

**CITY OF THREE FORKS, MONTANA, JANUARY 23<sup>RD</sup>, 2024**

**JANUARY 23<sup>RD</sup>, 2024,** The Three Forks City Council met at the Three Forks City Hall (Council Chambers), 206 Main Street and via Zoom. (Zoom is a virtual meeting tool which the City began using due to COVID-19 and social distancing guidelines and continues to use to encourage participation from the safety of one's home.) The meeting was presided over by Mayor Johnston. Mayor Johnston called the meeting to order at 6:00 P.M.

**ROLL CALL:** City Council members George Chancellor, Roxi McDermott, Gene Townsend, (Warren) Garret Buchanan, and Ed Tharp. City Treasurer Kelly Smith, City Clerk Crystal Turner and Library Director Jaime Ewan were present at City Hall. City Attorney Susan Swimley, City Planner Jerry Grebenc and City Engineer Susan Hayes attended via Zoom.

The record reflected a quorum 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 Johnston. Mayor Johnston reminded the audience this meeting was recorded and may be streamed via Zoom and on our Facebook page.

**GUESTS:** Gloria Howland was present in City Hall. Troy Bentson, Bryan Tate, and Matt Huggins were present via Zoom.

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

**CONSENT AGENDA**

Mayor Johnston read the Consent Agenda into the record as follows:

- a. City Claims to be Paid
- b. Three Forks Rodeo Arena Board Claims to be Paid
- c. Joint City Council and Three Forks Rural Fire District Minutes of 1/9/2024
- d. Council Minutes of 1/9/2024
- e. Advisement of Decision on the Three Rivers Development, LLC's Application Exempt from Subdivision Review Pursuant to 76-3-203, MCA, for the "Headwaters South Condos" Conversion to "Headwaters South Townhomes"
- f. Pledged Security Report from Glacier Bank as of 12/5/2023 and 12/29/2023
- g. Pledged Security Report from Manhattan Bank as of 12/31/2023

Mayor Johnston asked for a motion to approve the consent agenda.

Councilman Tharp "so moved." Councilwoman McDermott seconded the motion. Gene Townsend commented that he felt it was a nice problem that the City

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has to have two banks pledge securities. "Sounds like we have a healthy status of money to me," Gene said. Garret Buchanan asked for clarification on the plan to change from condos to townhomes. Jerry Grebenc answered there is no change in the number of units and this is an exemption from subdivision review.

**Motion Passed Unanimously.**

## **PUBLIC HEARINGS**

### **Public Hearing and Decision on a Resolution Naming Repair and Maintenance Projects Pursuant to State-Local Infrastructure Partnership ACT (HB 355) Funding**

Mayor Johnston read the resolution into the record, noting it would be #413-2024. He went over the list of potential projects. The Mayor explained that within the Council's packets is an example application for one of the projects, so the Council and public could see one would look like.

Garret Buchanan spoke that the first three listed on the drafted resolution would be top priority for him. George Chancellor asked if there is money in the annual water budget to replace hydrants. Kelly Smith answered yes; in fact it was specifically budgeted to replace one this year, just not all five. George recommended project priorities be #1 water supply, #2 Fire Hall, #3 City Hall, #4 Library ADA doors. Mayor Johnston asked what Jaime Ewan's preference was: auto doors and then lighting? George said fluorescent lights are quite easy to change without changing fixtures to LED. Jaime explained, "We had someone give us a quote for replacing the lights - but he said he thought we would need a new ceiling first because the track lighting is all wavy. His quote is for \$8,872.47." Garret asked if SLIPA funds had priority for what projects? Kelly replied there are priorities for water, sewer and fire suppression. There is \$172,000 set aside for Three Forks of the State's SLIPA funds, we just have to apply for the money set aside and then the State ranks them based on the priority. She added the City has to match 25% so all the projects combined would be around \$230,000.

Gene Townsend said, "The list we put together [on the 12/12/23] is a good list. There is nothing bad on that list. All the projects need to be done, whether this year or in future years. I've seen a lot of this as years go by. I think we should look at the City Hall remodel - I think of all the properties that the city owns, this is the oldest piece of property that we have. It hasn't been shown a lot of love over the years. Visiting with staff today, some of the things they pointed out to me, if someone moves to Three Forks this is probably their first stop. They come to find out about water and sewer, if they have dogs they have to get licenses, people come here to ask all sorts of things. It wouldn't hurt to dress this baby up a little bit. I don't know if it will take all the \$232,000 but we talked about the boiler needing replaced - we pay to patch

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it up every year. It gets warm and we forget about it. I think it's crucial we look at this building.

"I have no ill feelings Jaime, but fire suppression is typically in the ceiling and it wouldn't make sense to put fire suppression in a ceiling that needs replaced anyway. For the amount of money we would be receiving on this bill [State funding] it would be a good spend of our money. A few years ago there was a rumor we needed a new city hall - I look at building costs and we would be talking several million dollars for that. The Fire Department talks about it too - did you see what Central Valley built? It's the taj mahal. Belgrade International Airport pays a ton of money to the fire hall since it serves the airport - if it was just the people of Belgrade having to foot that bill, they would have never voted to pay for that fancy of a building. I think remodeling an office building, to make this look better and function better for the public and meetings, that would be best. I can remember when I first got involved in City Hall - there was actually a jail cell in the back room. A few years later we parked an ambulance in the back. It has been added onto as we grow and take on more duties, but all the improvements and changes have been done in the back of City Hall. I think City Hall should be a priority. I know we'll have money to do [drinking water] well maintenance, and we'll have money to replace hydrants. But if the Budget Committee was asked to come up with \$250,000 to remodel City Hall, we wouldn't be able to find that."

Garret Buchanan said, "If this grant went towards City Hall, it sounds like there is a need, but not a spot in the budget for it. I think using the extra money for extras makes the most sense."

Crystal Turner spoke on behalf of the Fire Department noting they have asked for a secondary bathroom to serve the volunteers. "I think Chief Aune reported on the January meeting that they have 12 active volunteers, but they have capacity for 28. That's a lot of people for one bathroom. They've also requested numerous times for a shower to be installed so they can clean off before going home because the smoke has been proven to have carcinogens which is stuck on their clothes and skin. They would like to wash off before going back to their own homes," Crystal said. Kelly Smith reminded the Council that this funding can be more than one project.

Garret Buchanan said his recommendation would be #1 for Fire Hall and #2 for City Hall. Gene Townsend said his recommendation would be #1 City Hall, #2 Fire Hall to add shower and bathrooms, and ADA access for the Library would be #3.

Jaime Ewan reported the existing ADA doors are not to code. She had Andy's Glass come out to inspect them and he recommends two sets of doors. The ramp outside is not ADA compliant either. Crystal Turner shared her screen with the Council, and showed the pictures and Jaime had sent her. Jaime explained the current situation to the Council. "ADA ramp handrails

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should have two, we only have one. These handrails should have 12-inches to hold on to at end of the rail, and ours only has 2-inches. Between the sets of doors, when opened, should have 48-inches clearance and ours have only 19-inches. There should not be a slope in between the doors as there is now. The slope to get up to be building should come to a flat landing before the doors even open. Then it should be flat inside the doors. Ours still has a slope going in between the doors. The verbal quote was estimated at \$16,000 for each set of ADA doors," Jaime said.

Ed Tharp agrees all the projects would be good. He sympathizes with the problems at the Library. Roxi McDermott recommended projects in the following order: Fire Hall #1 (at least one bathroom and #2 Library doors, and then #3 City Hall remodel.

Ed agreed.

Councilman Buchanan moved to Fire Hall #1, Library #2, and City Hall #3. Councilman Tharp seconded the motion. Public Comment: Gloria Howland said sounds good.

**Motion Passed Unanimously.**

#### **REPORT OF OFFICERS**

Jaime Ewan shared the new Library logo the Library Board approved at their last meeting, with the Council while Crystal still had it on her screen. The Council liked the logo.

City Treasurer Kelly Smith showed pictures of the safes being moved from this space to the back room. George Chancellor thanked Steve Johnston, Bob Crosiar and Denny DeLaittre for the muscle. Kelly thanked George for being the man with the plan - thank you!

Kelly also reported that she has been contacted by another company who would like to take over the cell tower lease. "This company does more like billboards with cell towers, I told them I would bring it up to the Council to see if you were interested but they won't provide a quote without interest. They are just cold calling all cell tower lease owners." Ed Tharp agreed our cell tower location would not be a good one for a billboard. Gene Townsend asked what rent revenue the City gets on the cell tower lease? Kelly replied roughly \$14,000/year with a 3% increase annually. "This company wants to negotiate and take over the ground. Most companies want to buy the ground. I told them all we are not selling the ground," Kelly said. The Council told Kelly to relay that they are not interested. Kelly can keep the company's information on file. "We can only go 10-15 years on a lease because of being a government. They wanted the right of first refusal to give us \$3,000/year more. Right now, we still have the option to choose another company and renegotiate."

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Lastly, Kelly reported that Randy Carpenter has applied for a grant to rewrite the City's zoning ordinance - not sure of status yet. "There is a new Department of Commerce funding opportunity through HB 819 we could apply for. Randy Carpenter was told/recommended to apply for this grant in case we don't get the CDBG grant we already applied for. This grant must be applied for by 2/9/24 and we don't know the status of the other one. Is the Council ok with having the mayor sign the grant application prior to the next council meeting? This would be requesting \$30,000 grant with \$10,000 local match." Kelly said an example for zoning updates is that our current code does not have a gym listed as a use. "Right now, we would have to interpret the use to fit in with the code as written. We had an inquiry today for a business to manufacture gun scopes in the Central Business District location, but light manufacturing isn't allowed in CBD, only the Industrial District. So, it is time for it to be reviewed and modernized," Kelly explained. Gene Townsend thinks it is a good idea to apply for the additional grant. Ed Tharp asked what, if any, inclination there is for approval. Kelly said she did not anticipate a full award, but some award.

City Clerk Crystal Turner reported she attended the Regional Housing Coalition on behalf of Mayor Johnston in Bozeman last Friday. "This is a group of Gallatin County planners, economic developers, city managers and housing providers trying to draft suggestions or recommendations to municipalities to solve the housing problem," she said. There was discussion regarding the Regional Housing Coalition's high density housing progress and thinking about zoning code update. Crystal said no other elected council members from the other cities attend, more like managers or mayors, but she encouraged someone else from the City of Three Forks to take this duty as it too much for her to miss three-quarters of a day; she will not be attending any more meetings unless assigned to. She also reported she completed the W2s and 1099s for year 2023.

Crystal also reported, "Kelly, Gene and I met with Jill Elwood of One Valley Foundation regarding planning a Three Forks in-person event for Give Big this May. I have thought of 12 non-profits in Three Forks to send an outreach letter to, and we'll see what happens if there is any interest to host something locally." Finally, she informed the Council there will be an Impact Fee Advisory Committee meeting tomorrow here at City Hall at 4PM.

**REPORT OF COUNCIL COMMITTEES (if any)**

Budget Committee mid-year report - Gene Townsend reported the City has not yet received revenue from Gallatin County so this meeting will be held after that revenue is received to be more accurate of the

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revenues/expenses through 50% of the year. He hopes to have an update by the February 13<sup>th</sup> meeting.

George Chancellor attended the Gallatin County Planning and Coordinating Committee in Manhattan. George explained Manhattan's planner was interested in forming a western half of the county group as they do not believe growth is the same in this half of Gallatin County. The group envisioned would include Clarkston, Logan, Amsterdam, Manhattan and Three Forks. George said, "They didn't have any info on Clarkston, Logan, Amsterdam or Churchill. My impression is they are going to require landscaping xeriscape - grasses not supposed to be over 8-inches. The main purpose seems to be to conserve water and cut back on maintenance and zero fertilizers." Garret Buchanan asked if that recommendation was just on city land? George said no, it sounded like a requirement for all subdivisions to do it and encouraging people to change their existing landscapes. Kelly Smith explained that the xeriscape discussion was a separate discussion item on the Manhattan Zoning & Planning Board's agenda that was specific just to the Town of Manhattan (and possibly their 4-mile extraterritorial jurisdiction), then there was the western planning discussion next on the agenda.

Crystal Turner said that Margaret Henkel reached out in hopes of meeting with the Ordinance Committee to discuss it being allowed to have taller than 6-inch vegetation. Ms. Henkel will not be available for few weeks though.

**UNFINISHED BUSINESS**

**Flood Mitigation Project Update (as applicable)**

Kelly Smith reported the team along with FEMA staff will meet virtually on Thursday at 9AM. The public comment portion of the FEMA application has been published and FEMA will reply to each inquiry. There is one person from the county who has already submitted comments and FEMA will respond after our meeting.

**Water Project Update (as applicable)**

Susan Hayes provided an update on the project's status (see packet for full report). She explained that Great West' grant administrator took another position, so the Water Project's grant administrator will now be Kasia Bothman-Little.

Regarding the well project, the Council had already provided a "go ahead" to drill the next well while the ground was still frozen, and for that work the City will need to build the access up a bit so the rigs do not sink into the ground. She believes this work be less than the \$80,000 bid so we can use the City's purchase policy. Susan reported she is working to draft an easement for Well 2C, and also that the budget is looking fine.

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Regarding the distribution system part of the project, Susan reported the 2014 railroad crossing permit is still valid, but she is double checking with the new railroad owners that they will honor it. The City will need to apply for an encroachment permit from Gallatin County for the Talc Road water main crossing. She will prepare the application and the cost is \$125. Again, working with the property owner where the wells are being drilled to include the waterlines in the easement. Susan said she will work with Susan Swimley on a site title opinion, which is an SRF requirement. "Most of the work is in the City's right-of-way, but of course the part across the railroad tracks and the developer's land is not," she explained. Finally, Susan reported she has the draft plans to send over to the City staff and requested a meeting with Steve Johnston to go over those once received. She added the design phase should all be complete and under budget. The current task order with Great West is for design and bidding. She will begin drafting a task order for construction administration.

Gene Townsend asked what the size of the pad needed for a well house location - Susan replied roughly 300x300 feet. Gene asked, "Will someone be there to stake out where you want it?" Susan said it is already staked if the stakes survive the winter.

#### **NEW BUSINESS**

There was no New Business.

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

There was no public comment.

#### **MAYOR & COUNCIL ANNOUNCEMENTS**

There were no Mayor or Council announcements.

#### **AGENDA ITEMS FOR NEXT COUNCIL MEETING: February 13, 2024**

- Public Hearing and Decision on a Second Reading of an Ordinance Amending Title 6 Police Regulations, Chapter 4A Animal Control to Clarify the Definition of "Kennel", adding a Definition of "Additional Dog Permit" and "Doggy Day Care", and Edit the Requirements to Obtain an Additional Dog Permit
- Public Hearing and Decision on the Zoning & Planning Board's Recommendation on the Request for Zone Map Amendment from Residential Zoning to Central Business District by Matt and Kelly Bugland and Jade Benjamin for the Properties Located at Lots 1-12, Block 54 of the Milwaukee Land Company's 2<sup>nd</sup> Addition, Commonly Referred to 604, 608, 618 and 622 S. Main Street

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- Public Hearing and Decision on a Resolution Pursuant to 7-3-173, MCA Stating the City of Three Forks' Call for Election to the Voters for the Local Government Review and Study Commission
- Public Hearing and Decision on a Resolution Closing Kansas Street on Specific Dates due to Reservations at the Three Forks Rodeo Arena, and any Future Dates Reserved for Large Events, Which will be Noticed on the Three Forks Rodeo and City of Three Forks Websites and Facebook Pages

**ADJOURNMENT**

Motion to adjourn the meeting was made by Councilman Tharp. Councilwoman McDermott seconded the motion in unison. The meeting was adjourned at 7:35P.M.

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Randy Johnston, Mayor

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Crystal Turner, City Clerk