

**** Page 1** A SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING
CITY OF THREE FORKS, MONTANA, AUGUST 13TH, 2024**

AUGUST 13TH, 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, Gene Townsend, (Warren) Garret Buchanan, Ed Tharp, Roxi McDermott, and Reagan Hooton. City Treasurer Kelly Smith and City Clerk Crystal Turner were present at City Hall. City Attorney Susan Swimley attended via Zoom.

The record reflected a quorum 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 Johnston. Mayor Johnston reminded the audience this meeting was audio and video recorded and may be streamed via Zoom and on our Facebook page. The Mayor also reminded all to familiarize themselves with the policy of conduct for this public meeting on the back of their agenda.

GUESTS: Ken Landgaard, Gloria Howland were present at City Hall.

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

There was no public comment for items not on the agenda.

CONSENT AGENDA

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

- a. City Claim Paid due to Timeliness to Independent Construction on 7/29/2024 in the Amount of \$3,149.00
- b. City Claims Paid due to Timeliness on 7/31/2024 to Mail Utility Bill and the WE Dust Control Bill Totaling \$21,250.43
- c. City FY2023/2024 Claims Paid on 7/31/2024 Totaling \$3,974.33
- d. Electronic Check for VISA FY2023/2024 Paid on 7/29/2024 in the Amount of \$5,098.39
- e. Electronic Check for VISA FY2024-2024 Pad on 7/29/2024 in the Amount of \$4,267.78
- f. City Claims for FY2023/2024 to be Paid in the Amount of \$790.27
- g. City Claims to be Paid
- h. Three Forks Rodeo Arena Board Claim Paid Due to Timeliness on 7/20/2024 to Let's Rodeo in the Amount of \$13,500.00
- i. Three Forks Rodeo Arena Board Claim for FY2023/2024 to be Paid in the Amount of \$7.18

**** Page 2** A SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING
CITY OF THREE FORKS, MONTANA, AUGUST 13TH, 2024**

- j. Three Forks Rodeo Arena Board Claims to be Paid
- k. Council Minutes of 6/25/2024, 7/9/2024, and 7/23/2024
- l. Zoning and Planning Board Minutes of 5/16/2024 and 6/20/2024
- m. Draw Request #20 for the Water Project in the Amount of \$6,522.75 of the Minimum Allocation Grant (MAG) Funds and \$6,532.25 of the Local Fiscal Recovery (LFR) Funds
- n. Journal Vouchers, Revenue Vouchers (2/24-6/24) and Cash Report

Crystal Turner said Three Forks Rodeo Arena claim #148025 is more now than when emailed out. "Lehrkinds sent another invoice today for \$4,105.50 which was added to the claim, for a total now of \$9,908.10, so that just one check would be mailed to them," Crystal explained.

Councilman Townsend moved to approve the Consent Agenda. Councilwoman McDermott seconded the motion.

Motion Passed Unanimously.

PUBLIC HEARINGS

Public Hearing, Comment and Input on Working Draft of Capital Improvements Plan (CIP)

Mayor Johnston stated this will be a working, living document from here out. Gene Townsend said, "Upon looking through, it's an awful lot of information. I want to thank those who made this possible. I feel it is very important and hopefully this Council, and future Council's, will review it, and go back to it, and refer to it when making decisions about money. Our last document was in 2006, and this seems a lot of more precise." Mayor Johnston said that Jerry Grebenc and Jessica Salo brought up that it should be reviewed at least annually. Crystal Turner said that she believed the motion for the Resolution of Intent included that criterion.

Garrett Buchanan said it was the first CIP he has ever read, and thought It was the best he has ever read (which all laughed at this comment). "I feel this was a very well-defined project list for the City and that we have done a huge service to the community to plan and prepare for it," he said.

Councilman Buchanan moved to accept this CIP which is Resolution #427-2024. All realized the resolution was not in the packet and the Mayor had not read it aloud, so Crystal Turner pulled it up on her screen and read it into the record. Then Councilwoman McDermott seconded the motion. There was no public comment.

Motion Passed Unanimously.

Public Hearing and Decision on the Zoning and Planning Board's Recommendation on a Request for a Conditional Use Permit Request by Ken Landgaard (with Property Owners' [Trent] Permission) for the Property

**** Page 3** A SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING
CITY OF THREE FORKS, MONTANA, AUGUST 13TH, 2024**

Located at Lots 3-6, Block 28 of the Three Forks Original Townsite for Two Multi-Family Buildings Containing Four Residential Units Each that is Within the Central Business District

Zoning & Planning Chairman George Chancellor read the staff report into the record and then provided an update of what happened at the Zoning & Planning meeting. The Board moved to recommend approval of the application and the recommendations the Board made, which were:

- 1) all statements made and presented in this application are made condition of this approval,
- 2) one dog per unit,
- 3) removal of the oval island and strike the two spaces and show in the drawings with all the parking spaces,
- 4) parking spaces to be designated to each unit and shown on the final site plan,
- 5) 5) all features are to be designated and shown on the final site plan and should be stamped by a P.E.

Applicant Presentation: Ken Landgaard said, "It was my notion that with the numbering and delineation of the parking spaces would be done, so I agreed already, I thought that was already the understanding and would be ok with it as a condition."

Board Questions: Roxi McDermott asked why fire trucks would not come in there? George Chancellor said that is correct. "The 'collapse zone' with a building with the height of this proposed building, there is not enough room if one building were to collapse," Kelly Smith explained. Garret Buchanan asked what is the designation? "Will these be rentals or condos?" Garret asked. Mr. Landgaard said they would be rentals. Roxi McDermott asked if traffic would be coming in and out of the alley? Mr. Landgaard explained yes, it would be a one-way coming in from Main Street and out through the alley. Roxi said, "I think there may be a lot of traffic on this alley and perhaps it should be paved." Reagan Hooton asked what is on the ground floor, second and third floors? Mr. Landgaard said the ground floor are garages, "But there is not enough garage space for two cars per unit," he added. Gene Townsend asked if Mr. Landgaard would be opposed to paving the alley? "If we are talking about 8 units and the possibility of 2 people in each unit, with possibly 2 cars, and an average of 4 trips per day. That's a lot of traffic added to this area that has never seen that amount of traffic." Mr. Landgaard replied he hoped to offer these with a reasonable market value. "If you add \$50,000 in paving costs, or more if the alley has to be brought up to a specific standard, they would be less likely to be more 'affordable' but they aren't going to be marketed as 'affordable housing'," he said. Gene said he did not want to ask what rent would cost - and said Mr. Landgaard may not even know yet. Mr. Landgaard said it depended on the interest rate, but he was hoping to keep it under \$1,700/month. Gene added, "Rough math is 200 trips/day. Most of the traffic is going to head north." Mr. Landgaard asked if it would be required to pave the whole alley? Gene

**** Page 4** A SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING
CITY OF THREE FORKS, MONTANA, AUGUST 13TH, 2024**

said maybe compromise would be to pave to the north only [from the exit], because most people will come out and go that way towards Elm Street." Ed Tharp agreed the should be paved due to safety of those living here. "You may not see 200 trips/day but it is going to be a lot of wear/tear on that alley. Potholes from the traffic of these residents could cause safety issues," he added. Garret stated, "In theory it would be only from the exit point to the Elm Street. If we can reduce the amount of mud pits and traffic snarl, it's a lot of people going in and out." Mr. Landgaard asked if sewer and water were in the alley? Mayor Johnston said sewer is located in the alley and water is located in street.

Gene question on liability.

Susan's response that it adds liability.

There was no public comment.

There was no applicant rebuttal.

Councilman Chancellor moved that we approve Mr. Landgaard's request for a Conditional Use Permit on Block 28, Lots 3-6, Plat D-18 known as 410 S. Main Street for the application of two buildings. All statements that are made in this application are made conditions of this approval, there is one dog per unit, the oval is already gone, the parking spaces to be designated to each unit and shown on the final site place, and all features are to be designated and shown on the final site plan and should be stamped by a P.E., and that the final condition is to pave the alley from the exit to Elm Street prior to occupation. Councilman Buchanan seconded the motion.

Motion Passed Unanimously.

Ken Landgaard said, "I just wanted to let you guys know before I leave, that whatever you have done with the rodeo grounds for the community - keep it up because it's spectacular."

Continued Public Hearing/Comment on the Fiscal Year 2024-2025 Preliminary Budget

Kelly Smith informed the Council that we received our certified taxable valuation from the County, "It increased about \$100 per mill, so the City will be getting about \$31,000 more than last year if the City were to tax the same. The revenues in your packet are completed, unless you have some changes you would like to see. Some can be changed, but some cannot. Expenses - a lot of the accounts are done but the General Fund is not complete yet. The Budget Committee added some things today that will be added to the budget. We plan on paying for the vac truck this year, which was ordered in the last budget year and has the additional charge already approved by the Council included in the budget. A new truck for Public Works, the car for Code Enforcement, paving of Railway Avenue will be again in there like last year but we have some better numbers this year so

**** Page 5** A SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING
CITY OF THREE FORKS, MONTANA, AUGUST 13TH, 2024**

it will be included. The chip seal is now done but it's in the budget so we will pay for it this [fiscal] year. Please take the reports home, look them over, we will probably have another Budget Committee meeting prior to the adoption of the budget in September," Kelly explained.

Gene Townsend commented on paving Railway. "At our budget meeting today, we talked about that and we did put the money in the budget last year. I'll blame myself for that, and Kelly - she didn't do anything either. (everyone laughed). We have Gas Tax money and other cash we can use for road improvements. Railway is probably the busiest, or maybe second or third busiest street in Three Forks. Folks are going to the market, the Post Office, using it to get by Main Street as a cut through. It constantly needs graded. It's a tough street to take care of. I'm willing to try to gather the landowners along that road and talk about this improvement. I'd like to ask them to have some skin in the game. That means that if the City could pave for X amount of money, would the property owners kick in some as well? That would be fair for the other people in town which have paid to pave their streets. The City owns quite a bit of property - where the recycle bin area, the triangle we store snow, right by M&W is City. There is no guarantee we will spend this, but I'd like to have some meetings with those landowners and see if they are interested. Maybe there will be more property owners outside this area that will want to do some paving as well, which could reduce the overall cost of one project since they have to mobilize anyway - you know you can split that out of multiple projects. I'll be honest with you, Gene's killed a couple of [paving] projects in the past and probably what got me kicked out as mayor. The reason we have a 15mph speed limit was because before we paved you could see a dust cloud over town when you came into town. We all thought it was good to just leave that as the speed limit, even if it's not legal for that speed limit. Pavement keeps your town cleaner, the house cleaner, your garage cleaner and I think it was the best thing the City ever did. When I got my first SID bill, I thought it was so expensive, and it's going to be more now I realize, but if we can get a cost on things we can look at it and see about splitting it. I'm not trying to tell people how to live their lives, but you do away with four flavored coffees a month at \$6/each you can save quite a bit of money. It also increases the value of your home and your property," Gene said.

Reagan Hooton asked for clarification on the 15mph illegality. Susan answered that statutorily a municipality can only set the speed limit at 25mph unless warranted after a speed study is conducted. "That is the lowest you can set it without doing the studies, but the City has opted to leave the 15mph speed limit signs up in hopes of slowing traffic down and the Sheriff's Office understands why as well and will provide support and enforcement over 25mph," Susan explained. Reagan asked about parks and school areas, and Susan replied those can be 15mph per the law [without a study]. Reagan noted this revenue does not appear to be in the Trails

**** Page 6** A SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING
CITY OF THREE FORKS, MONTANA, AUGUST 13TH, 2024**

fund. Kelly thanked Reagan for catching that, as she meant to budget it here and has not done that yet.

Reagan Hooton asked about the budget, "The Marijuana excise tax was on the budget last year and it's not now. Why is that?" Kelly Smith said last year was the first year the City received this money, which was unanticipated revenue, so it went straight to the General Fund. This year the Budget Committee opted to send it to the Trails, "So it's in the Trails fund as revenue," she explained.

Public Comment: Gloria Howland asked about HRDC/Food Bank, "Would they have to pay for the paving?" Gene Townsend stated he has already spoke with HRDC CEO Heather Grenier and asked if the City were to have a paving project would the HRDC support it, and she said they would. "It would come out of the bigger Food Bank's budget though," he added.

Adoption of the Fiscal Year 2024-2025 budget is scheduled for September 10th.

REPORT OF OFFICERS

City Treasurer Kelly Smith reported the FEMA audit that was scheduled for August 27 has been postponed. The person scheduled to conduct the audit got another job.

City Clerk Crystal Turner reported the Lead/Copper Inventory is complete, has had new construction added, and uploaded to DEQ. She also asked if anyone else want to go to the Montana League of Cities and Towns conference, held in West Yellowstone in October. Ed Tharp and Garret Buchanan wish to attend. Crystal will register them.

City Attorney Susan Swimley said that Kelly Smith has been very busy working with Code Enforcement and thus keeping Susan busy.

REPORT OF COUNCIL COMMITTEES (if any)

Gene Townsend provided an update on the Gallatin County Sheriff Office meeting held two weeks ago. "Wally [Ziegler, Code Compliance/Office Assistant] ran it and gave an update from all the action items they'd given us about six months ago. Just waiting for the software Zuercher still. (This was completed today.) Wally needs a radio, which the Fire Department is donating and will have to Wally by Friday. We aired our grievances like illegal U-turns on Main Street and parking regulations and asked them to patrol it better. We need the public to know they can't do that and without enforcement, or warnings people keep on doing it and it's a safety hazard. We also talked about a couple bad properties that need code enforcement. Sgt. Doonan was more than agreeable that if Wally had a complaint, the GCSO would do better to help work on that." Mayor Johnston

**** Page 7** A SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING
CITY OF THREE FORKS, MONTANA, AUGUST 13TH, 2024**

said he was really happy to see the code compliance issues being worked on by Wally and it keeps the town looking nice.

George Chancellor read the ambulance report - donations from the beef raffle, silent auction and Sawdust & Steel fundraiser raised \$21,000+ which paid for a good share of equipment that the new ambulance was lacking. (See packet for full report.)

UNFINISHED BUSINESS

Flood Project - Kelly Smith reported the biological assessment opinion was finally received from US Fish, Wildlife Service. "That means, hopefully, within 45 days we will have the official grant award from FEMA! Then we can start moving forward with permitting and final design," she said.

Water Project - Mayor Johnston said the City is still waiting for the driller to do the 72-hour test on Well 2C. Gene Townsend asked what happened at Well #10? Th Mayor replied that Red Tiger is rebuilding the pump, which had burned up. Well #10 is 850 feet deep, so it takes more work.

NEW BUSINESS

Board Appointments:

Zoning & Planning Board

Mayor Johnston read the board appointment memo into the record.

Councilman Chancellor moved to accept Jacob Sebenas as a member of the Three Forks Planning Board. Councilwoman Hooton seconded the motion. Kelly Smith stated this is the first time we will have had a full Zoning & Planning Board since 2020.

Motion Passed Unanimously.

Extension of Impact Fee Committee Member Terms

Councilman Chancellor moved to extend the terms of the Impact Fee Advisory Committee to December 31, 2024. Councilman Townsend seconded the motion. There was no public comment.

Motion Passed Unanimously.

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

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

MAYOR & COUNCIL ANNOUNCEMENTS

There were no Mayor announcements.

**** Page 8** A SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING
CITY OF THREE FORKS, MONTANA, AUGUST 13TH, 2024**

Gene Townsend announced the Headwaters Trail System is serving the dinner at the Farmer's Market this Thursday 8/16/2024 and invited all to attend and come eat dinner.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: September 10, 2024

- Budget Adoption and other resolutions

ADJOURNMENT

Motion to adjourn the meeting was made by Councilman Chancellor, seconded by Councilwomen McDermott and Hooton in unison. **Motion Passed Unanimously.** The meeting was adjourned by acclamation at 7:15P.M.

Randy Johnston, Mayor

Crystal Turner, City Clerk