volume call is for car accidents; we are out on the interstate a lot: 73 of the 170 total calls last year.

City Treasurer Kelly Smith reported on preliminary MMIA health insurance increase is 5-8%. She has been working diligently on the Rural Development loan and grant applications for the Fair Board.

City Clerk Crystal Turner reported Gallatin County will hold two public hearings regarding a bridge replacement grant they will be submitted. Bridges under consideration are Williams Bridge and Old Town Bridge. One will be held on April 5th at 5:30PM at City Hall. Another meeting will be held April 10th at 9:00AM at the County Courthouse. She also reported the agenda for Municipal Institute has been set for May if anyone was interested in attending she would get them registered. Ed Tharp said he intends on attending.

Susan Swimley said she understands people are not happy about the parking ordinance, but after law enforcement’s report you can see that the ordinances are being enforced. Just like we started with sidewalk inventory in one location and working throughout town, the parking enforcement is being enforced similarly, starting it one part of town and working our way to the other side.

She is starting to enforce living in campers now that it is not freezing anymore. She understands there was some rumor about the Sheriff Office not enforcing this ordinance, but this is incorrect as she was not willing to “evict” someone in the middle of winter.

Mrs. Swimley reported that it is a good thing to go out for proposals every couple years, as they were preparing this proposal Susan Carroll noticed they had been charging the City of Three Forks at her full rate rather than the rate stated in the contract. Therefore, Swimley Law owed the City 69 hours of work, which will most likely be all her time through the end of this fiscal year. She thanked the Council for the money early but apologized for the mistake. She thanked the Council for renewing her contract stating she really enjoys working with the City of Three Forks.

(Kelly Bugland arrived.)

**REPORT OF COUNCIL COMMITTEES**

Safety Committee – Ed Tharp reported they met with the Gallatin County Sheriff Office to begin negotiations for our law enforcement contract. We are not light years apart from each other on price, but we are not settled yet. We will meet again soon.

**UNFINISHED BUSINESS**

There are no unfinished business items.

**NEW BUSINESS**

**Presentation of Status for Three Forks Pond Improvements for a Child-Friendly Recreational Area, and Possible Decision to Proceed with Pier Installation**

Mayor thought it was too early for a decision, as the final plan needs to be approved by FWP first. He said the design in the packet may or may not be the final one installed.

George Chancellor reported the Parks Committee met last week with Matt Weaver and Bob Bramblett who provided a schematic of a dock which would be donated to FWP. FWP would assume responsibility for the liability. Aluminum frame dock, plastic covered foam buoys underneath, it sinks 1 foot in the water. The maintenance of it was a fairly long discussion – we talked about pulling it to the shore as opposed to taking it out of the pond. The plan is for it to be pulled parallel to the edge of the pond. If left in the pond the ice would not form thick enough around the posts which may allow someone to fall into the water in those areas. There was a brief comment on stocking of the pond, but upon further questioning they did not commit to anything just yet. Gene Townsend believed the maintenance work of dismantling the dock and pulling it to shore could be done with volunteers.

Ed Tharp asked if initially will there be a “no swimming” rule. George said if that is the case, it would be a pipe dream. He cannot imagine trying to enforce that. Susan Swimley likes that FWP would take liability but she would like to see in a document a “no diving” signage requirement as the federal government changed the regulations on diving depth.

Teri Whitesitt added about the fish hiding areas which look like yucca plants, and are really cool made out of recycled siding. The pictures distributed do not explain these “plant like” structures well.

Gene Townsend said he thought it was interesting that if they did not expect anyone to be swimming, why did they design it with four ladders? The room laughed. He added this is a significantly sized structure and there will be plenty of room for fisherman and recreationalists. He agrees with George, that we will not keep people from swimming in this area.

**Board Appointments:**

**a) Zoning & Planning Board**

The Mayor read the Board Appointment Memo into the record for the Zoning & Planning Board.

Councilman Townsend moved to reappoint Matt Jones to serve on the Zoning & Planning Board. Councilman Tharp and Chancellor seconded the motion in unison. Mayor Hamilton stated he believes Matt has done a great job serving on this Board. George added Matt adds great input and questions to the meetings.

**Motion Passed Unanimously.**

Gene Townsend asked if a ‘thank you’ was sent to Dave Hanson. Crystal Turner responded it had not, but she liked how the County sent her a certificate after serving on a board it was nice. Gene suggested we send something to thank our volunteers after serving. Crystal said she would take care of it and amend the Board Appointment Policy to reflect that it be done for all board members.

**b) Gallatin Conservation District**

The Mayor read the Board Appointment Memo into the record for the Gallatin Conservation District.

Gene Townsend said four municipalities are within this district, so why are only three represented. Steven Hamilton read from the Gallatin Conservation District letter which stated that Bozeman and Belgrade are not within the incorporated boundary. Representatives do not have to reside with the municipality they represent, but must live outside those city’s limits.

Councilman Townsend made a motion to accept Bob Logar and Michael Hansen as the representatives to the Gallatin Conservation District. Councilman Chancellor seconded the motion. There were no public or Council comments.

**Motion Passed Unanimously.**

**PUBLIC COMMENTS/CONCERNS** (not on the agenda)

Kelly Bugland asked if the living in camper ordinances is being enforced. Mrs. Swimley said yes it is, however she was unwilling to throw anyone out in the middle of winter. Mrs. Bugland asked, “Wasn’t the ordinance adopted in October?” Crystal Turner reported it was adopted late September and became effective 10/10/2017.

**MAYOR & COUNCIL ANNOUNCEMENTS**

Gene Townsend thanked the Council for allowing him to attend the Montana Rural Water training in Great Falls. We attended some courses on funding opportunities, but basically it sounded like everything is going to be less than what we have been seeing mainly because of the budget situation with the State of Montana and that Congress has not done anything. We sat through funding classes half of a day, we also spoke with Rural Development for the bleacher project, and attended the presentation by Great West Engineering on Three Forks’ wastewater conference.

He added to Kelly’s report on Rural Development, he, Chuck and Kelly got together real quick to put some numbers for the bleacher project proposal. They have also spoken with Jackson Construction who is putting together the Van Winkle stadium project. No one else has made any attempt to use the old bleachers, so the Jackson Engineer personally would rather see them repurposed than just bulldozed to the ground.

Ed Tharp also thanked the Council for the opportunity to go attend Rural Water.

Mayor Hamilton reported on Three Forks School items: the Boys’ Basketball team made it to state although did not win the title. Girls’ Basketball team won the championship undefeated throughout the season. Middle School Academic Olympics were today, where he left his keys to his house and car and classroom so that is why he did not make it before 7PM tonight. High School Academic Olympics will be tomorrow. Regional Science Fair was last week in Butte – there were 20 projects: 12 blue ribbons, 7 red ribbons and 1 white ribbon. Three Forks Science Fair kids won top school in the southwest region.

Gene Townsend apologized for adding to his report, however he wanted to follow up on Ed’s report of the Safety Committee. They set a date of May 1st for both parties to set their budgets for the upcoming year. Both sides threw out what each was unhappy with and “aired our grievances” so to speak, but we will try to get the negotiation meetings going again.

Kelly Bugland apologized for arriving late tonight and missing some of the earlier reports, but she wanted to relay the Ambulance District has received the most amazing responses for service by the Gallatin County Sheriff Office. They have been there and been additional manpower for the Ambulance Service District anytime they have recently needed it.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING:**

* Resolution Approving the Revised Fair Board Bylaws (4/10/18)
* Combined Fee Schedule Resolution (4/10/18)

Gene Townsend apologized again, but wanted to report he is reading through the old minutes books to try and find where the City may have obtained easements for the outfall line.

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilwoman Whitesitt “so moved” to adjourn. Councilman Tharp seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (8:10 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**APRIL 10TH, 2018,** The Three Forks City Council met in session in City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:00 P.M. for the FIRST meeting of APRIL 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Gene Townsend, Ed Tharp, Dennis Nelson, and Teri Whitesitt. City Clerk Crystal Turner and City Attorney Susan Swimley were also present.

The record reflects that a quorum was present, with the attendance of six (6) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

Reminder to the public that the meeting was being recorded and a reminder for all those present to review the policies of conduct on the back on the agenda.

**GUESTS:** George Garcia, Matt Bugland, and Diane Phillips.

The Mayor asked if there were any other **PUBLIC COMMENTS** not on the agenda.

George Garcia spoke regarding his violation warning letter received last week for parking on Milwaukee Road. He has been parking perpendicular for 22 years. Montana Power removed poles years ago, and gave the land back to the City. At that time, Gene Townsend was the mayor and informed Mr. Garcia the City did not have any immediate plans to use the land. The City offered landowners could pay for a survey (with the intent on adding this easement land to each lot), but nothing was done. There was explanation by Susan Swimley regarding the history of the ordinances and the changes made over the past two years. Discussion between Mr. Garcia, the Mayor and Crystal Turner that Milwaukee Road has an 85-foot right-of-way. Gene Townsend agreed to Mr. Garcia’s statement that the City may have offered the surveying cost be paid by the property owners in exchange for the land. Mr. Garcia asked if the City is not going to blade the road, and says he does not own this section of the road, should the City take care of raking, mowing, spraying for weeds, etc.?

The Mayor asked if Mr. Garcia would be interested in talking to the Ordinance Committee to consider exclusion to the parallel parking law on Milwaukee. Deb Mickelberry said she does not have a problem meeting to discuss it, but the Ordinance Committee had safety concerns on smaller streets that allowed perpendicular parking. She would not want to make an exemption because the overall purpose of this ordinance was safety.

The Ordinance Committee would be happy to meet, and asked Crystal to send letters to those on Milwaukee so they can chime in.

Diane Phillips asked about signs designating specific parking, like the flower shop sign saying “Flower Shop Customers Only”. This is not allowed per the ordinance, and there is also one near the school designating specifically parking that is not defined in the ordinance. Crystal Turner will send letters to the properties near the signs asking if they posted them to please remove them or the City will.

**CONSENT AGENDA**

1. Approval of Claims Paid on 03/30/2018 to Mail Utility Bills in the Amount of $159.56
2. Approval of Claims per List
3. Approval of Fair Board Claims per List
4. Approval of Meeting Minutes from March 27, 2018
5. Approval of Pledged Securities through March 30, 2018

Councilman Townsend made a motion to approve the consent agenda for the April 10th, 2018, meeting. Councilman Tharp seconded the motion. There was no other public comment.

**Motion Passed Unanimously.**

**PUBLIC HEARINGS**

There were no public hearings.

**REPORT OF OFFICERS**

City Clerk Crystal Turner reported she and Kelly Smith have been discussing reservations for park areas as there is someone interested in offering tennis lessons. There was discussion regarding reserved spaces versus first-come, first-served. Gene Townsend explained the $25 reservation fee for Stevenson Park was because it was the only area ever competed for. Mrs. Swimley asked Crystal Turner to draft an ordinance regarding park reservations.

Crystal also reminded the Council, for Kelly Smith, of the DNRC RRGL grant deadline of May 15, 2018. She also informed the Council Wendell Ewan has taken inventory of park needs like benches, picnic tables, equipment, etc. There is $7,700 available in the Parks Maintenance budget remaining in this fiscal year’s budget. Wendell has removed a couple picnic benches which were irreparable, and would like to purchase new ones. Wendell suggested also replacing a swing set which was removed this past year from Stevenson Park. Mary Bertagnolli called today offering funds for anything to be repaired or replaced in Bertagnolli Park. There is around $1,500 already available in the Bertagnolli fund, so there is no need to request funds from the Bertagnolli family at this time. Crystal learned what she believed to be a regular swing set arch, which has been empty of swings for years, was actually for a porch swing style. Kelly and Crystal would like to replace this swing as well. Matt Bugland asked if there was a possibility to also replace the bases in the baseball diamond at Bertagnolli Park. Crystal continued that Wendell has prioritized repairs for each park and wishes to border the gravel areas under the park equipment so that the gravel does not mix at the lawn edge, and replace some gravel, replace the swing set in Stevenson, and purchase as many picnic tables as money allows for this budget. Next fiscal year he will work on the remaining prioritized repairs and replacements.

Susan Swimley reported she and Crystal Turner have been in discussion on the Fish, Wildlife & Parks modification to the lease agreement. She spoke with FWP today who is in agreement with the edits she proposed. She would like to go back and deal with the golf course portion of the lease as it has expired. She wishes to clean up the leases and the legal description.

Crystal reported there is a negotiation meeting with the Sheriff scheduled on April 18, 2018, from 1-4PM here at City Hall.

**REPORT OF COUNCIL COMMITTEES**

Budget Committee – Dennis Nelson would like to meet prior to the Gallatin County Sheriff Negotiations meeting, as well as a full Budget Committee meeting after they know where the City is sitting with dollars.

Streets & Alleys Committee – Gene Townsend asked if Teri Whitesitt and George Chancellor would be interested in setting up a meeting to discuss a 5-year plan for streets and alleys instead of operating soley by fixing this or that immediate need. “Let’s get a mile graveled, or when we get additional gas tax money, I would like the City to be organized. What is the best way to spend these monies and get the best we can on our streets.” Both Teri and George agreed to meeting some evening soon.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

The Mayor requested switching the order of these two items, since Diane Phillips is present and has been patiently waiting.

**Decision to Allow Three Forks Chamber to Utilize Milwaukee Park on Thursday evenings for Farmer’s Market for the Summer/Fall Season of 2018**

Diane Phillips said it is that time of year again! They will begin July 5 and run through September 13, 2018 and would like to utilize Milwaukee Park again. They will hold the sixth annual stick horse derby the week before rodeo. The businesses really support this race and there are a growing number of children participants. The Market has had an average of 18-20 vendors each week. Diane said the market could use some more picnic tables as well. Currently people bring their own to share for the meals. Crystal Turner responded the City is also working to add picnic tables in Milwaukee Park with the park maintenance funds mentioned earlier tonight.

Councilman Townsend moved to allow Three Forks Chamber of Commerce to utilize Milwaukee Park for their Farmer’s Market from July 5th to September 13th. Councilman Tharp seconded the motion. There was no public comment. Gene Townsend commended Diane and the Chamber for working hard to get signs out early the same day, organizing the non-profits to be compliant with the Health Department when hosting the meals, and marking lines on the park grass to organize the vendors. He thanked her and commended her for her hard work.

**Motion Passed Unanimously.**

**Board Appointment**

Mayor Hamilton read the board appointment memo into the record.

Crystal Turner read an email from Library Board Chair Fawn Venzor, recommending the appointment of Janice Schendel as this is her second time applying for a seat on the board.

Councilman Chancellor made a motion to appoint Brooke Mclees to the library board. There was no second; motion died for lack of motion.

Councilman Nelson moved to appoint Janice Schendel to the position to the Library Board. Councilman Tharp seconded the motion. There was no public comment.

**Motion Passed Unanimously.**

**PUBLIC COMMENTS/CONCERNS** (not on the agenda)

There was no public comment.

**MAYOR & COUNCIL ANNOUNCEMENTS**

Ed Tharp reported he and Crystal attended the Gallatin County Commissioner’s public hearing on bridge replacements last week. The County is considering six bridges to apply for the grant, but had initially narrowed it down to Old Town, Meridian or Cemetery Bridges. Ed said Old Town bridge was ruled out for right now as the County would need to do both, not just one, to fix the weight limit problem. He also attended today’s Commission meeting for the bridge discussion, but no decision for which bridge to apply for was made. The Engineers will come back to the County Commission next Tuesday with recommendations after all the public comment is received. Gene asked why Old Town is not being considered. Ed explained the Legislature only funds one bridge every two years, and it will not allow busses or fire trucks to access Old Town if they only apply to replace the bridge over the slough and not also the bridge over the Jefferson River.

Mayor Hamilton has been speaking with Randy Johnston about spraying for scale in the spruce trees. Randy is currently getting quotes for that. They also have been discussing the Japanese Memorial Park Bud Lilly created. He will be working with Susan Swimley about acquiring a park easement, so we can run water to it.

Gene added, the Japanese Memorial Park had a city well (which ended up later being abandoned) because Violet Lilly “gave” that ground to the City in exchange for getting her street paved, via a handshake. Then Mike Lilly came back and told the City that was not City property. If the City gets an easement, he encouraged it be more than a handshake.

Mayor Hamilton added Cathe Felz popped in last week to let the City know that the FCCLA drug project received gold medals and get to go to Nationals in Atlanta. She was thanking the City for its contribution.

Gene said that Randy also spoke with him about the spruce trees, and suggested a dying spruce tree in Milwaukee Park also be quoted for removal.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 4/24/2018**

Nothing to report at this time.

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Tharp moved to adjourn. Councilwoman Whitesitt seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (8:12 P.M.)

Mayor Hamilton reconvened the meeting to discuss the health benefit plan renewal. The City has a part-time employee wanting to join the dental plan. However, we currently only allow full-time employees to join the benefit plans (or elected officials per a resolution adopted years ago). The Council discussed all the variables and decided, for this year only, to allow part-time employees to enroll in dental and vision plans only if they work a minimum of 20 hours per month. The entire premium will be employee paid.

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**APRIL 24TH, 2018,** The Three Forks City Council met in session in City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:00 P.M. for the SECOND meeting of APRIL 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Gene Townsend, Ed Tharp, Dennis Nelson, and Teri Whitesitt. City Clerk Crystal Turner was also present.

The record reflects that a quorum was present, with the attendance of six (6) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

Reminder to the public that the meeting was being recorded and a reminder for all those present to review the policies of conduct on the back on the agenda.

**GUESTS:** Gloria Howland.

The Mayor asked if there were any other **PUBLIC COMMENTS** not on the agenda.

Seeing none, the Mayor introduced the **CONSENT AGENDA.**

**CONSENT AGENDA**

1. Approval of Claims per List
2. Approval of Meeting Minutes from April 10, 2018

Councilwoman Whitesitt moved we approve the Consent Agenda. Councilman Chancellor seconded the motion. There was no public comment.

**Motion Passed Unanimously.**

**PUBLIC HEARINGS**

**First Reading of an Ordinance Establishing an Impact Fee Appeal Processing Fee, an Amendment to 3-6-17-A of the Three Forks Municipal Code**

Mayor Hamilton read the ordinance into the record in its entirety. He noted, if approved, this would be Ordinance #381-2018.

Gene Townsend asked if there was a process which defines criteria to consider impact fee appeals, and who the appeal is heard by (Impact Fee Committee, Variance Committee, etc.). Crystal Turner explained Title 3, Section 6 details the various ways the Council would consider appeals to the impact fee ordinance. She also said the appeals come before the Council. Deb Mickelberry recanted Jared Brown’s application this year where the impact fee would be for both the residential unit and the commercial unit which are essentially one building. Mr. Brown cited both units only having one bathroom so he believed the impact was less than a regular 3-bedroom home. The Council reviewed this request and agreed to reduce the impact fee to that of one residential structure. Crystal added there is already a defined process to hear appeals. However, there is no fee designated for such an application and this ordinance simply provides an avenue for the Council to set a fee to hear appeals to the impact fee imposed.

Councilman Chancellor moved to approve Ordinance #381-2018, an ordinance establishing an Impact Fee Appeal Processing fee, an amendment to 3-6-17-A of the Three Forks Municipal Code. Councilman Tharp seconded the motion. Teri Whitesitt questioned whether the fee in the resolution needed to be added in the motion now too. Crystal Turner explained no, the resolution setting all the various fees will be heard by the Council at a later date. There were no other comments.

**Motion Passed Unanimously.**

**Decision on a Resolution Requesting Distribution of Bridge and Road Safety and Accountability (HB473 Gas Tax) Program Funds**

Mayor Hamilton read the resolution into the record in its entirety. He added the resolution number would be #282-2018 if approved.

Gene Townsend asked if the City already had the match budgeted. Crystal Turner replied Kelly Smith already factored in the match at the full amount the State said it would have available to Three Forks this year. The State misquoted the amount and it will be much less this first year than first anticipated, but the City has enough budgeted to cover this use.

Councilman Nelson moved to approve Resolution #282-2018, a resolution of the Three Forks City Council requesting distribution of Bridge and Road Safety and Accountability funds. Councilman Townsend seconded the motion. There was no public comment or Council discussion.

**Motion Passed Unanimously.**

**Decision on a Resolution Moving the First Regular Meeting of May from May 8th to May 22, 2018**

Mayor Hamilton stated this would be resolution #283-2018 if approved then continued reading the resolution into the record in its entirety. The Mayor explained two council members and the clerk would be attending the Montana Municipal Institute in Billings, which does leave a quorum but no one else would be able to be absent without the City having to cancel the meeting. He added Kelly Smith would be available if needed, but she had hoped to attend a family event that night.

Teri Whitesitt stated she has not witnessed this issue in her years on the Council and asked what happened when the City did not have enough people in the past. Gene Townsend commented about elected officials not usually having to attend the meeting until Wednesday. Ed Tharp explained Montana Municipal Institute no longer holds meetings on Friday. Teri Whitesitt commented it appeared this decision has already occurred prior to the Council hearing the resolution. Gene said he agreed with Teri, and said year’s ago when the City setup holding two meetings per month, the first meeting was to hold the regular business. Crystal explained in 2016 the Council updated the ordinance regarding holding meetings to allow for more flexibility. Dennis Nelson asked if the meeting could be moved to Monday before we leave or the following Tuesday when we get back. Crystal said that would be fine, but she would still be gone. Deb asked if there was even anything on the agenda for the 8th. The Mayor said not right now. Deb continued, “Why we would have a meeting if we don’t have anything on the agenda?” Teri asked if canceling this meeting would make the May 22nd meeting really long because she physically has difficulty at long meetings. The reason she is questioning cancelling the May 8th meeting is partly due to her physical limitations to long meetings – if we can take notes and record it, why not just hold the meeting? Crystal added there were no other items on the 22nd’s agenda last Thursday when this issue came up. As of today, she has asked the Three Forks Youth Recreation Task Force to come ask permission to utilize Stevenson Park for the Summer Rec Program since the Council has tasked Crystal to draft a park reservation ordinance. Rob Norman also called today asking to the be on the next agenda but was unclear as to what he specifically requested a decision on other than “water”.

Chancellor moved to approve Resolution #283-2018, a resolution of the Three Forks City Council moving the first regular meeting in May from May 8th to May 22nd, 2018. Councilwoman Mickelberry seconded the motion. There was no public comment. Teri Whitesitt reiterated she would be happy to hold the meeting on Monday [May 7, 2018], but she will not vote for this.

**Motion tied 3:3** with Gene Townsend, Dennis Nelson and Teri Whitesitt opposing. Teri Whitesitt offered to make a new motion. The Mayor said no, not until he breaks the tie; however, then asked what Teri was thinking. Teri suggested moving the meeting to Monday and stated she will take the minutes if Kelly Smith cannot attend. George Chancellor asked why even move the meeting from Tuesday to Monday then? Deb Mickelberry agreed. Gene stated Denny and Ed would be gone Tuesday morning. Crystal clarified they will not attend classes until Wednesday morning, but she made room reservations for them Tuesday night as there is an option Elected Officials’ forum at 5PM and she did not believe the would wish to drive to Billings early Tuesday morning to make their 8AM meetings. Denny thanked Crystal for doing that. Mayor Hamilton asked if the Council would be comfortable moving the meeting to Monday the 7th. (No one verbally responded.)

The Mayor voted in favor of approving the motion.

**Motion carried and Resolution #283-2018 passed.**

**REPORT OF OFFICERS**

City Clerk Crystal Turner reported Randy Johnston has been recruiting quotes for spraying scale in the spruce trees in the City parks. Randy has asked Crystal to report for him he recommends going with the lowest bidder which was Broadleaf Tree & Landscape. She read the remaining quotes into the record. Money is already budgeted in this fiscal year for Parks – Tree Maintenance. Crystal looked up all the companies on the Secretary of State’s website today to ensure they hold valid licenses. Not all do, including Broadleaf Tree & Landscape. Crystal has contacted Broadleaf today asking them if they were in process of renewing their license.

Crystal also reported she is working on the 2020 Census address verifications, which is quite time consuming. Last, she reported Gallatin County is holding a Drug Take-Back Day on April 28th from 10AM-2PM at the Law & Justice Center.

Gallatin County Sheriff Sgt. McDonough reported there will be a Law Enforcement Memorial day celebrated on May 8th – starting out by the David DeLaittre memorial, making its way through town and will follow a parade-like procession honoring all fallen law enforcement officers.

**REPORT OF COUNCIL COMMITTEES**

Ordinance Committee – Deb Mickelberry reported on meeting regarding angle- vs. parallel-parking on Milwaukee. Many showed up and those present agreed if the City offered the option of purchasing the vacated old Montana Power easement land they would still be interested. The Committee agreed but stated everyone would have to be on board, and all would have to pay the costs for the surveying and deeds recording. At the meeting, Crystal Turner offered to contact Susan Swimley to find out if this is still legal to offer to the property owners, and if so she would send letters to all those affected by the easement. If this is legal to move forward, the Ordinance Committee will pass this on to Streets & Alleys.

Public Safety Committee – Gene Townsend reported on meeting with the Gallatin County Sheriff Office to discuss a new contract. There was a lot of public in attendance. The point was well made, by the number of people present, the public has concerns about the type of service it is getting. From there, the Committee discussed money. We made an offer, the Sheriff made an offer and we are still quite a ways apart. No follow up meeting is scheduled at this time. Gene thought it was a good meeting. The bartenders would love to see a presence of an officer on Friday and Saturday nights.

Budget Committee – Dennis Nelson reported they met last week to review Quarter 3 expenditures. Dennis said, “The City is strong in every department, thank you for your diligence.” We are doing well with purchases unless there is a hiccup along the line in this last quarter. The Committee would like to come up with a number to reply to the Sheriff.

Gene asked the Mayor to have the City Fire Truck inspected. The Rural’s was recently inspected and some faulty wires and a bad engine knuckle were found. We do not want another tragic accident, and he knows the City truck has not been inspected in a few years.

Teri Whitesitt stated the Streets & Alleys Committee will meet on May 8th at 5:30PM, here at City Hall.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

**Decision to Allow the Fair Board to Close Kansas Street on April 28 & 29, 2018, for Safety over the Junior & High School Rodeo**

Kelly Bugland stated the Rodeo Board would like authorization to close Kansas Street during the High School Rodeo, hours are 8AM-5PM and are typically finished before 5 on Sunday. The reason for this request is to maintain safety of those riding horses between the parking/stall area and the arena. Gene Townsend added this is to provide safety for kids on horses and not to obstruct traffic paths, but for safety.

Councilman Nelson made a motion to allow the Fair Board to close Kansas on April 28th & 29th, the area on Kansas for safety on the Junior High and High School Rodeo, whatever time necessary to be closed be determined by the Fair Board. Councilman Chancellor seconded the motion. There were neither public nor Council comments.

**Motion Passed 5:0, Gene Townsend abstained as a Fair Board member.**

**Board Appointment – Board of Adjustments, Appeals & Variances**

Mayor Hamilton read the board appointment memo into the record.

Councilman Townsend made a motion to appoint Ed Tharp and Debra Mickelberry to the Board of Adjustments, Appeals & Variances. Councilman Nelson seconded the motion. There was no public comment.

**Motion Passed 4:0, Deb and Ed abstaining.**

**PUBLIC COMMENTS/CONCERNS** (not on the agenda)

Kelly Bugland spoke, not remembering the exact specifics of the meeting, but she believed the Three Forks Market Campground had asked for a discounted sewer rate while they got settled. She believes they have 8 RV hookups, allow other RV’s to dump, and she believes they have now added washer/dryer hookups. She inquired if the City was going to reevaluate the sewer rate. George Chancellor recalled the State made the Market Campground install washers and dryers. Dennis Nelson agreed the rate the City has charged the Market Campground was not based on numbers of hookups, but by the length of time being opened. Dennis added without knowing a count of RV’s using the dump station, it would be hard to tell how much the Campground is impacting the sewer system. Crystal said she would provide the usage information to the Council outside of the meeting.

Gloria Howland said people pull into the Church of Christ and dump all summer long and they probably impact the system as well. Crystal Turner will look into this.

Gene Townsend asked if the Market Campground charges to use the RV dump. Kelly Bugland said yes, he charges $10.00. Gene also asked what the Campground’s open times are. Crystal Turner replied he will be open this weekend for Junior & High School Rodeo but he is limited, from whatever day he opens, to a six month limit.

There was no other public comment for anything not on the agenda.

**MAYOR & COUNCIL ANNOUNCEMENTS**

Gene Townsend reported he finally got the culvert open under I-90. Our sewer treatment plant was at full capacity and some was being diverted in the old storage cells because we could not keep up. Much of the ground around town is under water right now. Gene contacted Fish, Wildlife & Parks about getting a live trap for the beaver. Matt Wemple provided him a wildlife control specialist’s name, and Gene has received permission from Bill Kent (the property owner) to trap out there. Terry Hendrickson (Three Rivers Mosquito Control District) is concerned about the water because it creates breeding grounds for mosquitoes. Gene requested Mayor Hamilton ask the Gallatin County Commissioners to clean the Willow Creek drainage ditch. There is a line of cattails probably 200-300 yards long and really backs up the water. When water is held back like this, it is what ruins roads. Steve Johnston figured out a 24-inch culvert will run about 1,000,000 gallons/hour. Now that the culvert is open we are letting ground water back down the river, instead of backing up into town and being treated in our lagoons. Gene brings this up because there are four people the block south of Gene’s house which have water in their basements – and they have been prone to hooking up sump pumps and dumping the water into our sewer system. It taxes our system a lot. He believes the culvert and the Willow Creek Drainage Ditch need to be maintained open to keep water out of our town.

Mayor Hamilton reported the Arbor Day tree planting will be on Friday, May 4th. One tree will be planted by the ponds and one at Milwaukee Park; he is unsure of where the third tree will be planted.

Last couple weeks he has been talking about parks and replacing a set of swings, which was removed due to safety concerns, at Stevenson Park, as well as several picnic tables pulled from commission. He has been working with a company to get a reduction in sticker price, and has tried to get them to budge on the shipping costs. He spoke with the company yesterday and they cannot waive the shipping, product is coming from Wisconsin. Received a quote for 10 tables, and the swing, but that is slightly over the budget of $7,700. The Mayor asked the Council if he could purchase everything knowing parks will go over budget. Gene Townsend asked what the cost of the swing ($1,700) and the cost of the tables. Mayor Hamilton said he has a quote for 8 8-foot tables and 2 6-foot square tables for $7,500. George Chancellor is ok with going over budget this fiscal year, as we have savings this fiscal year already. The park equipment is on sale now, but he also would be fine buying some now and some in July to stay within the Park budget. Deb Mickelberry agreed – as the Parks have always been stolen from and she would like to see the City put money back in Parks. Dennis Nelson agreed and mentioned the reserve issue at the end of this fiscal year as we are sitting pretty healthy and will end up having to shuffle money around. Ed Tharp agreed. There was no motion to approve, however for the record the Parks budget account will go over.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 5/22/2018**

* Second Reading of an Ordinance Establishing an Impact Fee Appeal Processing Fee, an Amendment to 3-6-17-A of the Three Forks Municipal Code
* Decision on a Resolution adopting the Fee Schedule
* Summer Rec request to use Stevenson Park
* Rob Norman water discussion

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Nelson “so moved” to adjourn. Councilman Tharp seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (8:16 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**MAY 22ND, 2018,** The Three Forks City Council met in session in City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:00 P.M. for the FIRST meeting of MAY 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Gene Townsend, Ed Tharp, Dennis Nelson, and Teri Whitesitt. City Clerk Crystal Turner and City Treasurer Kelly Smith were also present.

The record reflects that a quorum was present, with the attendance of six (6) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

Reminder to the public that the meeting was being recorded and a reminder for all those present to review the policies of conduct on the back on the agenda.

**GUESTS:** Tanya Jorgenson, Jodi Moore, Chase, Cole and Brianna Moore, Steve and Shelly Dahl, Gloria Howland, Kelly Bugland, Rob Norman, Jody Johns, Matt Bugland arrived around 7:15, Kira Gifford arrived at 7:50PM.

The Mayor asked if there were any other **PUBLIC COMMENTS** not on the agenda.

Seeing none, the Mayor introduced the **CONSENT AGENDA.**

**CONSENT AGENDA**

1. Approval of Claims to Mail Utility Bills and for Council Registration at MT Municipal Institute in the Amount of $332.35
2. Approval of Claims Paid to Expedite Park Equipment Order in the Amount of $7,989.98, and Due to Timeliness in the Amount of $34,820.57 on 5/15/2018
3. Approval of Claims per List
4. Approval of Fair Board Claims Paid due to Timeliness in the Amount of $19,289.752 (which includes re-issued 2016 High School Rodeo Payouts)
5. Approval of Fair Board 2017 High School Rodeo Payouts (Cleared) in the Amount of $172.00
6. Approval of Fair Board Claims per List
7. Approval of Meeting Minutes from April 24, 2018

Gene Townsend asked to segregate item “B” of the Consent Agenda for clarification. There was discussion and explanation regarding the bills paid due to timeliness for regular operations, like water testing, electricity, etc. as well as roughly $8,000 paid on the park equipment prior to the Council meeting tonight.

Councilman Chancellor moved we approve the Consent Agenda. Councilman Nelson seconded the motion. There was no public comment.

**Motion Passed Unanimously.**

**PUBLIC HEARINGS**

**Second Reading of an Ordinance Establishing an Impact Fee Appeal Processing Fee, an Amendment to 3-6-17-A of the Three Forks Municipal Code**

The Mayor stated this was read in its entirety at the April 24th meeting, so he will not read it again in full unless requested. No one requested it to be read.

Councilwoman Whitesitt moved that we approve Ordinance #381-2018 an ordinance of the City Council establishing an Impact Fee appeal processing fee. Councilman Tharp seconded the motion. There was neither public comment nor Council discussion.

**Motion Passed Unanimously.**

**REPORT OF OFFICERS**

City Treasurer Kelly Smith reported the Gas Tax requested has been approved. She thanked the Council for excusing her from the last couple Council meetings so she could attend her daughter’s softball games. The Audit has been filed with the State Department of Administration, and the audit finding for the Fair Board should come off our next audit since the City has taken over the bills/payments. She asked if the Council wished to see the total payroll amount on the consent agenda too? Many cities do share this with their Councils and Three Forks no longer does but we are more than happy to if the Council wishes that as a separate item on the Consent Agenda. (The Council did not wish to see this unless there is an anomaly.) Gene Townsend added the two Consent Agenda items for the Fair Board issuing stale dated checks was helping to clean up those old books where rodeo winners had lost their checks or people just never cashed them. Some of those people were recently at the High School Rodeo so the Fair Board was able to reissue them.

Kelly also reported the Zoning & Planning meeting will be held this Thursday here at City Hall to discuss “AirBnB” style businesses.

City Clerk Crystal Turner reported she has provided each Council member the water usage of the RV campground, as stated at the last meeting, for the Council’s review if they wish to change the sewer rate charge. She added she has finished the review of the winter water usage which converts to the annual sewer rate average in July. She has handed the review on to Kelly Smith for a second look.

Crystal explained she has been communicating with the Gallatin County Commissioners regarding the Willow Creek Drainage Ditch. So far they have asked the Road Department and County Administrator to look into who is responsible, and she has an email from the County Administrator stating they believe it is not a county responsibility. She will continue to work on this.

Crystal also reported she has been working on a park reservation ordinance, which has been sent on to the Ordinance Committee and Susan Swimley for review. She is still trying to schedule the second negotiation meeting with the Sheriff. Sheriff Gootkin did email Crystal tonight stating he hoped to have a counter offer to the City by tomorrow. Crystal has also been working with Susan on the Milwaukee/Railway easement. She thanked the Council for allowing her to attend the Montana Municipal Institute and would provide a full report to the Council at the next meeting. Lastly, Crystal informed the Council the Fair Board has voted to officially change its name to “Three Forks Rodeo Arena”.

Sgt. McDonough did not have a report.

City Attorney Susan Swimley said the City does have legal authority to require snow removal and then when not done the City can remove the snow and charge the fee to the property owner. However, Cities do not have the same legislative authority to do the same for weeds not maintained on private property. We have officially hit weeds/tall vegetation season. Susan asked if the Council would wish for her to pursue a legislative change allowing municipalities to go on to the property owner’s land and take action and apply the costs to the taxes. We have one more month to submit legislative authority. Teri Whitesitt, Gene Townsend, Ed Tharp and Dennis Nelson all nodded their heads in support to allow Susan to draft a legislative bill in hopes of a legislator carrying it to the next session.

Susan also has the amendments on the ponds with Fish, Wildlife & Parks which include the dock, and would like to draft a new complete leases as there are four amendments and the original lease is from the early 1980s. She wishes to redraft as one up-to-date lease document.

**REPORT OF COUNCIL COMMITTEES**

Parks Committee – George Chancellor received a call from Pete Weber a couple days ago who is one of the representatives on the fishing dock at the pond. George volunteered to have the fake grass/animal habitat delivered to his house and stored in his shop rather than have it sent to Kalispell and then reshipped back to Three Forks.

Streets & Alleys Committee – Gene Townsend reported they met on May 8, 2018, to discuss the additional Gas Tax money and what the plan will be once that starts accumulating. They looked at a 1-, 2- or 5-year plan including going on to the gravel streets and digging down to remove the clay, putting new gravel down in hopes of smoothing them out and promoting better drainage. In the next couple years there will be a “mill and fill” along I90 where the millings would be available to the city if we could use them. If the millings become available, the Committee would like to be able to use them to improve streets. The next phase will be to talk to Wendell. Gene talked to Wendell the day after the meeting, and to Steve Johnston, so they knew the Committee’s goal. The Committee would like to have a program to best utilize the Gas Tax funds. Everyone in this town pays into Gas Tax so improvements to the streets should be city-wide.

Shelly Dahl asked what kind of traffic uses roads improved with millings. Gene was unsure, but believed most of the damage done to gravel roads is done by garbage trucks, or other heavy trucks. Shelly explained the Milwaukee Road is heavily utilized as main access to the grocery store, including delivery trucks. Shelly asked if, in Gene’s opinion, a paved road would be better (for Milwaukee)? Gene said he was unsure, but if done well, like Kyd Road was done, it does hold up even with heavy truck traffic. He also offered to contact the grocery store to request they tell their delivery drivers to use main routes and not residential cut-throughs.

The Mayor said he believed the Committee was trying to come up with a good plan. Teri Whitesitt asked if a specified truck route could be established. Gene believed the law does not allow for a truck route to steer traffic to worse roads – for example if they use pavement now you have to steer to pavement, not a dirt road.

Public Safety Committee – Dennis Nelson reported the negotiations may start tomorrow again if the Sheriff’s counter offer comes in. Gene Townsend requested that City Treasurer Kelly Smith and City Attorney Susan Swimley be allowed to attend the next negotiation meeting. The Mayor agreed and said it would be smart to have people there who can answer questions.

Budget Committee – Dennis Nelson would like to meet soon after the negotiation to discuss the Law Enforcement budget. The Committee requested a proposed FY18/19 budget from the Mayor. Gene Townsend added, if it would help the Mayor to develop a preliminary budget, the Rural Fire District will keep the budget as is for FY18/19. Dennis Nelson said a reporting software program purchase, which was planned for next year, was approved to go ahead and purchase now knowing the Fire Department will go over its current budget.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

**Request by Three Forks Youth Task Force to Utilize Stevenson Park for the “Summer Rec” Program from June 4th to August 10th, 2018**

Tanya Jorgenson spoke on behalf of the Summer Recreation Board. Summer Rec had 165 children and they anticipate more children attending this summer. She thanked the City for the new swings [repaired swing seats]. They appreciate all the effort put into improvements to this park including last year’s new slide. Summer Rec will operate Monday through Thursday, 9am to 1pm. On Wednesdays they take field trips so will not need use of the park full time but will need it for pick up and drop offs.

Councilman Townsend moved to allow the Summer Rec program to use Stevenson Park from June 4 to August 10th for their program. Councilwoman Whitesitt seconded the motion. There was no public comment. Mayor Hamilton said he is amazed at the number of children attending each year and he thinks it is a great program.

**Motion Passed Unanimously.**

The Council thanked the Three Forks Youth Recreation Task Force for all its volunteering efforts and for putting this program on.

**Rob Norman Discussion of Sewer Rates and Method of Calculation**

Mr. Norman spoke regarding his property at 122 and 124 Main Street, and distributed copies of his water/sewer bills the past few months. He has visited the City’s website to review the “New Customer Information” regarding water and sewer estimates. He asked about the term used on the website “most residential use” and what the fee means. Kelly Smith explained the rates based on different residential line sizes. Mr. Norman questioned going by line size rather than volume used. He argued he does not think that way of measuring/charging is fair – he wants to be charged only for usage. He suggested basing sewer charges on actual water used throughout the year, not just the usage during the winter months. He believes the ordinance is based on irrigation and asked if that is really fair to the people of Three Forks versus the business [who are using more in the summer].

Mr. Norman stated he did receive a call from the City when he used a high amount of water. He went and checked it out and found a toilet flapper valve that needed repaired. He fixed it. He asked the Council, “Do you think that is fair?” He pays $165.00/month for sewer now because of his previous winter usage and now that his leak is fixed he would like his sewer rate to be amended immediately. Crystal Turner explained Mr. Norman was charged a lesser amount for his sewer rate while he was using a high amount of water because it was based on the previous year’s usage (which did not have a leak at that time). Crystal added she has contacted Mr. Norman several times because his water usage was high for a number of months that did not seem likely for the business types in this building. Every time she spoke with Mr. Norman he declared there were no leaks, but water was used consistently high for almost 15 months. Crystal reported usage went from 200 cubic feet in one month, to 970, 1630, 2070, 2020, 1850, 1960, etc in consecutive months. She added it appears to be consistent usage and not just a leak since it goes up and goes down and back up again.

Mrs. Swimley told Mr. Norman there is another process to discuss the ordinance changes. There is an entire process which requires a lot more notice than him requesting the Council just change the ordinance. Deb Mickelberry explained those months were selected because that is when most people are not irrigating anything and not going down the drain and being treated at the wastewater treatment plant. Mr. Norman said he wants to pay his fair share, but he thinks the ordinance is old and not capturing the actual usage of water and water being treated. Gene Townsend said he thinks people should get a rebate once the leak is fixed.

Mr. Norman wants on the next agenda for a rebate option. Mayor Hamilton said he will add to the Council’s agenda a request to adjust the sewer rate based on four other months for Mr. Norman. Mr. Norman also wants the Council to adjust the way it factors rates and the way those four months affect the people of Three Forks. “It is unfair to the people of Three Forks to charge them for months they only use in the winter.”

Gene Townsend believes Mr. Norman has a valid point and once a leak is fixed Mr. Norman should be able to come back to the Council and request a different rate be used or a refund. Mr. Norman said he is doing the process defined in the ordinance which allows him to “appeal his case to the Council.” He added that it was very hard to be placed on the agenda and he does not understand the difficulty with getting the agenda. [Mr. Norman asked to be on an upcoming agenda (4/24/18) after it was set and posted, so he was told he would have to wait until the next available meeting which would be 5/22/18 since the 5/8/18 meeting was cancelled.]

**Proclamation Declaring May 16-23 “Deputy Mason Moore, #LoveWins” Week**

Mayor Hamilton read the proclamation into the record. He thinks it is always good to remember and to honor those who served and took care of us, and to recognize the Moore family tonight.

Councilman Townsend moved to pass and approve Proclamation #2018-01. Councilman Tharp seconded the motion. There was neither public comment nor Council comments.

**Motion Passed Unanimously.**

**PUBLIC COMMENTS/CONCERNS** (not on the agenda)

There was no public comment.

**MAYOR & COUNCIL ANNOUNCEMENTS**

Gene Townsend reported he met with the Northern Rocky Mountain Economic Development (NRMED) group a couple weeks ago. They try to help with training in the job force and other economic issues in small communities. They met with Imerys to try and interest them in training programs available throughout Montana. NRMED was going to try and meet with CRH and Kanta next. These are great programs and hopefully the industries utilize them.

Gene reported on a beaver issue about one month ago. Since then, two beavers have been trapped and removed. Since the trapping, water is considerably lower and the third pit/pond and has started to go down and hopefully people will see a relief in their basements. Regarding the Willow Creek Drainage Ditch – most people do not realize we get all Willow Creek’s groundwater and that one ditch hauls it from Willow Creek and here to Three Forks in this one culvert. This helps keep groundwater out of our area, and the basements on 5th, 6th and 7th Avenues. The County Commissioners saying it is no longer responsible for cleaning the ditch does not seem right. In fact, a few years ago the County did clean it out almost all the way to Willow Creek. The removed plants were provided to the golf course and Buttelman’s property and others who wanted the foliage transplanted. Hopefully the County will agree to do something to clean this ditch.

Gene asked the Mayor if he has plans to begin street sweeping this year. Mayor Hamilton has not had a chance to meet with Wendell yet but he emailed him today asking for the schedule on that. Gene spoke with Wendell Ewan today, who asked him to relay to the Council he is checking into sweeper providers to get quotes in hopes of purchasing a new sweeper if we have enough funds to replace our sweeper.

Gene asked if the City has plans for when and if we get flooding. Dennis Nelson said he talked to Wendell about flooding, and he said he has sand if needed for sandbags. Crystal Turner added a man from Hagan’s Pumping & Culvert Cleaning visited City Hall today and said he has 500 sand bags ready to fill if needed, which are available to both city and out of town residents. Gene asked if the County provides any sandbags – Mayor Hamilton and Kira Gifford both answered no. Mayor Hamilton reported he does monitor the National Weather Service reports daily and does not feel the City will have any flood issues, but he is watching for it although he does not have a plan setup if flooding occurs.

Lastly, Gene asked Crystal to provide a printout of Rob Norman’s water usage over the past year. (Crystal had just printed three year’s worth of data and given it to Mr. Norman just minutes prior to this request.)

Ed and Denny thanked the Council for allowing them to attend Montana Municipal Institute.

Teri Whitesitt questioned how code enforcement was going. Sgt. McDonough said the code enforcement officer does still come by weekly and is issuing warning notices. Rob Norman said, as you can tell when you do snow removal or when the State swept Main Street the other day, you can see that people park in the 3am-5am prohibited time. He questioned if tickets are issued for this parking violation. Sgt. McDonough said no, they do not have deputies out at that time. Crystal Turner added the City Hall does hear about a lot of violation notices being left of people’s cars and weed violations left of people’s doors. Crystal felt education was ongoing and that many residents are receiving warnings and taking care of the violations immediately. Crystal said, “It may only be four people a week, but it is four more people a week that are taking care of issues that were not doing so previously.”

Mayor Hamilton reported graduation was held this past weekend, and tomorrow will be 8th grade advancement. He wants to talk to Matt Bugland about baseball bases before ordering replacements for the Bertagnolli field.

The Mayor also asked the Council for clarification on tennis camp and the charge for reserving the tennis court. Was it the Council’s intention to charge $25/day or $25/weekly session? The coach is limited to 10 participants; she charges $30/session so he wondered if the City is overcharging? Gene Townsend argued for $25 you get a gazebo shade, electricity, use of a BBQ, and bathrooms and tables. “The tennis court cost $250,000 to refurbish to the current standard so a $25/day rental for a $250,000 tennis court sounds like a pretty sweet deal,” Gene said. George Chancellor said he believed the intention was per day. Deb Mickelberry said, without having a reservation ordinance, she felt the City should be consistent and stick with the $25/day precedent for reservations.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 6/12/2018**

* Audit Presentation by Rudd & Company
* Rob Norman request to use four alternate months for sewer rate

Matt Bugland reported Memorial Day celebrations will be 9AM at Veteran’s park, 10AM at Fairview Cemetery and 11AM at Willow Creek Cemetery.

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Nelson moved to adjourn. Councilman Tharp seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (8:30 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**JUNE 12TH, 2018,** The Three Forks City Council met in session in City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:00 P.M. for the FIRST meeting of JUNE 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Gene Townsend, Ed Tharp, Dennis Nelson, and Teri Whitesitt. City Clerk Crystal Turner and City Treasurer Kelly Smith were also present.

The record reflects that a quorum was present, with the attendance of six (6) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

Reminder to the public that the meeting was being recorded and a reminder for all those present to review the policies of conduct on the back on the agenda.

**GUESTS:** Julie Kostelecky, Rob Norman, Kelly Bugland, Neal Story, Ruth Story, Erin Schattauer, Mike Hedegaard, Allison Brennan, (Matt Bugland arrived at 7:33).

The Mayor asked if there were any other **PUBLIC COMMENTS** not on the agenda.

Seeing none, the Mayor introduced the **CONSENT AGENDA.**

**CONSENT AGENDA**

1. Approval of Claims to Mail Utility Bills in the Amount of $158.67
2. Approval of Claims per List
3. Approval of Fair Board Claims per List
4. Approval of Meeting Minutes from May 22, 2018
5. Approval of the Zoning & Planning Board Meeting Minutes of November 17, 2017

Councilman Nelson moved we approve the Consent Agenda. Councilman Chancellor seconded the motion. There was no public comment.

**Motion Passed Unanimously.**

**PUBLIC HEARINGS**

**Presentation of the Audit of City of Three Forks’ Financials for Year Ended 6/30/2017 (Rudd & Company)**

Julie Kostelecky introduced herself and reminded all this report is for one year ago. She directed the Council to the Independent Auditor’s Report on pages 2-4, and the Management Discussion and Analysis (MD&A) starting on page 5. The Independent Auditor’s Report is really what the City is requesting an accounting firm for: a thorough review noting a “clean audit”. The City of Three Forks’ audit is a “clean audit” and not a “qualified audit” which would mean changes need to occur in order to pass audit standards. The MD&A could be referred to as the “laymen’s explanation of the city’s finances”. Julie said, “For people who do not understand numbers like an accountant, this is where you would read the overall health [or ailment] of a city’s financial statements.” She continued, “The good news is that if the City [of Three Forks] were to close its doors today, it could return about $1.9 million to the tax payers after selling all the assets.”

Next, she drew the Council’s attention to page 8. This table shows the changes in the City’s net position. Near the bottom of this table you will see a “prior period adjustment” in the amount of $246,884. This is the Three Forks Fire Relief Association fund. GASB rules changed and although this money is sitting in an account and it really close to being fully funded, we cannot use the balance of savings against the liability unless it is in an irrevocable trust. The good news is the State of Montana changed state law to allow that if the City is contributing the same amount as is being collected annually, it does not have to be reported as a finding in the audit report. Since the City has been contributing more than the amounts collected annually, you will not see an audit finding in this report.

Susan Swimley asked if the relief association liability looks bad if the City were to go out for a bond. Julie said the bonding agencies are not saying yet if the liability will affect cities. Dennis Nelson asked about the requirement in the upcoming years to keep a level of fundability. Julie responded for the State, the only requirement is to cover the current benefits to the retirees, and the City is doing more than that right now. Dennis replied, “Then we could drop the extra mills?” Julie replied the gap was around $50,000 and yes, once the money was in the relief association pension fund, those mills could be dropped. Kelly Smith asked if the relief association has to be being fully funded before dropping mills, we just collect what our current payouts are or keep collecting to maintain being fully funded. Julie answered, “Fully funded.” Gene Townsend asked about the actuarial studies. He was unaware the City had continued performing actuarial studies on the fire relief fund. Julie and Kelly explained the City has done two more studies since the City first began this journey, and Julie added there is no more finding in the audit reports now. Gene stated it is not bad to have a finding on your audit as it alerted us to know we needed to constantly be working on having enough money to pay the current pensions and the pensions of the future. Julie agreed and explained the GASB changes regarding how often actuarial studies must be completed, and that helps gage how well you are working to improve the issue.

Pages 94 and 95 talk about the previous years’ findings and the current audit year’s finding. For FY16/17 there is only one finding regarding how the books are being recorded for the Fair/Rodeo grounds which will be the last year as the City is now doing the books for them.

Julie reviewed the letter she had distributed which explains the audit process. Julie stated the City did not have any issues; Kelly and Crystal were very accommodating during the auditors on-site visit, and they did not find any issues with the way they were performing their duties, checks and balances.

Gene Townsend asked if anyone audits the Relief Association? Julie said not to her knowledge, but they do have to submit an annual report to the State.

Kelly reminded Julie this is the last year we will have projects noted on our audit as well. Julie said the DEQ has also stated the City is in full compliance with the water and wastewater projects.

The Mayor realized this is a lot to ingest all at one time, so he will put the decision to accept the audit report on the next agenda for approval by Council action.

**Public Hearing and Decision on a Request by Neal Story for a Conditional Use Permit for Property Located at Block 56, Lot 10A of the Milwaukee Land Company 1st Addition, (Commonly Known as 613 1st Ave East) to Operate a Short Term Vacation Rental within the Home via Advertisements like “Air B&B”**

Kelly Smith recapped the hearing of the Zoning & Planning meeting. She

Explained Ralph Johnson’s staff report and entered it into the record, noting there were three recommended conditions by the Zoning & Planning Board. Those conditions were: #1) the applicant shall obtain and maintan a license to operate a public accommodation (tourist home/rental) from the Montana Department of Public Health and Human Services; #2) the applicant shall provide a copy of such license to the City of Three Forks Zoning Official; and #3) the applicant shall obtain a City business license. There was also discussion at the Zoning & Planning Meeting for the applicant to provide “house rules”. Kelly asked the Story’s if they had finalized their rules and brought those tonight.

Applicant Neal Story distributed to the Council the house rules to be implemented for anyone staying in the home should this CUP be granted. He explained the kids are grown and out of the house now and they have three empty bedrooms for which they hope to rent out.

Gene Townsend asked how cumbersome the Gallatin County Environmental Health Department permit is to obtain. Ruth Story said it is very cumbersome. She has spent many hours completing the application.

Susan Swimley asked if the applicants would be OK if the Council added a condition to require the Story’s to maintain the off-street parking spaces noted on the application, as well as a condition to allow the Council to include the Story’s “House Rules” into the permit? Neal Story testified yes, he would be agreeable to that.

Public Comment: Kelly Bugland asked if the property owner will be present onsite while the rooms are rented. Mr. Story said yes, they will be on site.

Councilwoman Whitesitt moved that we approve the Air B&B for Neal Story, with the conditions that the House Rules will be incorporated into the minutes and the parking spots will be maintained. (Susan Swimley asked, “And the three conditions in the Staff Report?”) Yes. Councilman Tharp seconded the motion. There was neither Council discussion nor public comments. Mayor Hamilton commented as a neighbor he believed it will be just fine, noting the Story’s are good neighbors.

**Motion Passed Unanimously.**

**REPORT OF OFFICERS**

City Treasurer Kelly Smith did not have a report.

City Clerk Crystal Turner reported on three upcoming trainings she forwarded via email to those who receive emails, and placed copies in the Council boxes for those who do not check email. These were Grant Training July 25-26 in Billings; Montana League of Cities & Towns in Butte, September 26-28; and Mountain and Resort Town Planning Summit in Canada November 28-December 1. She also reported she has completed the 2020 Census address verification. It was a difficult program to navigate in order to compare our addresses with their list, but she finally completed the review after about a week of entries.

Sgt. McDonough reported distributed a three month call list for the valley deputies and the Three Forks resident deputies.

City Attorney Susan Swimley helped Crystal draft a Request for Proposals (RFP) for the Planning services, she attended the final negotiation meeting with the committee and Sheriff, and exchanged drafts with the Undersheriff. Milwaukee Road easement and parking is still under investigation. We need to locate the easement on record to move forward with that project.

**REPORT OF COUNCIL COMMITTEES**

Public Safety Committee – Gene Townsend met at the Sheriff’s Office in hopes to finalize the negotiations. The County offered $336,000 which the City countered at $330,000. They agreed to $330,000 for the first 3 years, and years 4 and 5 would include a 4% increase, the contract includes a 4th deputy and the animal control for a full day per week. Dennis Nelson added the contract also includes better coverage during the “witching hour” like 11PM – 2AM. Susan Swimley said those conditions were added into the written draft. The Sheriff has to take that agreement to the County Commission, and we had to bring it to the Council. Gene said, “We recommend it and hope you all approve it.” He added Three Forks would also like to see more involvement with Broadwater County, and law enforcement cross coverage in the southern part in which all those people have 285 phone numbers and 59752 zip codes.

Budget Committee – Dennis Nelson reported they had a meeting last week to review the General Fund’s fourth quarter expenditures to date. The year is not over yet but very close to it, and everything is looking good. The Committee wanted to review the budget to see if it could come up with the additional $30,000 needed for the increase in the law enforcement contract. The Committee asked the Mayor to meet with Wendell Ewan about the cost of a replacement street sweeper. Dennis drove by Ivy Street and the new gravel they have laid looks really nice and has improved the drive-ability of the road. He encouraged the rest of the Council to come in and review Kelly Smith’s suggested breakdown of revenues into each fund.

**UNFINISHED BUSINESS**

**Decision on a Petition Requested by Rob Norman to Amend the Determination of the Average Sewer Rate as Allowed in #9-4-1**

Rob Norman opened the meeting explaining he and Susan Swimley got off on the wrong foot last time about changing the ordinance. He read the “new customer” explanation from the website. He only wants to pay for his usage, and wants his sewer rate to be reflective of the same usage per month. “There is an awful lot of red on this page,” Mr. Norman said. Kelly Smith had distributed two sheets: 1) a collection of seventeen account, including Mr. Norman’s, showing a deficit owed by almost every customer if the Council were to change rates as suggested by Mr. Norman. The examples were of both residential and commercial customers, including those with and without sand point wells; 2) a three year history of Mr. Norman’s bill on how he was charged per the ordinance if he had been charged based on his suggestion. The spreadsheet showing Mr. Norman’s account only reflects an underpayment for the 2015/2016 fiscal year of $216.05, another underpayment for the 2016/2017 fiscal year of $805.79, and finally showing an overpayment in 2017/2018 fiscal year of $950.60. However, if looking at the under- and overpayments over a cumulative three years rather than individually it shows Mr. Norman would still owe the City of Three Forks $71.24.

The purpose of the spreadsheet showing seventeen examples was to show the inadequacy of charging customers the same sewer rate as water used because many of them use a lot of water to irrigate outside which does not get treated by the wastewater system. Mr. Norman argued, “The City was “jipping” itself and should charge the customers all a fair share of what they use and if the City is giving away water or sewer, how will it pay off the new, fancy wastewater treatment plant?”

George Chancellor returned to the spreadsheet which only covers Razn, Inc. and shows that Mr. Norman did not contribute more than the base rate when he was using more water, but he did pay more when the cycle caught up the following year. He continued that Mr. Norman did not pay any more than the base rate when he was using a high amount of water, so he basically borrowed the money from the City. Mr. Norman said, “That’s not right. I should pay for what I use.”

Kelly Smith explained the bonding company helps determine how to set rates in order to make your loan payments. Matt Bugland asked if the City would have to hire another person to recalculate the sewer rates on a monthly basis. Crystal Turner was unsure if the software program the City uses is capable to formatting the rates on a monthly basis. Mr. Norman asked if he could just be charged for what he uses, and perhaps the City would not be eating all the costs that everyone else should be paying.

Mr. Norman questioned why the City does not know what everyone is sending down the sewer. Crystal Turner explained the City does not meter sewer lines, it would be very cost prohibitive to have sewage meters on every household hence the reason the City has selected to use a winter-month average of water use when you know all water is going down the drain to be treated. Mr. Norman wants to be able to present how he pays his water and sewer to the IRS accurately. He has been audited and had to explain to IRS auditors how the City comes up with its sewer rate and justify how he pays that.

Mayor Hamilton confirmed with Mr. Norman that what he is requesting is to have the Council look at four other months. Mr. Norman said, “Not exactly.” The Mayor replied, “Because that is what we can do, as the ordinance is written right now.” He repeated that the City’s website says “This is annual for all customers.” Susan Swimley reiterated to the Council Mr. Norman is frustrated by the way we bill our sewer rates, but he is asking the Council to change the way his bill is calculated. The City’s ordinance does not allow the Council to do this.

The Mayor clarified what Mr. Norman is asking for would need to be directed the Water and Sewer Committee (Dennis Nelson, Teri Whitesitt and Ed Tharp) to review the ordinance to see if a different rate structure would be better. Mr. Norman suggested a commercial rate, an industrial rate, and a residential rate. He definitely thinks we [all customers] should pay for what we use on a monthly basis.

Dennis Nelson asked Mr. Norman that at the last meeting, and again at tonight’s meeting, he has stated he only wants to pay his fair share. Dennis asked, “Are you saying you should pay the City the $71.24 over the past three years you’re in the hole?” Mr. Norman agreed, but he said the rest of the people on the spreadsheet distributed owe the City as well and, “We have a huge sewer system out there we should pay for. How do I explain that to the IRS?” George Chancellor responded you tell the IRS, “This was my bill, this is what I paid, and that is all you can deduct. You do not need to explain how the City calculates its rates.”

Kelly Smith explained the website information states the same as the resolution the Council passed, which explains average winter water usage does not include water used that does not get treated by the wastewater system. Susan Swimley stated, “Mr. Norman, we are not going to be able to appease you tonight with your request. The point has been made you are unhappy with the way the City charges your sewer rate.”

The Mayor referred this to the Ordinance Committee.

**There was no action taken on Mr. Norman’s request for using an alternate four months for his sewer rate per Ordinance #9-4-1.**

**NEW BUSINESS**

**Discussion and Decision Regarding Funding a Portion of the Annual Northern Rocky Mountain Economic Development Membership Fee, up to $1,000**

Mike Hedegaard introduced himself and reported last year First Community Bank paid $1,000 of the $2,000 membership fee for a town our size. First Community Bank has offered to match this again if the City pays the other half. [First Community Bank paid $1,000, an anonymous donor contributed $250, and the City paid the balance of $750]

Mr. Hedegaard stated the NRMEDD held two sensing meetings here in Three Forks last year, one which was very under attended because it competed with rodeo weekend. The first meeting, the community clearly emphasized it missed its newspaper and wants one back. NRMEDD started discussions with the Madisonian who were invited to a luncheon here in Three Forks. 22 business representatives of Three Forks were in attendance. The Madisonian decided not to move forward with covering Three Forks at this time but is still open to the discussion in the future.

Another meeting held had about 10 members of the community to discuss Main Street aesthetic improvements. Chris Naumann from Bozeman attended and talked about the little things you can do to leverage the State to grow your community and beautify your downtown. The District has worked with the community here to bring people to the large companies in the Gallatin Valley so smaller businesses could learn things like business development or hiring new employees. We have discussed expansion needs for growing businesses here in Three Forks. NRMEDD does economic impact studies for non-profits. Northwestern Energy (N.W.E.) can help fund impact studies, so if we know of non-profits here in Three Forks wishing to have an economic impact study performed N.W.E. can help out.

The District will be hosting an event at the Emerson in Bozeman on June 20, 2018. Tickets are $20 and RSVP must be done by June 13th. He ended by requesting the City Council to continue funding this membership.

The Mayor said there are indirect and direct benefits of being a member of Northern Rocky Mountain Economic Development District, and he believes our community has seen both.

Councilman Townsend said he would make the motion that we participate with First Community Bank and pay $1,000 to the Northern Rocky Mountain Economic Development Board. Councilwoman Whitesitt seconded the motion. There was neither Council nor public discussion/comments.

**Motion Passed Unanimously.**

Dennis Nelson urged Mike Hedgaard to contact Dave and Julie Tudor of Whitetail Ranch as they are a new non-profit and may need help with economic impact studies.

**Fair Board Request for Kansas Street Closure for Several Fairground Events (June 15-16, 29-30, July 3-4, 13-14, 27-28, August 3-4, 17-18, August 31-September 1, September 21-22) (Kelly Bugland)**

Kelly Bugland explained the Three Forks Rodeo Arena previously requested the close Kansas Street on behalf of the Middle & High School Rodeo. This was much safer for the participants.

However, there are many times the arena is rented out which should also be requested to be closed for safety purposes. She explained there was miscommunication between the Mayor, Street Superintendent, the Three Forks Rodeo Arena Board and City Hall regarding the last street closure. The Board felt it should come to the Council and share its entire reservation calendar.

Mayor Hamilton asked Kelly what the times of closure would be. Kelly Bugland replied most events would only be during the event, however July 3-4 and July 13-14 will be all day closures.

Deb Mickelberry asked if the City has received any complaints about street closures. Kelly Smith responded no, but felt it would be a good idea to have the scheduled closures posted as the residents living around the Fairgrounds may not know. She also requested the Board tell the event people to not park campers and trucks/trailers on the Headwaters Trail. Kelly Bugland said they have and will continue to educate their event people.

Councilman Chancellor made a motion to allow the Fair Board to close Kansas Street on the dates listed on the agenda. Councilman Tharp seconded the motion. The Mayor repeated the dates into the agenda. There was neither Council nor public discussion/comments.

**Motion Passed 5:0:1. Councilman Townsend abstained since he serves on the Fair Board (Three Forks Rodeo Arena Board)**

**Board Appointments:**

**a) Three Forks Rodeo Arena**

Mayor Hamilton read the board appointment memo into the record.

Councilman Nelson made a motion that we accept the Casey Elmose and Adam Miller’s reconsidered appointments and their applications and we reappoint them to the Board. Councilman Tharp seconded the motion. There was neither Council nor public discussion/comments.

**Motion Passed 5:0:1. Councilman Townsend abstained since he serves on the Fair Board (Three Forks Rodeo Arena Board)**

**b) Zoning & Planning**

Mayor Hamilton read the board appointment memo into the record. Since both applicants were present the Mayor asked if either would like to speak to the Council about themselves and their experience.

Matt Bugland introduced himself and explained he has returned from being in the military 20 years. He currently helps his wife operate a property management company with his wife, and it trying to be more involved in the community including joining the VFW and the American Legion. He is originally from Willow Creek. He has asked in multiple meetings throughout town what the strategic plan is for Three Forks and not received much of an aswer. Matt’s experience in local government boards is minimal but with federal boards it is extensive. He has sat on multiple promotion boards, fielding boards, and at times provided input to changing national policy.

Erin Schattauer introduced herself and said she has been a member of Gallatin County for 10 years. They moved to Three Forks last year after they had their son, Jack. For the past 10 years she has worked as a journalist in print, broadcast and radio in governmental affairs and has not been able to serve on any boards because of a conflict of interest. She has been an active volunteer at Haven and the YMCA. Her interest in this position is she believes we need a plan moving forward to allow the city to grow, to plan for a future that is right for us. She wants to serve her community and would be happy to answer any questions.

Gene Townsend asked Matt Bugland, does he feel there could be conflicts along the way with he and his wife owning and/or managing 50 properties. Matt believed there could be a conflict, but as Gene demonstrated tonight he knows he could provide input and abstain from voting.

Gene Townsend asked Erin Schattauer since she is from the “outside Three Forks” and only been here one year, what would she like to see happen in Three Forks? Erin answered she served as a reporter on law enforcement cases in Three Forks and she is familiar with this community. She would like to see smart growth planning and did not claim she has all the answers. However, she would ask members of the community what they each wished to see for this community, and build from there.

Dennis Nelson asked Matt Bugland if he could honestly say he would have no problems whatsoever to recuse himself. Matt answered yes, there have been many buildings and styles in town that he does not feel are the right direction for Three Forks. He does not believe every vacant lot should just have a trailer on it, but a well thought out variety of housing options from single-family to multi-family options.

Gene directed to Erin, then Matt, a question regarding the growth throughout the Gallatin Valley over the past two decades. Gallatin Valley has some of the richest topsoil in all of Montana and we are [essentially] covering it up with blacktop. Gene feels we need to get together with the neighboring communities and counties to discuss growing. In Three Forks, because of the floodplain we have to utilize ground here in the city limits that was previously overlooked. Land in Broadwater County and Jefferson County is being developed and still impacts the city resources. How do you each feel about that?

Erin replied she believes we need to work with Gallatin County and the surrounding communities and grow smart together. We will not stop growth, but Bozeman’s growth is ridiculous. Erin sees intelligent growth can be accomplished via infilling without expanding outward. There are a lot of vacant lots on Main Street, and some within the residential areas that could be infilled.

Matt agreed with Erin’s comment. He discussed the floodplain requirements and ordinances that are not touched upon like folks living in RVs on lots rather than building a home. This is not what we want to see for Three Forks’ growth vision. He envisions well-built homes in hopes of bringing professionals to Three Forks to live even if they drive to jobs in Bozeman. He hopes to see those commercial areas fill up with jobs to bring in those professionals. He does not know what the City’s goal for our strategic vision and goal is and would like to be considered on a board to help define them.

Teri Whitesitt contacted all six references provided by Erin and Matt and asked each of them the same questions. She asked each reference to state strengths and weaknesses of the candidate, and if the applicant would have difficulty recusing him- or herself on specific decisions if on a board. Both applicants came very highly recommended by all their references.

Erin Schattauer’s references all stated they believed Erin to be able to recuse herself without a doubt.

For Mr. Bugland, one reference stated they thought Mr. Bugland may have difficulty filtering certain comments as well as owning so many properties in town may be a conflict. One reference actually believed Mr. Bugland would not be able to recuse himself from a vote.

Councilman Chancellor made a motion to appoint Matt Bugland to the Zoning & Planning Board… Councilwoman Mickelberry seconded the motion. There was no discussion.

**Motion Failed 2:4 – Gene Townsend, Ed Tharp, Dennis Nelson and Teri Whitesitt opposed.**

Councilwoman Whitesitt moved to approve Erin Schattauer for the position on the Zoning & Planning committee. Councilman Nelson seconded the motion. There was no discussion.

**Motion Passed Unanimously.**

Mayor Hamilton said it was a difficult decision, but what a wonderful opportunity to have more than one great candidate. Gene Townsend agreed.

**PUBLIC COMMENTS/CONCERNS** (not on the agenda)

There was no public comment.

**MAYOR & COUNCIL ANNOUNCEMENTS**

Gene Townsend reported the fishing dock has been installed, albeit with a little vandalism after the first day. The company who made, delivered, and set up the dock called Gene afterwards and complimented our city crew for all its help and hard work. It was “heck of a gift” for us to receive.

He took the liberty to remodel Sacajawea Park a little bit. He and his wife removed the overgrown flower beds, laid weed barrier, and paid Wagner’s nursery to plant some shrubs and lay landscaping rock. They have had the Sacajawea statue cleaned and polished as well. He and Pat have also planted the flowers in the “Welcome to Three Forks” sign and got the sprinklers installed in grass area of Milwaukee Park which did not have sprinklers down on that end yet.

Mayor Hamilton thanked Carter Prentice and Sean Gifford for diving and recovering the ladders which were the vandalism Gene alluded to earlier. Also, John Jennings is a high school senior, was the winner for the Montana legion scholarship and he will go compete in Washington D.C. Congratulations John!

The Mayor also handed the May 24, 2018, draft Zoning & Planning minutes to the Ordinance Committee asking them to meet to consider the Zoning & Planning Board’s request for a definition and guidance on short-term rentals like Air BnB. Susan Swimley encouraged the Ordinance Committee to invite Ralph Johnson to attend the meeting once scheduled.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 6/26/2018**

* Approval of Rudd & Company’s FY16/17 Audit Report
* Three Forks Ambulance District Request to Close E. Hickory from 12:00PM to 2:00PM on July 14th, 2018, During the Appreciation Lunch to Accommodate the Landing of a Reach Lifeflight Helicopter (Barbara Mutter)

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Nelson “so moved” to adjourn. Councilman Tharp seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (8:51 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**JUNE 26TH, 2018,** The Three Forks City Council met in session in City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:00 P.M. for the SECOND meeting of JUNE 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Gene Townsend, Ed Tharp, Dennis Nelson, and Teri Whitesitt. City Clerk Crystal Turner, City Treasurer Kelly Smith, and Gallatin County Sheriff Sgt. McDonough were also present.

The record reflects that a quorum was present, with the attendance of six (6) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

Reminder to the public that the meeting was being recorded and a reminder for all those present to review the policies of conduct on the back on the agenda.

**GUESTS:** Barb Mutter, Gloria Howland, Asst. Chief John Whitesitt, Allison Brennan (Belgrade News), and Kelly Bugland.

**CONSENT AGENDA**

1. Approval of Claims per List
2. Approval of Three Forks Rodeo Arena Claims per List
3. Approval of Meeting Minutes from June 12, 2018
4. Approval of Lot Aggregation Exempt from Subdivision Review for Chris & Jan Lien

Crystal Turner read changes to the June 12th minutes into the record after Kelly Smith proofread them, but this was after Crystal sent them out via email. Those changes are:

* The meeting was the FIRST meeting of June 2018, not the SECOND as stated.
* Page 2 rearranged the sentence regarding the Independent Auditor’s Report.
* Page 6 rewrote the sentence which said, “2) a three year history of Mr. Norman’s bill on how he was charged per the ordinance and how it should have been charged based on his suggestion.” To read, “…changed per the ordinance if he had been charged based on his suggestion.”
* Page 8 add the direction **“The Mayor referred this issue to the Ordinance Committee”** prior to the no action taken statement regarding Mr. Norman’s request.
* Page 8 added clarification regarding Northern Rocky Mountain Economic Development Membership payments for the prior year.
* Page 10 – clarified Mr. Bugland does not own a property management company, but his wife does and he helps her run the business. Also added Mr. Bugland has not received an answer to his question posed to many regarding the strategic plan for Three Forks.
* Page 11 Erin Schattauer explained she was a reporter, not a reported.

Councilman Townsend moved we approve the Consent Agenda with the changes to the June 12th minutes. Councilman Nelson seconded the motion. There was no public comment.

**Motion Passed Unanimously.**

The Mayor apologized for skipping over **PUBLIC COMMENTS** and asked if anyone had any public comments not on the agenda. Gloria Howland said her only comment was he had passed over it. Everyone laughed.

**PUBLIC HEARINGS**

There were no public hearings.

**REPORT OF OFFICERS**

City Treasurer Kelly Smith end of the year is almost here, and she feels we are ready. All revenues which were expected have been received. A few bill FY17/18 bills have not been received, like the gravel being spread on the roads the past couple weeks, but we are working to get our vendors to send us those this week. She noted the Public Works department has been working on gravel street improvements and the streets are looking great.

City Clerk Crystal Turner reported on behalf of the Chamber of Commerce they have received their approval from the Montana Department of Transportation to close Main Street on the evening of July 13th from 8PM to 1AM, and all day on July 14th from 8AM to 1AM. The Chamber did not feel it needed to come and request approval from the City Council since this closure is on a State Highway. However, they felt it was good to communicate with the City its plans for Rodeo Weekend and Crystal offered to report for Chamber President Brooke Leugers who could not make it tonight. The Chamber has requested Wendell Ewan’s cooperation to set out “detour” and “road closed” signs, and two barricades. They have their own volunteers to pick these up from the old City Shop and place them where needed, and pull them aside when the road re-opens.

Gene Townsend asked why the road closure was only until 1AM rather than 2AM. Sgt. McDonough explained the idea is to help get people back on their way home rather than idling around town. If we start pushing them back at 1AM, realistically it will be 3AM before everyone is off the street and traffic can resume.

Crystal continued her report, this time on behalf of the Three Forks Rodeo Arena Board. The Board made a decision at their meeting last night to allow a company to place an ATM for the rodeo patrons. This is a convenience for the patrons and the option of having a separate company do the ATM allows the Board to not have to open a separate bank account. However, the Board will need to approve a letter of commitment. Crystal has spoken with Christina Kamps regarding her drafting the letter for the Board’s approval, which would then be placed on the Council’s July 10th agenda for City approval and allowing the Mayor to sign. Kelly Bugland added in lieu of the Board collecting any fees (which would generate revenue had they opted to open a separate account and register their own ATM machine), this company will provide internet service which will allow them to use a “Square” on cell phones to accept credit cards at the gate and in the cook shack.

Crystal also reported the City hired three wading pool attendants for the 2018 summer. She has coordinated CPR training for them, of which two attendants are now certified and she will work on the last employee’s certification this next week. Also Fawn Venzor has been coming in to help organize the office and Court files. She has found several duplicates we have been able to get rid of, and other old files which are now obsolete, will be before the Council soon for approval for destruction.

Lastly Crystal reported there is an interactive training seminar/workshop in Bozeman on July 11th at Noon at City Hall or 6PM at the Rialto Theater. The topic is growth in Gallatin County and the group is seeking input from all aspects of our county from governmental officials to general public.

Teri Whitesitt questioned is Mrs. Venzor was volunteering her time in the office or is she paid. Crystal replied Fawn is a paid employee. She covered for a Library employee’s maternity leave earlier this year and we also budgeted in the FY17/18 budget to have a part time employee working 5-10 hours a week to help out in City Hall.

Sgt. McDonough did not have a report.

Asst. Fire Chief John Whitesitt recited his quarterly report for March, April and May.

In March, the Fire Department responded to 2 car accidents, 1 convulsion, 1 poisoning, and 1 outside fire. He did not total the man hours as it is very tedious and takes a lot of time. He hopes the new software will manage this part.

In April, they responded to 6 car accidents, 2 calls for alarms, 1 vehicle fire, 1 heart problem, 2 outside fires, 1 gas leak and 2 grass fire.

In May, there was 1 structure fire, 2 car accidents, 1 mutual aid call (lost child), 1 unknown problem (which turned out to be a mutual aid), 1 vehicle fire, 1 grass fire, and 1 chest pain. Mr. Whitesitt reported there were a lot of calls for help to aid the Ambulance District this past quarter.

Asst. Chief Whitesitt also informed the Council Keith Aune and Charles Eastty will both be running for Fire Chief this year. Fire Department volunteer elections will be on the first Tuesday of next month at their business meeting. He will be the only one running for Assistant Chief again this year. He will send an email to the City after they elect their officers for final appointment by the City Council.

There is also one new recruit which will be on the next agenda for appointment (pending a background check). Mr. Whitesitt was happy to report one recruit has completed probation: Patrick Morey. If anyone sees Patrick, please congratulate him.

Asst. Chief Whitesitt said there have been several trainings attended this summer already: Harrison Fire Academy, in-house training, as well as Three Forks, Gallatin River Ranch and Manhattan put together a team for confined space training. We now have one of the highest trained confined space rescue teams on the west end of the valley. This is not a high volume call, but a definite possibility so was a great training opportunity.

He asked if the Council had any questions for him. There were no Council questions, but Teri Whitesitt suggested he report on “The Blaze.” Mr. Whitesitt explained Manhattan Fire Department does a fundraiser 5K race every year. Three Forks did not have four firefighters participating in order to comprise a full team. He believed if they had a full team they probably would have taken a trophy home. He received 1st place in his age group, as did Cheryl Carrasco in her age group. Brad Eastty also participated in this race.

**REPORT OF COUNCIL COMMITTEES**

The Mayor skipped this agenda item as well.

**UNFINISHED BUSINESS**

**Approval of the Audit of City of Three Forks’ Financials for Year Ended 6/30/2017**

The Mayor said the Council had a couple weeks to review the information and asked if there were any questions or comments, and if not he asked for a motion.

Gene Townsend asked Kelly and Crystal if they were happy with the audit. Kelly said she was very pleased with the audit. She thinks it will only get better with the projects being complete now and the City handling the Fair Board financials. Gene asked if Kelly felt there were any items in the audit the Council people should be looking at more closely. Kelly said no, just however the Council wants to move forward with the projects in the Capital Improvement Plan for the short- and long-term plans for the City.

Councilman Nelson moved to accept the audit report for the 2017-2018 (he meant 2016-2017) year. Councilman Tharp seconded the motion. The Mayor clarified the audit year was 2016-2017. There was no public comment or Council discussion.

**Motion Passed Unanimously.**

**NEW BUSINESS**

**Three Forks Ambulance District Request to Close E. Hickory from 12:00PM to 2:00PM on July 14th, 2018, During the Appreciation Lunch to Accommodate the Landing of a Reach Lifeflight Helicopter**

The Mayor directed the Council to an email in their packets from David Boyd – Barbara Mutter is here to speak on behalf of the request.

Mrs. Mutter corrected the request should be from 12-4PM because they have two “birds” coming to land: REACH would like to land on Hickory, stay for 1.5 hours, and then take off. Then LifeFlight wants to come in and do the same, and allow the community to look at their “bird”. The Ambulance Volunteers will be present to ensure the road remains clear while the helicopters land.

The Ambulance District will also be holding the BBQ and appreciation lunch. There is no charge for the lunch, just donations if anyone chooses to donate.

Kelly Bugland added she could not speak enough to having the helicopter’s extra staffing – not only will they fly our patient away but they will jump in our ambulance and help drive/administer treatment if flying is not an option. They are an asset. She seemed a little hesitant on starting right at 12 o’clock, as their lunch is scheduled to start “when the parade is over” so it should be close to 12, but could be a little earlier.

Councilman Townsend moved to allow the Ambulance District to close E. Hickory Street from 12-4PM on July 14th during appreciation lunch and helicopter landings. Councilwoman Whitesitt and Councilman Tharp seconded the motion in unison. The Mayor said if anyone has a chance to go look, please do! During his training of the Public Safety Academy they had this opportunity and it is quite something.

**Motion Passed Unanimously.**

Barbara Mutter thanked the Council.

**PUBLIC COMMENTS/CONCERNS** (not on the agenda)

Alli Brennan introduced herself as a reporter for the Belgrade News. She has attended a few meetings, and had the pleasure of speaking with some of the Council members. She realized Three Forks no longer has a paper and wanted to help share the information from both the public to the City and from the City to the public. Sometimes people do not want to stand up and ask questions and she would be happy to do that for the public if anyone asked this of her. Alli told the Council she will be writing a story up on Crystal and Kelly and how City Hall runs and the services provided to the public. She complimented both Kelly and Crystal for the work they do, and said she is impressed with the wealth of knowledge they have and provide to the public daily.

**MAYOR & COUNCIL ANNOUNCEMENTS**

Deb Mickelberry reported the Ordinance Committee will meet on July 11th at 6:30PM to discuss the application for an AirBnB from LouAnn Elmose.

Gene Townsend asked about the City posting a Request for Proposals (RFP) for planner, and he wondered if Ralph Johnson has retired. Crystal Turner explained she has been working the past few years to get the Auditors, City Attorney, City Engineer, and City Planner contracts up to date. The Planning contract is overdue by two years. We are just trying to get all service contracts current and professional positions should be put out to request for proposals. We have not received Ralph Johnson’s submittal yet, but hope to.

Gene also reported the dock is being used a lot and appears very well received. Yesterday, he met with Ellen Beck of the Gallatin Association of Realtors (GAR) – he toured her around Three Forks, the ponds, and the trails. GAR is looking to do a small grant project on the west end of the valley and is considering Three Forks as a recipient.

If the Public Works Department has time we will be replacing two more benches along the trail which has deteriorated over the years.

Dennis Nelson reported the Budget Committee meets Wednesday (tomorrow) at 4PM at City Hall.

The Mayor apologized for missing the **REPORT OF COUNCIL COMMITTEES** agenda item. Gloria Howland said she was going to point that out, but was saving it for her final “Public Comment”. The room laughed again.

**REPORT OF** **COUNCIL COMMITTEES**

Gene Townsend reported that the Parks Committee met with a group who wanted to approach the City about a possibility of building a swimming pool. There were maybe 8 people in attendance. He took it they were feeling out the City to see if it had property available, and if we wanted to partner with them. He had expected more info for the Council on cost of pools, ongoing expenses, but the group did not have any of this information. Gene thanked Barbara Mutter for providing facts and figures at the meeting for what the group should be looking into. He hopes the group can be successful, but has no idea how much money they have fundraised so far. Teri Whitesitt does not think they have any money yet. She agreed she felt they were just feeling the City out to see if there was a possibility of having a pool. Gene did not feel it was the Committee’s place to tell the group if the City would move forward or not. George Chancellor added the Committee made it quite clear we were not going to dent the City budget to fund a pool.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 7/12/2018**

* Ratify election for Fire Chief
* Approve new Fire Department volunteer

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Tharp “so moved” to adjourn. Councilwoman Mickelberry seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (8:35 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**JULY 10TH, 2018,** The Three Forks City Council met in session in City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:00 P.M. for the FIRSTD meeting of JULY 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Gene Townsend, Ed Tharp, and Dennis Nelson. Teri Whitesitt was excused. City Clerk Crystal Turner, City Treasurer Kelly Smith, and Gallatin County Sheriff Sgt. McDonough were also present.

The record reflects that a quorum was present, with the attendance of five (5) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

The Mayor reminded the public that the meeting was being recorded and for all those present to review the policies of conduct on the back on the agenda.

**GUESTS:** Charles Eastty, Gloria Howland, and Allison Brennan of the Belgrade News.

The Mayor called for any **PUBLIC COMMENTS/CONCERNS** not on the agenda. Seeing none, he introduced the Consent Agenda.

**CONSENT AGENDA**

1. Approval of Claims per List for FY17/18 paid on 6/29/2018 in the Amount of $20,561.87
2. Approval of Claims per List to Mail Utility Bills in the Amount of $159.98
3. Approval of Claims for FY18/FY19 paid due to timeliness in the Amount of $9,900.00
4. Approval of Claims for FY17/18 paid after 7/1/2018 in the amount of $14,838.20
5. Approval of Claims per List
6. Approval of Three Forks Rodeo Arena Claims per List
7. Approval of Meeting Minutes from June 26, 2018
8. Approval of Letter of Commitment to Ascent Technical Services, LLC to Place an ATM Machine at the Fairgrounds Over the 2018 Rodeo (7/13-7/14/2018)
9. Approval of Pledged Securities through June 30, 2018

Councilman Chancellor moved to approve the Consent Agenda. Councilwoman Mickelberry seconded the motion. There was neither public comment nor Council comments.

**Motion Passed Unanimously.**

**PUBLIC HEARINGS**

There were no public hearings.

**REPORT OF OFFICERS**

City Treasurer Kelly Smith did not have a report.

City Clerk Crystal Turner reported for Susan Swimley – reading her email sent July 10th, stating she is out of town this week but wanted the Council to know she has a meeting scheduled with Undersheriff Dan Springer regarding the provision for the Code Enforcement Officer in the law enforcement contract. Mrs. Swimley asked the Council to let her know any items it specifically wished to have the Code Enforcer work on, other than weeds and parking. Crystal Turner stated Mrs. Swimley said “weeds” but Crystal believes she means all within the Community Decay ordinance. The Council added “junk vehicles” to the Code Enforcer’s responsibility.

The Mayor encouraged the Council to let him or the Clerks know of any other ordinances it wished to have the Code Enforcer work on, and they will share that with Mrs. Swimley before her meeting.

**REPORT OF COUNCIL COMMITTEES**

Ordinance Committee – Deb Mickelberry reminded all the Committee will hold a meeting tomorrow at 6:30PM here at City Hall to discuss “AirBnB” style businesses in the residential district.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

**Appointment of Luke Van Otterloo as a Probationary Volunteer Firefighter**

Gene asked about his experience listed at “Bozeman Fire”. Charles Eastty explained Mr. Van Otterloo works for a sprinkler installation company – for commercial and residential. “He currently travels a lot, but after their move at the end of July he will be in this area much more often and will be available for training and fire calls as a volunteer,” Charles stated.

Councilman Townsend made a motion to accept Luke Van Otterloo as a probationary fireman for the Three Forks Fire Department. Councilman Nelson seconded the motion. There was no public comment or Council discussion.

**Motion Passed Unanimously.**

**Ratify Fire Department Officer Appointments**

Mayor Hamilton stated we have received a copy of the minutes from the annual meeting, noting the volunteers voted to retain Keith Aune as Fire Chief (vote 5:4) and John Whitesitt as Assistant Chief. Those are the recommendations of the Fire Department.

Gene Townsend asked if the Council is to make a motion to appoint or to accept the minutes.

Councilman Townsend moved to accept the appointments per the election results of the July 2, 2018, fire department meeting. Councilman Chancellor seconded the motion.

Public Comment: Charles Eastty said he has submitted his resume for the appointment of Fire Chief. He lost the appointment by one vote but wanted the Council to know he wished the Council had all the information. Dennis Nelson said, “Very Impressive Resume!” Ed Tharp agreed saying, “Super.”

**Motion Passed Unanimously.**

**PUBLIC COMMENTS/CONCERNS** (not on the agenda)

There were no public comments or concerns for items not on the agenda.

**MAYOR & COUNCIL ANNOUNCEMENTS**

Gene Townsend commented the City had put out a newsletter/email regarding fireworks on the 3rd, 4th and 5th of July. He knows it is difficult to have everyone follow the regulations, but he has received a lot of complaints, mostly from pet owners. Even on the days fireworks were allowed there were a lot of people shooting them off after the time limits. What bothers Gene most about firework is the mess left at the Three Forks Ponds. People have burned up a dumpster last year because of tossing hot fireworks in the dumpster. Kelly Smith added it also happened again this year. Gene did not think it was left nice or respectfully, and he knows State law does not allow fireworks in a state park (which the ponds are owned by Fish, Wildlife and Parks). Papers are still blowing around out there. There is not a lack of water available. “Can’t someone just bring a 5-gallon bucket and fill it with water and dump their fireworks in there before tossing them in the dumpster?! How much longer will Garbage Company provide us with a free dumpster if we keep burning their dumpsters up? This service is abused.

The ponds area has been packed the last two weeks. The dock is a wonderful addition and it has brought a lot more people. We have swimmers, kayaks, boaters, fishing. Yesterday a bus full of kids and adults to swim (maybe 100 people) stopped by. We mow, we fertilize and provide a nice place for all to enjoy. He is disgusted with how it was left and wants to do something – perhaps even banning fireworks at this location. Mayor Hamilton agreed saying he was going to talk about this same issue tonight too. Deb Mickelberry asked, along with Law Enforcement/Code Enforcer mentioned earlier tonight, could we add signage too and ask for more patrol during these times?

George Chancellor said he grew up with fireworks; loves them, but the mess in the parks is totally inexcusable. If the City posted the parks with signage and supported the officers who catch violators of shooting fireworks off in the park and littering as well he would be supportive.

Ed Tharp concurred with Gene’s comments regarding doing something with the fireworks at the parks. “In town, people start a week and a half before the 4th and go daily with lighting them off, but we should look at something [regarding limitations/violation] in the parks.”

Dennis Nelson agreed, but said we cannot legislate stupidity or responsibility. The City can post signs all we want and people will do whatever they want. We can really only organize a good cleanup crew (including volunteers) for cleaning up the mess afterwards.

While discussing signage at the ponds, Crystal added there is still an old Fish, Wildlife & Parks sign saying motorized boats are allowed in the second pond. This contradicts the City ordinance, and we have already had three violations this summer. She requested the Mayor direct staff to remove the sign until a new one can be made which reflects the current laws.

**[No action or direction taken regarding fireworks regulations.]**

Mayor Hamilton reported dust patrol is scheduled to start Monday. The Chip Seal is scheduled to start July 19th, but may go into the 20th.

He added the City received a request for a birthday party at Stevenson Park on the 18th of August. The people have paid their reservation for the pavilion and BBQ. They have asked about the use of the wading pool during their reservation time; however the City typically is done with the wading pool attendants by then because of sports for our student workers. He asked if the Council wants to reserve the wading pool for things like this? One condition it would be they would have to pay the cost of staff and only use our staff, and what does the Council think about that?

Gene Townsend asked when the last day the wading pool was scheduled to be open. Crystal Turner said August 10th. Deb Mickelberry asked what the liability would be. The Mayor answered, “It would be substantial. However, this request is for a Saturday which does not conflict with our staff’s sports schedule and so essentially our staff could be available.” Ed Tharp asked how many hours the August 18th pavilion reservation was for. The Mayor believed it was for 5 hours.

Crystal Turner spoke in regards to the ordinance she drafted and sent to the Ordinance Committee and Susan Swimley. The City already had a discussion a couple months ago regarding reserving the tennis court, and how the Council has set a precedent of reservations only at $25. There is no ordinance which allows the Council to let a group or single user to reserve anything at this time.

Dennis Nelson asked what liability, if any, groups have to have now for reserving the pavilion at Stevenson Park. Crystal replied, “At this time the City does not have an ordinance to allow anyone to reserve anything nor does the City currently ask for proof of liability insurance coverage. However, the draft ordinance does address it.”

Mayor Hamilton said he is not inclined to let this user know the City is not currently setup to allow this, but wanted to know the Council’s thoughts. George Chancellor said he agrees he does not want to allow people to reserve the wading pool. Dennis Nelson agreed.

Kelly Smith asked, “Not at all, or not yet because of not having an ordinance?” The draft ordinance would need to address liability, lien waivers, reservation first-come, first-serve, etc. Gene Townsend said then hypothetically he could reserve the ponds park all day next year on July 4th and not allow anyone else to come out there and light off fireworks? The room laughed.

Dennis Nelson said during his training at Institute this past May, MMIA cautioned such a thing. He recanted a sad story of a wedding held in a gazebo with lighted candles, which fell over and caught the gazebo on fire and a couple people lost their lives. I was a tragedy.

Mayor Hamilton said he would tell the woman who made this request, that at this time no but the City will see how it goes in the ordinance process. Gene Townsend said the City has allowed this in the past where the wading pool stayed open longer than scheduled to allow for something going on in the park. MMIA covered it as long as the same trained people were working, and it was open to all other public not just whomever reserved the pavilion.

Mayor Hamilton said then if that is the case is the Council open to being open on August 18th? Or would the Council rather not since this date is after our seasons ends? Council was not inclined to opening the wading pool for August 18th after it has been closed, drained and cleaned.

Mayor Hamilton also mentioned in the DOT newsletter there is a teen section on awards given for traffic safety. He noted on page 2 it mentions the Three Forks High School FCCLA students received 3rd place! Kelly Smith said we got a postcard from Atlanta saying thank you for supporting FCCLA. Hannah received a gold award and placed 11th in the Nation; Carey Hansen and Halee Wilson received a silver award, placing 23rd in the nation!

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 7/24/2018**

* Nothing at this time.

Gene Townsend asked why he had Charles Eastty’s resume in his packet. Kelly Smith said because he asked her to give it to the Council. We assume he wished to be appointed as Chief but never formally made such a request. (The City has never gone against the volunteer’s elections for Chief or Assistant Chief.)

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Nelson moved to adjourn. Councilwoman Mickelberry seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (7:37 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**AUGUST 14TH, 2018,** The Three Forks City Council met in session at City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:02 P.M. for the FIRST meeting of AUGUST 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Dennis Nelson, Gene Townsend, Ed Tharp, and Teri Whitesitt were all present. City Clerk Crystal Turner, City Treasurer Kelly Smith, and City Attorney Susan Swimley were all present.

The record reflects that a quorum was present, with the attendance of six (6) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

The Mayor reminded the public that the meeting was being recorded and for all those present to review the policies of conduct on the back on the agenda.

**GUESTS:** Brooke Chancellor, James Hill, Troy Dorrell, Jerry & Cheryl Lehr, and Sheri Brown. Shawn Lehr arrived around 7:30PM.

The Mayor called for any **PUBLIC COMMENTS/CONCERNS** not on the agenda. Seeing none, he introduced the Consent Agenda.

**CONSENT AGENDA**

1. Approval of Three Forks Rodeo Arena Claims Paid Due to Timeliness for Rodeo Weekend in the Amount $27,045.00
2. Approval of Three Forks Rodeo Arena Claims Paid Due to Timeliness in the Amount of $10,152.63
3. Approval of Three Forks Rodeo Arena Claim Paid Due to Timeliness in the Amount of $2,863.93
4. Approval of Three Forks Rodeo Arena Claims per List
5. Approval of Claims for FY17/18 paid in July 2018 in the Amount of $3,335.87
6. Approval of Claims Paid Due to Timeliness in the Amount of $47,048.57
7. Approval of Claim Paid Due to Timeliness to Mail Utility Bills in the Amount of $156.81
8. Approval of Claims per List
9. Approval of Meeting Minutes from July 10, 2018
10. Approval of Contract with Craig Shepherd to Perform FY2017/2018 Annual Financial Reports (AFR)

Crystal Turner explained she edited the minutes after posting them on the website and emailing the Council Packet link to those signed up to receive it. She corrected the spelling of Carey Hansen’s name, and amended the comments made by Charles Eastty. The draft minutes stated Mr. Eastty offered his resume to be considered as Chief. However, this is not what he said on the record. He simply informed the Council he missed the appointment of Chief by one vote and, “Wanted them to have all the information.”

Councilman Townsend moved to approve the Consent Agenda with the changes made to the July 10, 2018, meeting. Councilman Nelson seconded the motion. There was neither public comment nor Council comments.

**Motion Passed Unanimously.**

**PUBLIC HEARINGS**

**Public Hearing and Decision on the Approval of a Conditional Use Application by Brooke Chancellor, to Operate a Short Term Vacation Rental, Example “Air BnB”, for the Property Located at Block 2, Lots 7-10, Buttelman Addition, Plat D-20, more Commonly Referred to as 11 S. Colorado Street**

George Chancellor stated for the record that he will be abstaining from discussion and any action on this item.

The Mayor asked Kelly Smith to provide the staff report presentation to the Council. Ms. Smith recapped the hearing before the Zoning & Planning Board, held on July 19, 2018. She reported the Zoning & Planning Board voted unanimously to approve the permit with the following conditions:

1. Maintain a license with Montana Department of Public Health and Human Services,
2. Provide a copy [of the license in condition #1] to the City of Three Forks,
3. Obtain a City Business License; and
4. To ensure the applicant pays the appropriate bed tax.

Kelly added that Richard and Sharon Smith wrote a letter of support, who live next door. She reported there were no letters of opposition received.

The applicant, Brooke Chancellor, stated she did not have much to add to Kelly’s presentation. Brooke does not plan to open until April 1st of 2019 as she admits she is somewhat of a procrastinator and still has a lot of work to do. “The work to be done for the Gallatin County Health Department permit is tremendous,” she said. “This is just one of the steps in her process to be open by next year.”

Gene Townsend asked the City Attorney regarding the comment in the Staff Report “sense of safety and security”. What does the City do if they get complaints, now that the City is seeing more and more of these applications. Does the City have any recourse to revoke a conditional use permit if, for example Brooke Chancellor rents to someone who is obnoxious to the neighborhood for a week? Mrs. Swimley said it is an interesting phenomenon with the “Air BnB” style rentals. The biggest complaint heard is typically from neighbors, but frankly it would not be much different than a long-term rental with coming and going. It would be up to the City Council to decide when, and if, it wished to develop more regulations for this type of business/home occupation.

Deb Mickelberry said the Ordinance Committee decided to keep the language of home occupations which would require that owners need to be on the property. The City had an application which would allow the whole house to be used for short-term rentals without the owner present. The Committee opted not to do that and does not recommend amending the definition.

There was no public comment.

Councilman Townsend made a motion to accept the Conditional Use Permit to utilize an accessory dwelling in the R1 zoning district as a short-term rental, and this location is in Lots 7-10 in Block 2 of the Buttelman Addition. Councilwoman Whitesitt seconded the motion. The Mayor asked, “With the conditions as presented?” Gene Townsend said yes, Teri Whitesitt agreed.

**Motion Passed 5:0 – George Chancellor Abstained.**

**Public Hearing and Decision on the Approval of a Conditional Use Application by Diane Fuhrman, Frank Parker and Troy Dorrell, to Add a Single Family Residence and Garage in the Central Business District, for the Property Located at Block 27, Lots 7 & 8, Original Townsite, Plat D-18, more Commonly Known as Near the Previous Address of 123 W. Elm St.**

Mayor Hamilton introduced this item and turned it over to George Chancellor, Chairman of the Zoning & Planning Board.

George Chancellor reviewed the staff report and noted it showed everything in the affirmative. Per the staff report: the Zoning & Planning Board and City Council need to consider the intent of the Zoning Ordinance. If all conditions are met, after public comment is heard and assuming no significant comments to the contrary, staff recommended an approval for the conditional use permit to construct a one-family dwelling at Block 27, Lots 7 & 8, Three Forks Original Townsite, Plat D-18 contigent upon approval of required plans by the City of Three Forks Flood Plain Administrator.

One of the applicants, Troy Dorrell, said they intend to move in an existing house, which has been beautifully maintained and is a ranch-style house.

Deb Mickelberry asked if he plans on renting or selling the home to be placed on these lots. Mr. Dorrell was not sure if he would rent it yet or sell it. The Council asked to see pictures of the home, and asked if Mr. Dorrell intended to move in the existing garage as well. Mr. Dorrell said yes, he plans to move the garage in too.

Gene Townsend asked Kelly Smith if these lots are on the south or north end of the block. Kelly answered they are on the south side, closest to existing residential homes. (There was a lot of commotion with multiple conversations occurring at one time, this Clerk had a hard time capturing all the questions and comments. The Mayor asked for the side conversations to cease.)

Gene Townsend asked how old the home is. Mr. Dorrell was unsure.

Deb Mickelberry stated she has nothing against this applicant but because of her personal experiences, she is not supportive of the idea of having commercial lots turned residential – especially with commercial almost completely surrounding this property. The grocery store is across the street, the Family Dollar and more commercial businesses are next to it. The City has already received a number of complaints regarding semi-trucks unloading at 4:30AM.

Kelly Smith reported the remaining lots in this block are under contract and the buyer intends to put a movie theatre on them. The buyer spoke at the Zoning & Planning meeting to inform the buyer of these lots with a conditional use permit not to rezone all of them for residential use.

Public Comment – Sheri Brown asked the Council not to support any more conditional use permits on this block for residential but to leave the opportunity available for commercial businesses. James Hill spoke in regards to commercial property needs in Three Forks, and regarding the growth in Three Forks, which he feels has been stagnant. Cheryl Lehr stated she knows the plans for the movie theatre are still moving forward: architects, financial planning, everything is in the works at this time.

Gene Townsend asked what Cheryl Lehr’s feeling is regarding a residence being right behind a possible movie theatre. Mrs. Lehr would be more concerned for the people in the house [than she would be for the theatre] because of all the traffic going in/out of the movie theatre. She would prefer the entire block stay commercial.

Applicant rebuttal: Troy Dorrell said he plans to install a 6-foot privacy fence.

The Mayor asked for Council discussion, and reminded there are no conditions listed but the Council could add them. Ed Tharp said the City has dealt with noise complaints, as Deb Mickelberry stated, for a long time. It may be inevitable for the City to live with these complaints, but he things perhaps this would be a bad choice. Susan Swimley asked if the Council would like to add a condition that because this would be residential (if approved) the tenants/owners would have to acknowledge there will be noise because the lot is surrounded by commercial. Teri Whitesitt asked if they could put a condition in to not allow any complaints – the room erupted with laughter. Kelly Smith said on two sides across from these lots, there are already residential homes across the alley and street, but not on the same half block. Sheri Brown asked if she could comment during Board Discussion. The Mayor allowed. Mrs. Brown reported there are usually buffer zones, which are usually defined by roads and alleys. The nature of the proposed movie theatre, which is an allowed use, is going to be late night which may disturb residential use.

Ed Tharp believes a condition like Mrs. Swimley suggested would be wise for the Council to include.

Susan Swimley drafted a statement, “That while it is residential, this is a conditional use and secondary to the commercial zoning of the block. Occupants shall be aware that commercial opportunities are going to happen next door.” That way if the home is rented the renter knows, and the new owners would know if it is not rented. It will not stop people from complaining. George Chancellor asked if realtor rules require full disclosure? Susan said no, not on a conditional use. George said, “They know there are businesses and such nearby – just like the people neighboring the rodeo grounds know when they purchase a home they are adjacent to the rodeo grounds. If the potential buyer or renter does not go into that with eyes open, I do not see how a condition would help alleviate that.” Dennis Nelson agreed and said he thinks people need to do their due diligence. The Council does not need to cross every “t” and dot every “I” for people. The buyers of property need to do their homework and we cannot legislate a person knowing what exists around property they intend to purchase. Sheri Brown asked, for clarification, would such a condition go on the property record so when a realtor does a title search it would come up and the potential buyer has to sign off they are aware of the zoning and the use “as is”.

Gene Townsend asked if all of Block 27 is zoned Central Business District (CBD). Kelly Smith answered no, only this half of the block is. Gene said, “We [the City] did a poor job of that when designing the zoning.”

Councilman Chancellor made a motion that we approve Troy C. Dorrell’s conditional use permit to construct a single family dwelling in the Central Business District without any conditions. The Mayor added in Lots 7 and 8 only. Councilman Townsend seconded the motion. Cheryl Lehr asked since the rest of the lots will stay commercial, does that need to be stated for the record? Mayor Hamilton replied no, as they are already zoned Commercial Business District. Gene Townsend recognized Shawn Lehr and asked if he had any question or comments. Shawn Lehr, buyer of the remaining lots, did not have anything to add but stated he was concerned if zoning was changing for the rest of the block. He simply wanted to let the buyer of these two lots know he plans to put a movie theatre on the other lots. Mr. Lehr said, “If they don’t have a problem with my commercial use next door, I don’t have a problem with the residence going in either.”

**Motion Passed 5:0 – Deb Mickelberry abstained as one of the owners of the property is her sister.**

**Public Hearing and Decision on a Resolution Amending the 2017-2018 Budget to Acknowledge Unanticipated Revenues and Amend Expenditures Exceeding the Original Appropriations**

The Mayor stated this would be Resolution #284-2018 if adopted. He then read the resolution into the record in its entirety. The Mayor asked if Kelly Smith had any comments regarding the Fairground revenue. Ms. Smith commented Fairground revenues were budgeted pretty well however there were way more donations to the bleachers than anticipated. The rest of the changes are mostly due to the City taking over the bookkeeping and so we kind of guessed initially.

Sheri Brown asked if the City is using the money from the General Fund to cover over expenses of the Fairgrounds. Kelly Smith answered no, they have enough cash to cover their expenses – these expenses just were not budgeted to spend that cash. Sheri Brown just wanted to ensure regular taxes were not covering these expenses, and stated it would have bothered her not to ask it even though she believed Kelly’s response was going to be the answer.

Councilman Nelson made a motion to approve Resolution #284-2018, a resolution of the City Council of the City of Three Forks, Montana providing for the amendment of the fiscal year 2017-2018 budget to acknowledge unanticipated revenues and amend expenditures exceeding the original appropriations. Councilman Chancellor seconded the motion. There were no other public comments or Council discussion.

**Motion Passed Unanimously.**

**Public Hearing and Decision on a Resolution Estimating the Amount to Levy the Assessments for the 2018-2019 Street Maintenance District No. 1**

The Mayor stated this would be Resolution #285-2018 if adopted. He then read the resolution into the record in its entirety. He ensured each Council member had a copy of the exhibit showing the list of properties and what each would be taxed. Crystal Turner reported every Council member has been provided a copy as well as all resolutions and exhibits were posted on the City’s website Thursday, August 9th.

Public Comment – Jerry Lehr asked where this resolution covers. Kelly Smith replied it covers all of town, except Ridge View Subdivision.

Councilman Townsend made a motion to accept a resolution of the Three Forks City Council adopting and levying and the assessments for the 2018-2019 Street Maintenance District No. 1. Councilman Nelson seconded the motion. Mayor Hamilton repeated this would be Resolution #285-2018. There were no other public comments or Council discussion.

**Motion Passed Unanimously.**

**Public Hearing and Decision on a Resolution Estimating the Amount to Levy the Assessments for the 2018-2019 Street Maintenance District No. 2 (Ridge View Subdivision)**

The Mayor stated this would be Resolution #286-2018 if adopted. He then read the resolution into the record in its entirety.

There was no public comment.

Councilman Nelson made a motion that we approve Resolution #286-2018, a resolution of the Three Forks City Council adopting and levying the assessments for the 2018-2019 Street Maintenance District No. 2, Ridge View Subdivision. Councilwoman Mickelberry seconded the motion. There were no public comments or Council discussion.

**Motion Passed Unanimously.**

**Public Hearing and Decision on a Resolution Estimating the Amount to Levy the Assessments for the 2018-2019 Street Lighting District No. 1**

The Mayor stated this would be Resolution #287-2018 if adopted. He then read the resolution into the record in its entirety.

Councilman Chancellor made a motion to approve Resolution #287-2018, a resolution of the Three Forks City Council adopting and levying the assessments for the 2018-2019 Street Lighting District No. 1. Councilman Townsend seconded the motion. There were no public comments or Council discussion.

**Motion Passed Unanimously.**

**Public Hearing and Decision on a Resolution Adopting the Fiscal Year 2018-2019 Preliminary Budget**

The Mayor stated this would be Resolution #288-2018 if adopted. He then read the resolution into the record in its entirety.

There was no public comment.

Kelly Smith reported the DOR Certified values were received on August 3rd and the mills were determined at $2,381 per mill, just about $86 more per mill. We have determined the total mills to be levied at 146.28 which is just slightly less than last fiscal year, but it turns out to be more money since the value of each mill increased.

Councilman Nelson moved to approve Resolution #288-2018, a resolution of the City of Three Forks, Montana, adopting the preliminary budget for fiscal year 2018-2019. Councilwoman Whitesitt seconded the motion.

Gene Townsend asked if he had changes to make to the Trails budget, when those would be due by. Kelly Smith responded all changes would need to be submitted prior to the final adoption resolution, which has been scheduled for August 28th.

**Motion Passed Unanimously.**

**REPORT OF OFFICERS**

City Treasurer Kelly Smith reported on a number of budget items: in regards to the Street Sweeper she has budgeted 25% of available funds from Gas Tax (Fund #2820) and the rest from the General Fund (Fund #1000). She asked if the Council wished to use General Fund or if the Council would rather take some out of the Streets Capital Improvement Fund (CIF). Teri Whitesitt asked what priority number from the adopted Capital Improvement Plan was the sweeper’s priority? Crystal Turner said she would look up.

Kelly continued while Crystal looked that up, she has budgeted the Fire Hall remodel to be spent with money out of the Fire Capital Improvement Fund (CIF), but it also could come out of the General Fund. Also, she has not budgeted any spending out of any of the Impact Fee funds.

Kelly continued with her questions regarding the cash report presented in the Budget packet. She would like the Council to consider taking around $250,000-300,000 and moving it to a different account “on paper” for a “depreciation account” rather than sitting in “operations”. She believed that was the original intent for the depreciation account #102240 but it has not had any money transferred into the account recently so we have money set aside for future projects/improvements. Kelly also suggested the Council consider this same movement of money in the Sewer Fund, so that we can show on paper we are saving for those emergencies or future projects. Gene Townsend agreed and said if the City had to do any major work or drill a new well, we would probably have to spend roughly $250,000.

Crystal Turner reported the sweeper was tenth on the Capital Improvement Plan list.

Kelly Smith continued, as Crystal Turner had brought up during Budget Committee work sessions, with the addition of the dock perhaps Parks-Tree account could be used to create some shaded areas, perhaps something covered, or even a sandy beach since the park is getting so much use.

Also, she asked the Council if she can change the raises in the system before Friday’s payroll is processed to eliminate more work to perform retro-pay – but it does not really matter, it is just a request. Susan Swimley understands Kelly’s request to simplify payroll, but she does not understand how the City can enact a raise, when the raise has not been approved.

Gene Townsend agreed with providing more shaded areas around the pond including the handicap accessible bench already out there. It would be a nice addition to have more shaded areas to sit.

Dennis Nelson asked regarding Kelly’s question on how to budget the street sweeper. Kelly clarified she was asking the Council to budget $44,000 out of the Gas Tax, and the rest of the cost approximately $116,000 to be from the General Fund. Or the Council could opt to use Streets CIF for a portion of the $116,000. Dennis would prefer using the General Fund as opposed to facing an overage of reserves.

Kelly asked about Fire Department improvements: would the Council like this to come out of the General Fund or Fire CIF? Teri Whitesitt thought the Council had already decided this should be paid for out of the Fire CIF. Dennis and George thought they had always been under the impression the General Fund would be used. The Mayor would personally like to see improvements for the Fire Hall to come out of the General Fund. He hates to use reserves unless we have to. Kelly will edit the budget to reflect this change.

Kelly reported she has not put anything in any of the impact fee budgets as she has not heard of any needs or purchases. The Council agreed.

Currently the Public Works guys get a clothing allowance, but it is inconsistent. Upon review of three decades of City Council minutes Crystal Turner only found the Council to state a $150 allowance for each police office. Nothing was decided on the record for Public Works employees. Teri Whitesitt is not supportive of just jeans and t-shirts – and added she does not receive anything for her job, nor do any other employees get any allowance to purchase clothes to perform their jobs. Is it normal for cities to pay for clothing allowances? Crystal said yes, as most cities provide some sort of personal protective equipment, or if the job required steel-toed shoes the job would pay for those (or a portion of the shoes) since they would only be used to perform the job. It is assumed this is where the clothing allowance began for the Public Works employees, but we cannot prove that or find any other documentation regarding it. Gene Townsend explained he believed the City started paying for clothing when it was ruined, for example from an oil stain while working on equipment or ripped while performing work duties. Teri asked what the average reimbursement has been. Crystal said roughly $150-200 has spent/year/person but not always requested for reimbursement. Dennis Nelson would be supportive of a $150 cap, not including the coveralls the City already provides each month. Kelly said she will amend the budget to allow for a clothing allowance out of existing cash with a cap of $150/public works employee as required for the job. Crystal Turner will amend the salary resolution to include this language.

Other reports, not related to the budget, Kelly informed the Council of the League of Cities & Towns convention to be held September 26-28, 2018, in Butte. She knows both Gene and Ed want to go. Does anyone else? (No one replied.)

Kelly then read Ralph Johnson’s resignation letter as the City’s Planner. Ralph took the liberty to recruit a planning consultant from Bozeman, Randy Carpenter who has since submitted his resume and cover letter. Acceptance of the resignation will be on the 8/28/2018 agenda.

Kelly also reported on the Zoning & Planning Board’s discussion regarding a fence ordinance. The original draft was a page long, and the Board has reduced it to one sentence, “no razor wire, barbed wire or above-grove electric fencing”. It would be very hard to administer for City Hall if and ordinance was more than that. The Council asked if it needed to make a decision on this tonight. Crystal Turner answered no, she has drafted an ordinance but wanted to make sure the Council would be supportive to hold the hearings prior to her sending notice to the newspapers. The Council was supportive to hold the first reading of the draft ordinance on August 28th. Gene Townsend asked if existing electric fencing would have to be removed if an ordinance was passed. Susan Swimley said no, they would be grandfathered in.

Kelly informed the Council Rick Lamb would like to add a year round sewer dump. The City has no precedent of charges for such a connection. Susan Swimley said it would be really intense effluent. Kelly asked Brent Miller to consider the DEQ requirement aspect. Rick also wants to keep the laundry area open year-round. Kelly consulted Ralph Johnson prior to his resignation and he felt Rick would have to pay the remainder of the impact fee for the water and sewer connection in order to be open year-round. The ordinance would have to be amended to include a sewer dump in our fee structure if the Council wished. George Chancellor asked Kelly to confirm if the Council gave Mr. Lamb a substantial break on impact fees because of no laundry. Kelly replied Rick had not wanted to put in laundry in the original plan, but since then he has installed four washers and four dryers, which Laundromats are allowed in his Neighborhood Highway Business zoning. However, per his flood permit the campground cannot be open year-round. The Council asked what other communities charge for sewer dumps. The Clerks did not have an answer at this time. Teri Whitesitt asked about a church having a RV dump. Crystal informed the Council she drafted a letter, which Susan approved, to send to the church reminding them their RV dump is not for public dumping and only to allow camping in extreme situations and only for a period of up to two weeks. Mayor Hamilton asked the Ordinance Committee to work on and come up with a fee for RV campgrounds and RV dump stations.

City Clerk Crystal Turner reported to the Council of another invitation from the Northern Rocky Mountain Economic Development Council who plans to hold a meeting at First Community Bank on August 23rd, 2018, regarding looking out for business opportunities within Three Forks. If any elected officials wish to be the representative please let Crystal know, otherwise staff will attend. Crystal also reported on the invitation to the Bozeman Area Resilience Summit to be held August 29th, 2018, at the Bozeman Library to discuss vulnerabilities and strengths of the Bozeman-area community as they relate to resilience challenges.

Lastly, Crystal distributed the draft fee schedule based on ordinances which define fees or state the fee will be established via resolution. This resolution is scheduled to be read at the August 28th, 2018, Council meeting and she asked the Council to think about the items highlighted on the handout for fees to be set. These have not been brought up in the past.

Susan Swimley reported the Law Enforcement contract and addendum will be before the County Commission next Tuesday, she believed. There is also an addendum to the contract for the negotiated ordinances to be enforced as well as hours of coverage.

**REPORT OF COUNCIL COMMITTEES**

There were no Council Committees to report.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

**Request for Road Closure of West Elm Street from the Alley Between Main Street and 1st Avenue West to 1st Avenue West due to Construction on September 10-11, 2018**

Dennis Nelson, project manager for Chris Lien, said he needs some flexibility on that date. The street will be closed for one, possibly two days, with a crane on site. It may be September 5th or 8th, they are still pouring concrete for floors at the moment. First Security Bank would still have access near its ATM and main door, as well as through their alley. It is a scheduling issue for Dennis right now. Depending on where the crane is setup, it may not be required at all to close the street if it can remain on the property. However, to be safe, he would request a couple days and can provide 48-hours notice.

Councilman Townsend moved to allow the road closure of West Elm Street from the Alley Between Main Street and 1st Avenue West to 1st Avenue West, with the approximate dates of the 10th and 11th, but if that doesn’t work Denny will give 48-hours notice of the days it shall happen on. Councilman Chancellor seconded the motion. There was no public comment or Council discussion.

**Motion Passed 5:0 – Dennis Nelson abstained as project manager.**

**Discussion Regarding Zoning & Planning Board’s Recommendation to Adopt an Ordinance Which Would Disallow Certain Types of Fencing in the Residential District**

Discussed in Kelly Smith’s report.

**PUBLIC COMMENTS/CONCERNS** (not on the agenda)

There were no public comments or concerns for items not on the agenda.

**MAYOR & COUNCIL ANNOUNCEMENTS**

Gene Townsend reported he had received an email from Matt Kelley, County Health Director. It asked him for a letter of support with changes for “Tobacco Free Montana” to include vaping products. He plans write a letter as a citizen, not a council member. Steven Hamilton would like to collaborate a letter as a teacher, not as the Mayor. Gene also commended the Streets Department on the work accomplished with the chip seal project. Kelly Smith added it came in $10,000 under the bid too!

Mayor Hamilton reminded all school begins next week. Mr. Helvik will be at the next Council meeting requesting street closure for the homecoming parade and possibly a request for bonfire, assuming approval by our Fire Chief.

Saturday was extremely hot, and our fire department, Willow Creek, Clarkston Fire all were utilized. Our Fire Department alone had five calls in one hour. They did an amazing job. The Mayor publically thanked the Fire Department Volunteers.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 8/28/2018**

* + Public Hearing and Decision on a Resolution Adopting a Fee Schedule
	+ Public Hearing and Decision on a Resolution Setting the Additional Processing Fee for Payment via Debit or Credit Cards
	+ Public Hearing and Decision on a Resolution Appointing Officers and Setting Salaries for FY18/19
	+ Public Hearing and Decision on a Resolution Adopting the Final Budget for Fiscal Year 2018-2019
	+ First Reading of an Ordinance Regarding Fencing
	+ Accept Ralph Johnson’s resignation letter as City Planner
	+ Approval to Appoint Randy Carpenter as City Planner

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Nelson moved to adjourn. Councilwoman Whitesitt seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (8:55 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**SEPTEMBER 11TH, 2018,** The Three Forks City Council met in session at City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:02 P.M. for the FIRST meeting of SEPTEMBER 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Teri Whitesitt, Gene Townsend, Ed Tharp and Dennis Nelson were all present. City Clerk Crystal Turner, City Treasurer Kelly Smith, and City Attorney Susan Swimley were also present.

The record reflects a quorum was present, with the attendance of six (6) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

The Mayor reminded the public that the meeting was being recorded and for all those present to review the policies of conduct on the back of the agenda.

**GUESTS:** Gloria Howland, James Hill.

The Mayor called for any **PUBLIC COMMENTS/CONCERNS** not on the agenda. James Hill spoke regarding being attacked by a dog while walking through town on September 2, 2018. This was during the day, right on Main Street, and the dog’s owner was present at the time. The dog came up and bit his shirt, ripped it then ran away. Mr. Hill told the people on the property the dog attacked him and warned the people he had the right to shoot it in the head [for being aggressive]. This created an argument whereas another person drew a gun and threatened Mr. Hill. Mr. Hill called the cops and filed a report, and he is licensed to carry a weapon. He asked what his rights are in regards to being threatened, or if he had shot the dog would he have been in trouble for firing a gun within the city limits?

Susan Swimley explained when there is a complaint which occurs without an officer witnessing the incident – such as brandishing a firearm and threatening someone is a felony – the officer must investigate first and turn the incident over to the County Attorney. “Just because you have not seen this individual arrested yet, does not mean it is not being investigated or dealt with,” Susan said. She continued, “Yes, you have the right to defend yourself if an animal attacked you but you are correct that there is a city ordinance regarding firing a firearm in the city limits. Were you to do that, it would be up to the discretion of the officer investigating and making the recommendation to pursue charges.”

Mr. Hill stated this is the second time he has been attacked by a dog in this town, and he knows of others who have also been attacked. Gloria Howland explained she has also been threatened by loose dogs and she now carries a tazer for that precise reason.

Mayor Hamilton stated he would discuss this with Sgt. McDonough. He then introduced the Consent Agenda.

**CONSENT AGENDA**

Approval of the Following:

1. Claim to Mail Utility Bills in the Amount of $157.74
2. City Claims per List
3. Three Forks Rodeo Arena Claims per list
4. Meeting Minutes from 08/28/2018

Crystal Turner explained the minutes have been amended since being emailed and posted on the website last Friday. The change was made to the two voting in opposition to the fencing ordinance.

Councilman Nelson moved to approve the Consent Agenda. Councilman Chancellor seconded the motion. There were no public or Council comments.

**Motion Passed Unanimously.**

**PUBLIC HEARINGS**

**Public Hearing and Decision on a Second Reading of an Ordinance Creating Definition and Use of Public Areas Known as “Parks” in Title 8, and Establishing a Reservation Process for Private Use**

Mayor Hamilton stated he would not be reading this ordinance into the record in its entirety again unless the public or Council requests him to do so. No one requested the ordinance to be read again.

Councilman Nelson moved to approve Ordinance #382-2018, an ordinance of the City of Three Forks creating a definition and use of public areas known as “parks” in Title 8, and establishing a reservation process for private use. Councilwoman Whitesitt seconded the motion. There were no public or Council comments.

**Motion Pass Unanimously.**

**Public Hearing and Decision on a Resolution Renaming Milwaukee Park to “John Q. Adams Milwaukee Park”**

Mayor Hamilton noted this would be Resolution #294-2018 if approved, then read the entire resolution into the record.

Gene Townsend stated when he presented this request at the last meeting, he misspoke calling this “John Q. Adams Railroad Park”. After confirming the support of the Council to the Historical Society they corrected him it should be named “John Q. Adams Milwaukee Park”.

Public Comment: Crystal Turner read a letter of opposition into the record from Velma McGlothin.

Gene Townsend explained there is very little city resources used: there is currently no sign naming this park so no new signage would be required. However, as stated at the previous meeting the Historical Society is looking to add a sign but they would pay for that signage. The Historical Society has utilized many grant and donation resources. They have installed an entire sprinkler system, updated the depot building, and replanted flowers and sod. They have also been able to utilize some of the City’s annual Arbor Day Grant to plant a new tree in Milwaukee Park this past year. None of those improvements were paid for with taxpayer dollars.

Councilwoman Whitesitt made a motion to approve Resolution 294-2018, a resolution of the Three Forks City Council renaming Milwaukee Park to John Q. Adams Milwaukee Park. Councilwoman Mickelberry seconded the motion. There was not public or Council discussion.

**Motion Passed Unanimously.**

**REPORT OF OFFICERS**

Kelly Smith reported on vandalism occurring around town. Recently, the Clerk ListServe discussed this as well. Many cities use game cams for working remotely and working in the cold weather in hopes to catch some of vandals. She just brought this up to suggest to the Council if it wished to budget for that next year.

Crystal Turner reported the City has been inundated with zoning questions, both on the phone and walk-in customers asking what they can do on various properties. Crystal has been helping Kelly Smith with zoning applications. She is also trying to finish compiling the budget documentation to send to State. She has also worked on sending out business, beer/wine, and full liquor license renewal letters.

Susan Swimley had nothing to report.

**REPORT OF COUNCIL COMMITTEES**

There were no Council Committees to report.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

**Opening of Proposals Received for Heavy Equipment Procurement Company**

The Mayor asked Kelly Smith to explain the request for this proposal. Kelly explained Sourcewell is the only company which has submitted any information although this was published on our website, at the Plans Exchange and in the Bozeman Daily Chronicle. Sourcewell is a cooperative purchasing company which goes out and helps review and vet the best companies and prices on heavy equipment. Susan Swimley added they are actually a governmental entity governed by the board of directors of the State of Minnesota. Gene Townsend asked that Sourcewell meets the State of Montana laws governing purchases. Susan replied yes, they do meet the purchasing requirements of the State of Montana laws. For every single item we are looking for, they do the bidding requirements to ensure each entity using them gets the best deal. Kelly Smith added being a member of Sourcewell is free.

Councilman Townsend moved to accept the proposal. Councilman Nelson seconded the motion. There were no public comments. Gene Townsend added he spoke with Wendell Ewan about this. Wendell said having a company already vetted is a real time saver for him as he would spend a couple hours touring or viewing equipment at a company’s site. Most equipment requires a few tours like this which could use up an entire day or two. Wendell is happy to have another entity perform this research on behalf of the City.

**Motion Passed Unanimously.**

**PUBLIC COMMENTS/CONCERNS** (not on the agenda)

James Hill commented on the vandalism. He was surprised to hear Kelly Smith report the parks have been vandalized, yet he sees more vandalism at people’s homes. Spray painting on the houses, and signs on porches and cars with political agendas, PTSD warnings, etc. Kelly Smith explained she is aware of one home with spray painting on the exterior of the house because of safety - the inside is caving in and has been broken into. It will probably be torn down but that is why the owner has spray painted the outside.

**MAYOR & COUNCIL ANNOUNCEMENTS**

Teri Whitesitt thanked the firefighters for staying out fighting fires last night until 4AM and then still got up and headed to their day jobs. She thanked all volunteers for their help.

The Mayor reminded all that the school will not be holding the bonfire for their homecoming celebrations because of fire danger. They will play against Townsend for volleyball on Thursday, and the football game will be against Red Lodge on Friday night.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 9/25/2018**

There are no items scheduled at this time.

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Nelson moved to adjourn. Councilman Tharp seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (7:31 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**OCTOBER 9TH, 2018,** The Three Forks City Council met in session at City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:00 P.M. for the FIRST meeting of OCTOBER 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Teri Whitesitt, Gene Townsend, Ed Tharp and Dennis Nelson were all present. City Clerk Crystal Turner, City Treasurer Kelly Smith, City Attorney Susan Swimley and Sheriff Sgt. Dan McDonough were also present.

The record reflects a quorum was present, with the attendance of six (6) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

The Mayor reminded the public that the meeting was being recorded and for all those present to review the policies of conduct on the back of the agenda.

**GUESTS:** Tom, Mary and Nathan MacLaren, Chris McFadden, Michelle (Samuel) Jones, Gloria Howland, John Whitesitt, Matt & Kelly Bugland, and Rab Cummings (arrived at 8:20PM).

The Mayor called for any **PUBLIC COMMENTS/CONCERNS** not on the agenda. Seeing none, he introduced the Consent Agenda.

**CONSENT AGENDA**

Approval of the Following:

1. City Claims Paid Due to Timeliness in the Amount of $16,716.18 on 9/21/2018
2. City Claim Paid Due to Timeliness in the Amount of $285.41 on 9/28/2018
3. City Claims per List
4. Three Forks Rodeo Arena Claims Paid Due to Timeliness in the Amount of $4,360.35 on 9/21/2018
5. Three Forks Rodeo Arena Claims per List
6. Meeting Minutes from 09/11/2018
7. Zoning & Planning Meeting Minutes from 07/19/2018
8. Approval of Contract with Gallatin County for Library Services in Three Forks in the Amount of $63,298 for FY18/19
9. Approval of Common Boundary Relocation for Lots 4 and 5, Block 2 of Headwaters Addition Between Manhattan State Bank and Three Forks Depot, LLC
10. Approval of Three Forks Rodeo Arena Bylaws
11. Approval of Pledged Securities through September 30, 2018
12. Approval of Taylor’d Services Quote of $1,631.00 for a LiftMaster Automatic Door Opener for City Shop

Councilman Nelson moved to approve the Consent Agenda. Councilman Chancellor and Tharp seconded the motion in unison. There were no public or Council comments.

**Motion Passed Unanimously.**

**PUBLIC HEARINGS**

**Public Hearing and Decision on a Conditional Use Permit Application Submitted by Michele Carey & Rab Cummings (with approval of property owner Michelle Samuel) for Property Located at Lot 4, Block 20 of the Three Forks Original Townsite (Plat D-18) Commonly Known as 214 4th Avenue East to Make an Existing Multi-Family Residential Triplex Within the Existing Home Conform to the Zoning Regulations of the Residential District Designation**

Mayor Hamilton asked Zoning & Planning Chairman George Chancellor to report on the Zoning & Planning Board’s hearing and recommendation. Mr. Chancellor read the staff report into the records and stated the Board recommended approval of this conditional use permit (CUP) with the condition the City Council find the existing nonconformities to be allowed as long as they are not enhanced or enlarged upon in any way.

The applicant was not present.

Susan Swimley questioned if the house was already existing as a multi-family home and the applicant just trying to make it legal? George Chancellor said yes.

Gene Townsend questioned the parking as it seems to not meet the current zoning regulations. Kelly Smith replied Randy Carpenter and her discussed at the Zoning & Planning meeting there is existing gravel parking spaces next to the garage, in front of the garage and around the side. The main nonconformity is that each unit does not meet the minimum size requirements. Gene asked for further clarification as to the precise location. Michele (Samuel) Jones (who is the property owner and gave permission to potential buyers to apply for this conditional use permit) explained it used to be a hideous yellow and they did a community service by painting it a nice gray. The room laughed. Upon more detail Gene remembered it as the “old Rex Row apartments”.

Councilman Nelson said he does not have any issues with this application, and made a motion we approve the CUP with the condition not to expand the existing buildings or be expanded or changed in any way. Councilman Chancellor seconded the motion.

Public Comment: Matt Bugland – at the Zoning & Planning hearing the applicant state they would need to make the basement windows egress and if the Council says “they can’t modify” then they could not make that modification for safety code.

Councilman Nelson amended his motion so that no alteration in the footprint of the existing building. Councilman Chancellor agreed to amend his second.

**Motion Passed Unanimously.**

**Public Hearing and Decision on a Conditional Use Permit Application Submitted by Northern Rockies Insulation (Chris McFadden) for Property Located at Lots 7-12, Block 28 of the Three Forks Original Townsite (Plat D-18) Commonly known as 420 S. Main Street to Make an Existing Residential Apartment Within the Existing Building Conform to the Zoning Regulations in the Central Business District**

George Chancellor noted Randy Carpenter does not feel that any conditional use permit application needs to be put through the State’s 12-point test. This test is only for a zoning change or zone map amendment. George then read the staff report into the record. Staff recommended approval of this CUP with the condition for the applicant to submit a site plan that indicates the dimensions and layout of the required two parking spaces. (The applicant has submitted this.)

Susan Swimley asked when the apartment was installed within the building? No one knew but many comments from Council members and some public speculated it was around 20 years ago. Susan clarified with Mr. McFadden that he purchased this property as is with the one bedroom apartment within, and he is simply wanting to make the residential unit legal per zoning standards. Mr. McFadden stated, “Yes.”

Applicant Presentation: Chris McFadden purchased the property in July with the existing non-conforming one bedroom apartment and now wishes to make it a two bedroom apartment. He did not have any additional comments.

There were no Council questions.

There was no public comment.

There was no applicant rebuttal.

Councilman Nelson made a motion we approve the conditional use permit building as proposed. Councilman Tharp seconded the motion. Board Discussion: Gene Townsend reiterated that Chris McFadden purchased something that was unpermitted or illegal, and is trying to make it right now. Mr. McFadden said, “Yes.” Gene stated when someone does something illegal, or unpermitted, the City would not really have any way of knowing. Chris McFadden said the previous owner had the property for 8 years, and he believed the owner prior to that also owned it with the apartment already existing. “If you looked at the wiring in there you would believe it was done many, many years ago,” he said.

**Motion Passed Unanimously.**

**Public Hearing and Decision on a Conditional Use Permit Application Submitted by John Whitesitt for Property Located at Lots 13 & 14, Block 4 of the Northwest Townsite Company’s 1st Addition (Plat D-26) Commonly Known as 2 N. 7th Avenue E. to Convert a Single-Family Dwelling into a Triplex in the Residential District Designation**

(Teri Whitesitt excused herself and left the room.) Susan Swimley stated Teri had contacted her asking what to do with her husband being the applicant. Since Teri knows everyone in the room, Susan felt it would best for Teri to be in another room, rather than just sitting in the audience.

Mayor Hamilton turned the hearing over to George Chancellor. Mr. Chancellor read the staff report into the record noting staff recommended the City Council find the existing nonconformities to be allowed as long as they are not enhanced or enlarged upon in any way.

Kelly Smith corrected Randy Carpenter’s staff report as the City does allow stacked parking within the ordinance. Behind the garage there are two more parking spaces. She added, “No, they are not paved but in the floodplain I would prefer parking areas not be paved to allow water to soak into the ground. There are six spots.”

Applicant Presentation: John Whitesitt stated essentially we are trying to turn the property back into its original use. When we purchased the property it was operating as a multifamily dwelling.

There were no Council comments.

Public Comment: Mary MacLaren read her comments of opposition into the record, citing safety of children or vehicular traffic in the alley which already exists. She asked how many pets would be allowed. She also spoke her concern the landowners would not be onsite. Nathan MacLaren spoke in opposition of multi-family housing as the residential area already feels very congested and he worried about crime.

Applicant Rebuttal: John Whitesitt said there are existing multi-family residences in the neighborhood. He does not believe multi-family residences bring more crime, but does not have any records to debate that claim. He said the two parking spaces in the alley already have two cars parked in daily in this location. He does not believe this would be adding more traffic in the alley.

Public Comment: Gloria Howland disagreed that anyone moving in there (single-family or multi-family) would bring more crime. Regarding traffic, a large family could just as easily bring in more traffic than multi-family may.

Board Discussion: George Chancellor rebutted Mrs. MacLaren’s comment regarding danger to children because all drivers operating a vehicle should be a licensed and obeying traffic laws. Ed Tharp does not see a problem with the application; we would just be going back to what it was originally built for. Dennis Nelson asked if tonight’s public comment was heard at the Zoning & Planning meeting. George Chancellor said no, there was no public at that hearing. Gene Townsend asked Sgt. McDonough if he had numerous calls in multi-family units on 6th and Ash Streets. Sgt. McDonough said, “No, he couldn’t really say.”

Councilman Chancellor moved to approve the conditional use permit for John D. Whitesitt returning his family home back into a triplex. Councilman Tharp seconded the motion. Mary MacLaren asked if she could say one more thing. The Mayor allowed her to speak. Mrs. MacLaren said there are still licensed drivers who speed past their neighborhood. George Chancellor said he lives next to a 4-way stop and witnesses people speed, not stop, all the time through the intersection.

**Motion Passed 5:0**, Teri Whitesitt abstained as she was not even in the room.

Teri Whitesitt returned.

**REPORT OF OFFICERS**

Kelly Smith – reported the City was approached by another company trying assume the cell tower lease. She has been working to finish up depreciation schedules for Craig Shepherd to finalize our AFR before the auditors come again this year and clean up the Fixed Asset program. She reported she has also been working on some PERS research from 2001-2007. Kelly has also been working on 7 floodplain permits (2 porches, 2 sheds, 1 garage and 2 houses), enforcement of an illegal daycare, the 3 CUP applications heard tonight, 2 appeals and 2 upcoming variance applications.

Gene Townsend commented on Kelly’s work ethic about working so hard. He thanked her for her diligence by staying late and he even witnessed her working on the holiday this past Monday.

Crystal Turner reported she has received two electrical quotes at hourly rates for the City Hall wiring improvement project. Gene Townsend added during Montana League of Cities and Towns, he stopped by a booth from a company out of Billings who would come in and look at the entire building first and do more of a needs assessment. Crystal has also worked on issuing business licenses, sending notices to 40 or so businesses who have not renewed their license to date. She spent a day last week doing “tree and weed inventory” throughout town. She amended the standard letter we send out to include a reminder to park the way stated in Ordinance #7-2-5 for safety reasons, and sent a total of 150 letters (25 are parking reminders). Republic Services will have the free dumpsters for organic waste on October 13th, and Crystal wanted to let residents know of that service and take advantage of it if they had any low hanging tree limbs. Crystal reported the Fire Department has received two new volunteer applications, which she has sent to the Department and is awaiting their response before placing them on the City Council agenda. Lastly, Crystal has been working with the Bellach family who wished to change the memorial plaque in the Ed Bellach (Three Forks Ponds) Park. The plaque is ready for pick up in Manhattan and City workers will replace and mount it.

Kelly Smith reminded Crystal to report on the Kiwanis group, who has dissolved and donated roughly $8,500 to the City for improvements to Bellach Park, and $500 to the Library, as well as other groups outside of the City. Teri Whitesitt questioned if the pool the Kiwanis wanted was a nixed project at this time. Crystal replied she supposed so.

Crystal also stated the City is still looking for volunteers to serve on the Impact Fee Advisory Committee. The City needs to review the current impact fees, reevaluate the future needs of new infrastructure for water, sewer and fire, and set the fees for the next five year cycle.

Sgt. McDonough reported on the annual numbers of calls for service for this fiscal year to date. He wanted to inform the Council he had a domestic call which was pretty cut and dry case, but he tracked his hours just for the Council to know what a case takes and this case took 12.5 hours. The Three Forks resident deputies went on 505 calls since June 13, 2018; Valley deputies assisted or attended 229 additional calls. Sgt. McDonough and his staff have worked on 8 domestic/assault cases, 5 disorderly conducts, 6 warrants, 13 burglary/thefts, 3 mental health/suicide, 2 sex crimes/child abuse, 3 traffic offenses, 2 coroner calls, 1 drug, 4 motor vehicle crashes and 2 vicious dog/animal complaints.

George Chancellor asked for enforcement of parking violations on Adams Steeet. Sgt. McDonough said the Code Enforcement officer quit and we lost almost 2 months due to his transition and now training the new guy. There is a lot of training involved and Sgt. McDonough has not been out enforcing parking. He also wants the right-of-way issue on Milwaukee Street cleared up before issuing citations. Mr. Chancellor asked why? Sgt. McDonough replied because typically when someone gets a warning or a citation they usually point to every other violation around their area. Susan Swimley said it was still in her court to finish research on the right-of-way, contact all owners and see if they are interested in wanting to purchase the land. However, a similar issue on Railway Avenue (the other side of the same subdivision where Montana Power lines were) caused a hiccup in the progress. She admitted she just has not got to it yet.

Matt Bugland said, “That brings up another ordinance we did not want to enforce until a certain time and they still are not being done.” Sgt. McDonough said the Sheriff’s Office does not have time to enforce camper laws properly and thoroughly. “I don’t want to start enforcement on one camper and then when there could be five other campers I don’t get to,” McDonough said. “I want to be consistent through town, the last thing I want to do is enforce one and not the other.” Mr. Bugland refuted non-enforcement goes along with speeders down the street, drug deals and everything else happening in a handful of campers it would behoove the City to get rid of campers. They should be moved down the road, hopefully to another community.” Kelly Bugland added there is another camper being lived in near the storage units on Jefferson Street where lights are on at night, there are people coming in and out. We are approaching the winter months again and the City did not want to do anything last winter and put someone out in the cold. Gloria Howland questioned Mrs. Swimley why all the property owners on Milwaukee would have to participate. Susan said she would explain it and show Gloria on a map – it would be easier.

Susan Swimley did not have a report.

**REPORT OF COUNCIL COMMITTEES**

George Chancellor, on behalf of Ordinance Committee chairperson, reported he recently learned upon review of the invoices in tonight’s approval that the City has been dealing with a chicken issue via the Court. The bill is $400+ attributed to having chickens in town and is costing the City more money than all the permit fees put together. We want to get some feedback from Mrs. Swimley and meet to discuss a couple options. George said, “Something has to change – we are not using citizen taxpayer dollars to pay for chickens.”

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

**Appeal of Impact Fee by Michelle Jones**

Mayor Hamilton read Michelle Jones’ email requested the appeal into the record.

Michelle Samuel Jones stated this property was a 4-plex when she bought it. She has had it 17 years, and paid about $60,000 in taxes and user fees over those years. She has removed one kitchen, and it has always been used as a multi-family house as far as she knows. Susan Swimley asked when the home started as multi-family. Gene Townsend attested to knowing this property has been a multi-family unit since the 1950s. Susan asked for clarification on the name of the CUP versus the name on this appeal. Crystal Turner apologized as she knows Michelle as Michelle Jones, but the property is registered on Cadastral as Michelle Samuel. Michelle has owned it since before impact fees were adopted and there is no additional impact. Susan agreed the use has not changed, the owner is just trying to comply with zoning so it is not considered nonconforming.

Councilman Nelson commented even though it does not meet the ordinance requirement as written today, there is no additional impact to the water or sewer and I think the appeal should be granted 100%. We aren’t going to sit and re-write the whole ordinance about every issue which should be brought to the Council. I make a motion we accept the appeal. Councilman Tharp seconded the motion. George Chancellor agreed Chris McFadden’s appeal would be the same. Crystal and Susan simultaneously asked for separate motions, since the agenda has two separate hearing items, to be clear for the record.

Public Comment: Matt Bugland said it makes complete sense.

**Motion Passed Unanimously.**

**Appeal of Impact Fee by Chris McFadden**

Mayor Hamilton read Mr. McFadden’s email requested the appeal into the record.

Susan Swimley asked Mr. McFadden if that structure has been taxed as a multi-unit structure. He was unsure. Susan continued, “Has it always been metered?” Kelly Smith answered yes. Gene Townsend said it was Jack’s Repair Shop which probably had a bathroom and a sink already, then a furniture shop after that, which could have built the apartment. Susan clarified her question, “Has the structure been taxed as a commercial structure and paid taxes to the city for streets/roads, and paid user fees on water and sewer?” Mr. McFadden said yes. Susan asked, “Does the Council believe this is an increased impact?” Dennis Nelson does not think it has any additional impact to the community, or to water or sewer for all these years. “It is along a state highway so let’s face it: it won’t add any trips per day on that highway,” Dennis said.

Councilman Townsend moved to accept the appeals of impact fees from Chris McFadden. Councilwoman Whitesitt seconded the motion. There was not further discussion or public comment.

**Motion Passed Unanimously.**

Dennis Nelson feels we should not look at changing an ordinance – that is the purpose of the appeal.

**PUBLIC COMMENTS/CONCERNS** (not on the agenda)

There was not public comment for items not on the agenda.

**MAYOR & COUNCIL ANNOUNCEMENTS**

Teri Whitesitt said she noticed on her city email that it always looks like her messages have been read. She has had a ton of spam and had been talking to Kelly about tightening that up. She changed her password, and immediately was notified that her account was attempted to be logged in. She encouraged all Council to change their passwords too. She knows email is open to the public, but it still does not need to be accessed by any general person without her knowledge.

Gene Townsend attended the MLCT in Butte and the group he talked about earlier to inspect our building. Crystal gave him some information on pond cleaners who were supposed to be at MLCT – who are promoting an idea to raise food plants, and utilize pond islands. He thought they may be good on the first pond near the Headwaters Golf Course. The pond really sucks up nutrients causing cloudy/dirty water when the summer heats the water up. Crystal Turner added she had also contacted Fish, Wildlife & Parks last week asking something similar to see if they could test the water. FWP plans to next spring.

Gene also attended a session on ethics and nepotism – Council and Mayors should not take over $50/gifts from anyone. When someone comes into City Hall and throws a 20 pound box of candy for the employees – it should have a note saying it is for all public too. Kelly and Crystal do share with everyone when gifts come in, which are just good things to remember. There was a special session on Entitlement money which he attended. The Legislature will probably introduce a bill to remove the cap on increases on the mill levy. Our income is held like this (hand demonstrating flat) and our costs of doing business are like this (hand pointing up). Another big item will be the Local Government Infrastructure bill. It was close last session and would help cities/towns with their infrastructure if it were to pass. Fuel tax again will probably be reviewed at the Legislative level, and the Local Option tax is still being talked about – like Bozeman had tried to get.

MMIA awarded the City and its workers for having the best five year record of lowest incurred dollars in the liability program. He accepted the award on behalf of the City.

The Transportation Alternative program (formerly CTEP) may go away next Legislative session too. Gene had not planned to apply for a Recreation Trails grant this year but now wants to in the event the Transportation Alternative program goes away. He would like the Council’s permission to apply in January for either more maintenance or for additional trails on the west side of town to loop from Droulliard to the other part of the school.

Councilman Nelson moved to allow Gene to apply for the Trails Grant again this year. Councilman Chancellor seconded the motion.

Public Comment: John Whitesitt said it seems like the existing trails by the ponds and the school are really getting a lot of weeds. He would prefer those weeds and trip hazards fixed before adding new trails. Gene said weather permitting, he has a $15,000 grant and a match of $4,000 and money from the race this year for a total of close to $30,000 which will be spent this month on maintenance by the golf course and ponds.

**Motion Passed Unanimously.**

Ed Tharp said it was a good MLCT conference and they had a lot of good information for the City Council members. He thanked the Council for allowing him to go.

Dennis Nelson attended a Chamber meeting today at lunch, regarding recruiting new business to Three Forks. The crux is to channel and funnel more businesses into town. The Chamber thought we (City Hall staff) could help out with their updates, or provide information to new businesses. City staff is already very busy and should not have to take on Chamber duties. He may have ruffled feathers with the Chamber but does not want to ask City staff to take on any more duties. As Gene previously reported tonight the girls in here are busy enough with their own city tasks.

Steven Hamilton reported the school is half way through the first quarter already and the AP class is collecting bugs. Volleyball is doing well, FB last game against Manhattan, speech & debate and drama has 60 kids or so involved. Keeping busy and good things happening at the school.

Kelly added the community care bus would be in Three Forks this Saturday and is offering free flu shots.

Gene Townsend asked to remind everyone of “A Seat at the Table” meetings to be held on 10/25/2018.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 10/23/2018**

There are no items scheduled at this time.

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Nelson moved to adjourn. Councilman Tharp seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (8:30 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**OCTOBER 23RD, 2018,** The Three Forks City Council met in session at City Hall at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 6:59 P.M. for the SECOND meeting of OCTOBER 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Teri Whitesitt, and Ed Tharp were present. Gene Townsend and Dennis Nelson were excused. City Clerk Crystal Turner, City Treasurer Kelly Smith and Assistant Fire Chief John Whitesitt were also present.

The record reflects a quorum was present, with the attendance of four (4) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

The Mayor reminded the public that the meeting was being recorded and for all those present to review the policies of conduct on the back of the agenda.

**GUESTS:** Rick Gale (Elks Drug Awareness Program), Gloria Howland, Barbara Mutter (Three Forks Ambulance Service District), Matt & Kelly Bugland, and Melissa Jenkins and Jack Smith (Three Forks Voice newspaper).

The Mayor called for any **PUBLIC COMMENTS/CONCERNS** not on the agenda. Seeing none, he introduced the Consent Agenda.

**CONSENT AGENDA**

Approval of the Following:

1. City Claims per List
2. Three Forks Rodeo Arena Claims per List
3. Meeting Minutes from 10/09/2018

Councilman Chancellor moved to approve the Consent Agenda. Councilwoman Whitesitt seconded the motion. There were no public or Council comments.

**Motion Passed Unanimously.**

**PUBLIC HEARINGS**

There were no public hearings.

**REPORT OF OFFICERS**

Asst. Chief Whitesitt reported the quarterly calls from June, July and August (see report in packet). He added that both Pete Nealan and Jason Kelsey have both completed their probationary period, and they have two new applicants to interview.

Victoria Kosevich resigned as the Fire Relief Association Treasurer and Brad Eastty resigned from the Fire Relief Association President. Asst. Chief Whitesitt reported Charles Eastty has been appointed as the new President and Josh Williams as the new Secretary (Josh was actually appointed as Treasurer).

Asst. Chief Whitesitt reported they have also been working on creating identification cards for the Fire Department volunteers. There are businesses around which provide discounts to First Responders, so the volunteers would like to have discounts available to them. More importantly, Asst. Chief Whitesitt stated they would like to identify themselves at accident or fire scenes.

The volunteers are trying to finish up some EMR training for those who have started training in years’ past. Crystal Turner asked about who appoints the positions to the Fire Relief Association. Mr. Whitesitt replied the members of the Fire Relief Association do. Crystal Turner also stated she believed since the City Council appointed the volunteers as probationary firefighters, the Council should also make a motion to remove those members from probationary status.

Mayor Hamilton asked for a motion to approve Pete Nealan and Jason Kelsey from probation to full-time firefighter? Councilman Tharp “so moved”. Councilwoman Whitesitt seconded the motion. The public thanked Asst. Fire Chief Whitesitt and the rest of the volunteers for their service. The Mayor commented on the variety of calls the volunteers attend to. Kelly Bugland said if the EMS crew is shorthanded the firefighters come in and volunteer to drive the ambulance too and they are very appreciative of that service. As the Fire Department’s call volume increases, the Ambulance District’s has doubled as well. Kelly Bugland said, “It is nice to have them available for backup.”

**Motion Passed Unanimously.**

Kelly Smith reported she continues to work on floodplain applications, and reported she turned over an unauthorized daycare to Susan Swimley to enforce today. Teri Whitesitt asked if the daycare was licensed by the State. Kelly Smith said she was unsure as not much information has been provided from Janelle Van Otterloo, the one advertising this daycare.

Crystal Turner reported she drafted a parks reservation application and had it reviewed by Susan Swimley prior to finalizing the form. She has been working to create a “Parks Department” page on the website which explains what each park has to offer, and has been researching the history of each park. Some of the information is still in draft form on the website. Crystal added she has been working with Rick Gale, who may speak on this later tonight, about a drug take-back box being available in City Hall.

Crystal and Kelly Smith have begun uploading documents to the City’s auditor portal page for them to start working on the FY17/18 audit. They have also just completed review of the City’s special assessments with the County Treasurer so she can include our taxes on the County tax bills. Crystal has also been preparing for the Three Forks Rodeo Arena board’s “orientation” of City policies and purchasing requirements. She will present this information to the Board at its December meeting.

**REPORT OF COUNCIL COMMITTEES**

Parks Committee – George Chancellor stated Peter Weber called him to say the fish-hiding foliage will finally be shipping next week. They hope to install them quickly before the freeze. They asked when the dock will be pulled out? (There was no answer provided.)

Ordinance Committee – Deb Mickelberry stated that because parking is not being enforced until there is a solution on Milwaukee (per Sgt. McDonough’s report last meeting), the Ordinance Committee wants to approach the Council on what to do next.  Would the Council like to continue not enforcing parking violations until there is a solution on the right-of-way question, or would the Council prefer to contact residents on Milwaukee and tell them they must follow the ordinance as written so the Sheriff Office can start enforcing parking everywhere?  Ed Tharp is in favor of enforcing as the ordinance stands.  He added if the Council needs to amend the ordinance down the road that would be fine, but he would prefer getting parking under control.  Teri Whitesitt would be supportive of enforcing as written.  Deb Mickelberry asked if the City should send out letters to owners along Milwaukee Street alerting them that starting at some set date (to be determined) they would need to follow the parking ordinance as adopted.  Gloria Howland commented on having to move her and her husband’s stockpile of wood, and others who maintain land that may be within the right-of-way.  She did not believe it could be done in less than 30 days if that is all the Council provided.  The Council said it wished to start with parking first, not the storage issue.  Gloria said she has never been approached by the City that she is using the right-of-way space, and she does not believe anyone else has been approached either.

Matt Bugland commented on the “letter of the law vs. intent of law.”  “If your tailgate and bumper is encroaching into the roadway you are causing a safety issue and breaking the law,” he said.  George Chancellor said there were half a dozen parking warnings in Sgt. McDonough’s report last meeting, yet in his mind warnings do not show follow-up occurred.  He continued, “We do not have any kind of feedback.”  Kelly Bugland does not believe this is just a Milwaukee issue – it is a mess on Jefferson and on Adams as well.  Gloria Howland added, “or you’re on the sidewalk and can’t get past the cars blocking it.  Or if you’re on a scooter and can’t get around, this causes a real issue.”

Barb Mutter asked if emergency vehicles can access the residences where these parking violations are occurring.  Kelly Bugland said yes, sometimes and sometimes we get in the vehicles and move them.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

**Board Appointment: Three Forks Ambulance Service District**

Mayor Hamilton read the board appointment memo into the record, except for the information regarding the seats on the board being misrepresented at this time but that the District is working to correct that.

Councilman Chancellor moved that we approve Cathy Elmose’s appointment to the Three Forks Ambulance Service District board. Councilwoman Whitesitt seconded the motion. Public Comment: Kelly Bugland said it will be nice to have someone on the board with EMS experience. She looks forward to having Cathy’s experience and knowledge on the board with understanding of how the volunteers do their jobs. Barbara Mutter is very happy to bring Cathy Elmose on board. The board now has Sean Gifford (owner of a fitness center), Jim Waldo (former EMT); bringing Cathy (also former EMT) will be an excellent addition to the board. Barb continued to report she is currently working with County Attorney Marty Lambert to amend the Interlocal Agreement to cover all the areas the District is serving. The Interlocal Agreement has not been updated since 1992. The Board will make its bylaws compliant to the ordinance via resolution. They will involve the City after Marty Lambert helps amend the board members being just within the district/service area, rather than area-specific representatives. Barb said, “If we have to limit ourselves to finding a representative from the ‘old school district in Logan’ it will be pretty tough [to find volunteers].”

**Motion Passed Unanimously.**

**Proclamation Declaring October 21-27, 2018 as Red Ribbon Week**

Mayor Hamilton mentioned the proclamation dates are actually October 23-31, 2018, as written on the proclamation but incorrect on the agenda. He then read the proclamation into the record. He said he just needs permission from the Council to sign this proclamation.

Councilwoman Whitesitt said, “Go for it”. Councilman Tharp seconded the motion. The Mayor added this would be Proclamation #2018-02. Public Comment: Rick Gale, Montana chairman of the Elks Drug Awareness Program, which is the largest volunteer drug prevention program in the Nation. He said, “It’s a pretty good program that works with the DEA out of Washington, D.C. to address meth and opioid epidemics.” Mr. Gale also serves on the State’s Opioid Drug Task Force. He is here to encourage support from Three Forks on this proclamation, noting the County adopted it as well this morning.

Red Ribbon Week began in 1985 when Enrique “Kiki” Camarena, a DEA agent, was tragically killed in action by drug cartels. US Congressman Duncan Hunter and Henry Lozano, a high school classmate, wore red ribbons and pledged a drug-free life to honor the sacrifice of all those who lost their life in the fight against drugs.

Two years ago Jake Wagner, of the Gallatin County Sheriff Office, was recognized nationally by receiving the Kiki Camarena Award for his work on the Missouri River Drug Task Force (MRDTF). Mr. Camarena’s wife recognizes the winners each year. She was in hiding for 5 years after drug cartels executed her husband. This year, Mr. Gale is working to nominate the entire MRDTF group for the upcoming year’s award.

This proclamation does make a visible statement to the community that you are making a commitment to a drug-free lifestyle. He hopes the City Council will support the proclamation tonight. He has spoken with Crystal regarding a prescription drug take-back box – Gallatin County has several: Manhattan Police Department, West Yellowstone Police Department, MSU Police, Belgrade Police Department, and the County Law & Justice Center. The Elks can look at applying for a grant to cover the cost of a take-back box (around $800) if the City is in support of having one at City Hall. He did not believe the Sheriff Office in Three Forks would be a good location since there is not typically someone in the waiting area. He thanked the City for its support.

**Motion Passed Unanimously.**

Teri Whitesitt asked if the school will hand out red ribbons to the kids who pledge a drug-free life? Mayor Hamilton said he is not aware of the school’s participation, and believes they finalize the School Board meeting agenda 1.5-2 weeks in advance of their meeting date. He admits he missed asking for the School Board’s support by getting on their last agenda in time. This is one of the Mayor’s goals to do next year and he will coordinate with the school. Rick Gale said on national drug take-back day (10/27/2018 from 10am-2pm at Law & Justice Center) the take-back initiative will be a drive-through operation. This is open to any who wishes to drop off old prescriptions.

**PUBLIC COMMENTS/CONCERNS** (not on the agenda)

There were no public comments on items not on the agenda.

**MAYOR & COUNCIL ANNOUNCEMENTS**

The Mayor commented the City has been putting out “Did you know” type articles. He wanted the Council to know these are time consuming for the Crystal to draft, but he feels they are beneficial to the public. Kelly Bugland commented on how helpful they articles have been. Crystal Turner asked for any input or suggestions on future articles – she hopes they are educational and come across as such to those reading them.

The Mayor welcomed our friends from the new “Three Forks Voice” newspaper. Melissa Jenkins introduced herself as owner and publisher of the Three Forks Voice. Jack Smith is the owner of the Whitehall Ledger newspaper and will be serving as editor of the Three Forks Voice. The newspaper is distributed at Thriftway, Remuda Coffee and the Three Forks Market. They said they will expand [distribution locations] as needed. Mayor Hamilton stated he is anxiously awaiting the day to write a check for a subscription.

Kelly Bugland asked when they publish. Ms. Jenkins replied, “Wednesdays right now. If Three Forks expands too much we may print on a different day.”

Mayor Hamilton continued his report: for anyone interested in Football – the Wolves will be playing on Saturday afternoon in Missoula. Volleyball is in the #2 seed and will play Saturday morning. Cross Country wrapped up last weekend in Missoula with great weather. The Mayor continued if sports are not your thing, Speech & Debate kicks off the third weekend.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 11/13/2018**

* Report on Facilitating Mental Health Training and Update of Gallatin County Needs Assessment

Crystal Turner reminded the Council, and any public interested, of the “Seat at the Table” held across the county on 10/25/18. She encouraged the Council to find a table and join the discussion, especially with the Growth Policy update needed.

Barbara Mutter reminded the public this is Fire Prevention week and she will continue education by speaking to Kindergarten through 4th grade this week. She will cover “stop, drop & roll” and “get down low”, and well as focusing on kitchen and household safety especially with the “tide pod challenge”. She commented it is wonderful to have a paper again and invited the newspaper staff to attend fire prevention week training at the school.

**ADJOURNMENT**

Mayor Hamilton asked if there was any other item to come before the Council tonight and if not for a motion to adjourn. Councilman Tharp moved to adjourn. Councilwoman Mickelberry seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (7:46 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**NOVEMBER 13TH, 2018,** The Three Forks City Council met in session at City Hall at 206 Main Street, and was presided over by Council President Ed Tharp. Mr. Tharp called the meeting to order at 7:00 P.M. for the FIRST meeting of NOVEMBER 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Teri Whitesitt, Gene Townsend, Ed Tharp and Dennis Nelson were present. Mayor Hamilton were absent. City Clerk Crystal Turner, City Treasurer Kelly Smith, Sgt. Dan McDonough, and City Attorney Susan Swimley were also present.

The record reflects a quorum was present, with the attendance of six (6) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Councilman Tharp.

Mr. Tharp reminded the public that the meeting was being recorded and for all those present to review the policies of conduct on the back of the agenda.

**GUESTS:** Gloria Howland, Angela Lehr, Melissa Jenkins & Jack Smith of the Three Forks Voice.

President Tharp called for any **PUBLIC COMMENTS/CONCERNS** not on the agenda. Seeing none, he introduced the Consent Agenda.

**CONSENT AGENDA**

Approval of the Following:

1. City Claim Paid Due to Timeliness to Mail Utility Bills in the Amount of $160.05
2. City Claims per List
3. Three Forks Rodeo Arena Claims per List
4. Meeting Minutes from 10/23/2018
5. Record Destruction Request #5 form RM88
6. Approval of Engagement Letter with Rudd & Company to Perform FY17/18 Financial Audit

Councilman Nelson moved to approve the Consent Agenda. Councilwoman Whitesitt seconded the motion. Gene Townsend questioned the amount in the audit’s engagement letter, verifying this was higher than last year’s amount. Kelly Smith answered that yes, per the contract, it was higher this year than it was last year.

**Motion Passed 5:0.**

**PUBLIC HEARINGS**

**Public Hearing and Decision on a Resolution Cancelling the December 25th, 2018, City Council Meeting due to it Falling on Christmas Day**

George Chancellor read the resolution into the record.

Gene Townsend questioned final “be it resolved” because it appeared to him the Council will not be doing any work until January 8th. Crystal Turner replied the Council cannot take any action until its next meeting on January 8th. Gene said the Council could still be working on issues though and Crystal agreed that may be the case, but the Council could not make any official decisions until a meeting.

Councilman Chancellor moved to approve Resolution #295-2018, a resolution of the Three Forks City Council cancelling the second meeting in December due to it falling on Christmas Day, December 25, 2018. Councilman Nelson seconded the motion. There were no other comments.

**Motion Passed 5:0.**

**Public Hearing and Decision on a Resolution Closing City Departments (Excluding Emergency On-Call Services) on Monday, December 24th, 2018, and Monday, December 31st, 2018**

George Chancellor read the resolution into the record. George commented that the second “Whereas” should read, “City Departments have requested full closure on Monday, the day **before** Christmas, December 24, 2018 and Monday, December 31, 2018.” There was no public comment.

Councilman Townsend made a motion to accept Resolution #296-2018 with the changes in the second “Whereas”. Councilwoman Whitesitt seconded the motion. There were no other comments.

**Motion Passed 5:0.**

**REPORT OF OFFICERS**

City Treasurer Kelly Smith did not have anything to report.

City Clerk Crystal Turner reported she and Kelly had sent the special assessments to the County Treasurer after the Council adopted the Street Lighting and Street Maintenance resolutions. County Treasurer Kim Buchanan has sent back reports that did not match the city’s numbers. They worked together for almost a week to get both accounting systems to balance. Now that tax bills have been sent out and money is coming in, the County’s numbers are still incorrect. We are trying to back into the County’s numbers, since we cannot change anything. It has been very time consuming and frustrating. Crystal will call Black Mountain tomorrow if she cannot get the numbers to balance after a few more tries.

Susan Swimley reported the Pledge of Allegiance to the American Flag was amended in 1956 to add the words “under God”. However, it is supposed to be heard as “…one nation under God, indivisible…” but the natural cadence comes into play and everyone pauses when reciting, “…one nation [pause] under God [pause] indivisible…” She challenges us all to stop pausing after “one nation”.

**REPORT OF COUNCIL COMMITTEES**

Ordinance Committee – Deb Mickelberry reported they met tonight at 6PM to discuss an annual fee for chicken permits (rather than the one-time fee) to help offset legal fees incurred. We had a lot of opposition to this suggestion so the Committee would like to know what the Council’s feeling is on pursuing an annual fee, something like $15/year per permit? Teri Whitesitt asked how many chicken permits are in the City at this time. Crystal Turner answered 17 permits. Dennis Nelson asked what the City is incurring in legal fees per year. Susan Swimley replied the budget is $54,000/year. There was discussion regarding a ticket in the Court which involves a chicken and a dog altercation. Susan then commented that is a dog issue and not a chicken issue. Kelly Smith stated in past years the City has dealt with someone having a rooster, someone having too many chickens, and Susan added a case regarding socializing chickens, within the City Court system. Susan added it is not unprecedented to have someone charged with a chicken offense and plead not guilty, so allowing chickens will always have some sort of legal expense associated.

Deb asked again what the Council would support. The Ordinance Committee does not want to pursue this if we bring it to the Council and there is not Council support. There was discussion regarding annual fees for dogs and why that is. Crystal Turner replied it has become more of a public service because when dogs are out loose we call every single dog owner on our licensed list which matches the description. The original purpose was to promote public safety by verify dogs in town have rabies vaccinations. Teri asked why we have to license dogs annually. This is verify current rabies vaccinations and Kelly added it also helps to ensure people do not have more than three dogs without properly obtaining a kennel license.

Susan asked the Council, “What is your gut reaction to having an annual renewal fee for chickens?” Dennis Nelson was not inclined to change the ordinance – it is not necessary at this time. He believes the city can handle it through the budget of legal fees. Gene Townsend said everyone knows how I feel about chickens. Teri Whitesitt asked how much Susan actually charges the city of your overall budget regarding chickens? Susan replied it is probably less than 1%. Teri asked, “Was the chicken in its coop?” Susan replied a chicken is not required to be in a coop, but is required to remain on the owner’s property. There was discussion on the amount of time spent administering chicken renewals. Gene Townsend said, “I always thought chickens would have more time spent on them than they are worth. We already spent more time on this tonight than we need to.” Teri Whitesitt suggested charging $50/year.

There was consensus to leave the ordinance as is at this time.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

**Facilitating Mental Health Training, Update on Gallatin County Needs Assessment (Angela Lehr)**

Mrs. Lehr introduced herself as a resident of Three Forks. She distributed handouts with statistics of mental health, particularly suicide, as well as an upcoming training to help recognize the signs of depression. She said some of us have been touched by suicide, some of us are feeling the aftermath of a recent suicide. At times many of us have struggled with a momentary “low”. In Montana we have less sunlight in the winter which can lead to seasonal mood swings; we are overworked or over-committed and we are struggling with our mental health. In Montana, for the last four years we have been rated in the top 5 states of those who suffer with suicide. The last year we were in the top 2. Nationwide, there is an average of 123 suicides each day. Montana had highest rate of suicide in US in 2014.

Mrs. Lehr has worked in law enforcement, in the health sector, and as a parole officer so when she moved to Three Forks she wondered, “What is the town’s need?” She connected with several locals and found there was a resounding verdict – people are struggling (some silently and others publically) with our mental health. She worked with others to conduct an upcoming training to discuss mental health. One of the big pieces of mental health is that it is a silent struggle. If a coworker comes into the office wearing a cast, people ask, “Oh what happened? Do you need help? Would you like a casserole?” When a coworker comes into the office with depression you may not notice it, and if you do many of us do not know how to address it. She said, “We don’t offer the casserole to that coworker, which I’m sure would be very welcomed.”

This course will be offered on December 8, 2018, at the Methodist Church Annex. The trainers are still debating if this course should be offered in one 8-hour session or two 4-hour sessions. The training course will be free because Bozeman Deaconess will pick up the cost for these first two sessions. The first session will be for mental health first aid for adults, and the second session will be focused on mental health first aid for youth. Kelly asked if 8 hours would be emotionally too long for folks to do the training? Angela replied yes, it will be intense and they have heard some feedback suggesting to break it up. Sgt. McDonough said this is an early Christmas present. 85% of law enforcement contacts deal with some sort of mental health issue and he feels this is a great program to have the general public participate in. Angela stated in 2014-2016, 87% of mental health related medical respondents had either had police contact or had been arrested at some point. Our law enforcement and related agencies are coming into contact daily with people who are struggling.

Angela passed around a signup sheet for those interested and asked for anyone who signs up to provide feedback in case 8 hours was too much in one day.

**PUBLIC COMMENTS/CONCERNS** (not on the agenda)

There were no public comments on items not on the agenda.

**MAYOR & COUNCIL ANNOUNCEMENTS**

Gene Townsend reported on attending a “Seat at the Table” gathering on 10/25/2018. It was hosted by Angela Lehr and the information gathered would be submitted to MSU to be sorted, and then distributed back to the local governments. The goal was to get voices heard regarding planning & zoning issues mostly. He said, “At our table we talked about the school bond issue that didn’t pass but growth is always increasing, talked about our community (which goes to Black Ford on the Madison River), to Clarkston 25 miles north from here, into Broadwater County 7-8 miles north, and folks from Jefferson too. We really should be thinking about how we want to handle that.”

Angela Lehr said along with disseminating the info they will also make it public so if one was writing a grant or anything you could use that community data. She added, “At our table we talked about the bridges as well and who is supposed to maintain them. We also discussed how the generations are transitioning and we are getting younger families in again.”

Gene Townsend also reported an overlay was poured on the Headwaters Trail, roughly 1800 feet by the Golf Course which was impacted by grass and weed growth. It is a little higher now and we will probably do a better job spraying weeds in that area in the future. That was done with the Recreation & Trails System grant received a couple years ago, a local match, and trails money.

Crystal Turner added she forgot to announce in her officer report earlier the MMIA board of directors has a vacant seat if any Council members are interested. This board meets three to four times per year. The vacant seat is for a representative who lives in a community of less than 20,000 population.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 11/27/2018**

There were no agenda items at this time.

**ADJOURNMENT**

Council President Ed Tharp asked if there was any other items to come before the Council tonight and if not he would entertain a motion to adjourn. Councilman Chancellor moved to adjourn. Councilman Nelson seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (7:57 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk

**DECEMBER 11TH, 2018,** The Three Forks City Council met in session at City Hall at 206 Main Street, and was presided over by Mayor Hamilton. The Mayor called the meeting to order at 7:00 P.M. for the FIRST meeting of DECEMBER 2018.

**PRESENT:** Council members George Chancellor, Deb Mickelberry, Gene Townsend, Ed Tharp and Dennis Nelson were present. Teri Whitesitt was excused. City Clerk Crystal Turner, City Treasurer Kelly Smith, and Sgt. Dan McDonough were also present.

The record reflects a quorum was present, with the attendance of five (5) council members, and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Hamilton.

Mayor Hamilton reminded the public that the meeting was being recorded and for all those present to review the policies of conduct on the back of the agenda. (The Pledge was recited correctly, as Susan Swimley had encouraged at the last meeting.)

**GUESTS:** Gloria Howland, Kathy McDonnell, Linda Bauer, and Jack Smith of the Three Forks Voice.

Mayor Hamilton called for any **PUBLIC COMMENTS/CONCERNS** not on the agenda. Linda Bauer and Kathy McDonnell introduced themselves and wanted to discuss the money they donated (from the Kiwanis dissolution) toward park equipment. Kelly Smith asked Linda to further explain herself to the Council since they have not yet been informed of the Kiwanis’ donation. Linda explained they hoped the money saved would go towards a pool, but now have donated the money towards playground equipment they hope will be installed at Ed Bellach Park (Three Forks Ponds). She submitted the quote and invoice to Crystal Turner last week. The Kiwanis’ donation is $285 short of the cost of the equipment, and they hope the City will take care of that. They have not chose colors yet, but believe the City could do that. Kathy McDonnell asked if the City could install the equipment once arrived. Dennis Nelson and Steven Hamilton said yes. Other known tasks/materials will be cement, digging and gravel. Steven thanked them for their donation.

Seeing no other public comment for items not on the agenda, the Mayor introduced the Consent Agenda.

**CONSENT AGENDA**

Approval of the Following:

1. City Claims Paid for Timeliness on 11/30/2018 in the Amount of $15,367.36
2. City Claims per List
3. Three Forks Rodeo Arena Claims per List
4. Meeting Minutes from 11/13/2018

Councilman Townsend moved to approve the Consent Agenda. Councilman Nelson seconded the motion. There was no public comment.

**Motion Passed 5:0.**

**PUBLIC HEARINGS**

**Public Hearing and Decision on a Resolution Providing for the Appointment of Gallatin County Sheriff Deputies to be Cross Deputized to Enforce Three Forks Municipal Ordinance**

The Mayor stated this would be Resolution #297-2018 and then read it into the record in its entirety.

Councilman Townsend made a motion that we approve Resolution #297-2018. Councilman Tharp seconded the motion. There was no public comment or Council discussion.

**Motion Passed 5:0.**

**REPORT OF OFFICERS**

City Treasurer Kelly Smith reported to the Council she will be meeting with a solar company representative tomorrow regarding solar panels. He is going to be putting them on a newer home here in town and Kelly would like to learn more on the possibility of solar panels to help run the wastewater treatment plant. Bozeman uses solar to help generate energy for their treatment plant. Steve Johnston wants to speak with them about solar’s cost effectiveness and ease of use at the plant. Kelly reported there is roughly $200,000 in Sewer Impact Fees and this would be an improvement to the treatment plant.

Kelly questioned the status of a Fire Hall remodel – do we need to start going out to bid as this is budgeted in this fiscal year? Dennis Nelson suggested discussing this with Three Forks Rural Fire District first.

Kelly also reported Crystal Turner has uploaded the Annual Financial Report to the State today so it is all taken care of; and the Auditors are here this week too. If you stop in City Hall this week please go say hello.

City Clerk Crystal Turner reported on the National League of Cities’ “Utility Service Program”. This program is basically like insurance for water/sewer utility customers to opt in to which would cover repairs to water and sewer lines from the City’s main line to the home/business, including interior plumbing. Montana League of Cities and Towns is supporting this program, and Conrad and Hot Springs have passed resolutions so their citizens can join the program. This does not cost the City anything to join. Gene Townsend and Deb Mickelberry asked for more information to review. Crystal will gather the documentation from USP and forward it on to the Council, as well as relay answers to Gene’s questions: 1) What is the cost to the customer; 2) Would groundwater basement floods be covered?

Crystal also reported to the Council her annual Business license report – she distributed list of those licensed including new this year, and those delinquent. There were 18 delinquent letters sent out last week, one has come in already to ratify their license. She also suggested meeting with the Streets & Alley committee anytime this winter to discuss the email she had sent them regarding a sidewalk plan being more defined for when grant opportunities come up we will be ready to apply quickly.

Lastly, Crystal reported the Library Assistant which had just been with us for three months, has resigned so we are hiring again for that position.

Gallatin County Sheriff Sgt. McDonough announced Dep. Paul Griffin has retired. Dep. Kamerman has taken over Griffin’s shift and Deputies Austin Owens and Jake Allmendinger will be new for Three Forks.

**REPORT OF COUNCIL COMMITTEES**

Gene Townsend announced the Park Committee should meet now that they have learned of the Kiwanis’ news, and he read Matt Marx’s email about baseball fields. They could also meet for Streets & Alleys to discuss a sidewalk plan too with Crystal since both committees have the same members.

Dennis Nelson announced the Budget Committee should meet too some time after 10th or 15th of January.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

**Proclamation Declaring December 1 – 7, 2018, in Memoriam of MHP Trooper David J. DeLaittre #269**

Mayor Hamilton read the proclamation into the record (this would be proclamation #2018-03). He passed it down for signature.

Councilman Townsend asked if the Mayor needed a motion. Mayor Hamilton said no, and just had everyone sign it without an official Council decision. (The proclamation was after-the-fact.)

**Proclamation Declaring April 26, 2019 Arbor Day in Three Forks**

Mayor Hamilton read the proclamation into the record, noting it would be Proclamation #2018-04.

Councilwoman Mickelberry moved to give the Mayor authorization to sign off on the Arbor Day proclamation. Councilman Townsend seconded the motion. Mayor Hamilton said this is part of the Arbor Day grant which has been increased to $750.00 because of becoming a Tree City.

**Motion Passed 5:0.**

Gene Townsend said the two trees planted at John Q. Adams Park have been badly damaged by deer and will probably need replaced. The Mayor reported Wendell Ewan has spoken with Wagner’s Nursery who told him to see how the trees return in spring. If they do not return healthy they will need to be replaced. Gene added both trees planted last year were planted in memory of someone (Hank Hecker and Tom Todd). Mr. Todd’s family paid for the tree themselves. If the trees die, the City should replace them. They each cost about $300.

**PUBLIC COMMENTS/CONCERNS** (not on the agenda)

There were no public comments on items not on the agenda.

**MAYOR & COUNCIL ANNOUNCEMENTS**

There were no Council reports.

Mayor Hamilton reported on school items highlighting the Imerys basketball tournament was held last weekend and the Speech & Drama kids doing well. He hopes to work with some of the student body next year on the Arbor Day tree planting. The Mayor thanked Ed Tharp for chairing the November meeting. He needed the time off due to emotional stress. This time of year is tough for a lot of people. The Mayor was personally affected when a former student committed suicide. The meeting in November had a mental health first aid presentation and the Mayor did not feel he could be a leader at that meeting so close to the death of his former student. Montana has the highest rate of suicide in the Nation and if you are ever in that path, please ask for help. If someone asks you for help, please believe them.

Gene Townsend said the Three Forks Chamber did a really nice job decorating the trees at Veteran’s Park and we wish to thank them.

Gene added the City had a passing of a former Mayor and Councilman, Jack Heebner, who was also a school teacher for years. Jack deserves some recognition for his contribution to Three Forks.

**AGENDA ITEMS FOR NEXT COUNCIL MEETING: 1/8/2019**

* + Public Hearing and Decision on a Request by Rick Lamb, with approval of Property Owner Tom & Susan Vander Vos, for a Zone Map Amendment on Lots 2A, 2B, 3A, 3B, 4A, 4B, 5A and 5B of Block 12 Headwaters Addition from Residential Medium Density to Neighborhood Highway Business;
	+ Public Hearing and Decision on a Request by Rick Lamb, with approval of Property Owner Tom & Susan Vander Vos, for a Conditional Use Permit on Lots 2A, 2B, 3A, 3B, 4A, 4B, 5A and 5B of Block 12 Headwaters Addition to allow an 18-space RV campground site as allowed by Section 11-17 of the Three Forks Zoning Code;
	+ Public Hearing and Decision on a Request by Ben Murphy for a Conditional Use Permit on Lot 9, Block 3 of the Original Townsite, Plat D-18, commonly known as 9 N. 1st Avenue East. Said request is for approval to operate a home business of a Bed & Breakfast-style rental of a basement apartment within the home via advertisements like Air B&B. The property is zoned Residential.
	+ Appointment of City Judge

**ADJOURNMENT**

Mayor Hamilton asked if there was any other items to come before the Council tonight and if not he would entertain a motion to adjourn. Councilman Tharp moved to adjourn. Councilman Nelson seconded the motion. There was no public comment.

**Motion Passed Unanimously.** (7:40 P.M.)

Steven B. Hamilton, Mayor Crystal Turner, City Clerk