

January 13, 2015, The Three Forks City Council met in session in the Council Chambers at 206 Main Street, and was presided over by Steven B. Hamilton, Mayor. Mayor Hamilton called the meeting to order at 7:00 P.M. for the FIRST meeting of January 2015.

PRESENT: Mayor Steven B. Hamilton, Council members Sharon Smith, Ed Tharp, Dennis Nelson, Teri Whitesitt and George Chancellor. Debra Mickelberry was excused.

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

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

GUESTS: Barbara Mutter (7:20), Dep. Colter Metcalf (7:20).

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing none, he introduced the consent agenda.

CONSENT AGENDA

Approval of Claims paid due to Timeliness in the Amount of \$26,878.99;
Approval of Claims per Approval List(s) in the Amount of \$28,239.33;
Approval of November 25th and December 9th, 2014 Meeting Minutes;
Approval of All Seasons Tree, Lawn & Snow Contract for Park Mowing,
Spraying & Clean-up for FY2014-15, 2015-16, 2016-17;
Pledged Security Report for 12/31/2014.

Mayor Hamilton asked if there was any item that anyone wished to pull from the Consent Agenda.

Councilwoman Smith questioned a claim to Craig Shepherd (who completes the Annual Financial Report) and why Crystal Turner only proposed paying 90% of the claim. Crystal explained that this was due to the AFR not being completed yet. We have now received the near-final report but a couple numbers still need to be input once questions are answered. At that time the remaining 10% will be issued to Mr. Shepherd.

Councilman Nelson questioned regarding the All Seasons' needing a bond. The answer was no, they carry insurance and are not bonded.

Councilwoman Smith motioned to approve the consent agenda. Councilman Nelson seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC HEARINGS

Decision to Postpone the Joint Public Hearing of the Three Forks City Council and Three Forks Rural Fire District – for the 2015 Annual Meeting – to February 12, 2014 at the Fire Hall at 7PM.

Mayor Hamilton explained that the Rural Fire Department was having difficulty gathering a quorum if held in January and so it was discussed to move it to their next business meeting, where the Council would attend.

Councilman Nelson moved to postpone the hearing until February 12th at 7PM.
Councilwoman Whitesitt seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Decision on Resolution #224-2015 Amending Resolution #217-2014 to Correct the Levied Assessments for the 2014-2015 Street Maintenance District No. 1

Mayor Hamilton read Resolution #224-2015 into the record. He explained the City was levying itself for the old library land as well as the new owner being charged for the street lighting and maintenance.

Councilwoman Smith moved to approved Resolution #224-2015. Councilman
Tharp seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Decision on Resolution #225-2015 Amending Resolution #219-2014 to Correct the Levied Assessments for the 2014-2015 Street Lighting District No. 1

Mayor Hamilton read Resolution #225-2015 into the record.

Councilman Chancellor moved to pass Resolution #225-2015 amending Resolution #219-2014 to correct the levied assessments for the 2014-2015 Street Lighting District No. 1.

Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Board Appointment to Three Forks Library Board of Trustees

Mayor Hamilton read the Board Appointment memo into the record. One application was received from Ann Cole. This appointment would be through June 30, 2017.

Councilwoman Smith moved to recommend Ann Cole to the Library Board.
Councilman Chancellor seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Approval of Probationary Firefighters Brandi Tribble and Sirsa Helvey

The Council has been provided copies of the application packets for both Brandi and Sirsa. The Fire Department has recommended both for approval. Kelly Smith noted that the Fire Department did not send a letter stating their approval. Crystal added that she and Barbara Mutter met last week to go over the process of applicants, and we should not receive applications back here unless by them - once an application is submitted at the City office we immediately get them to the Fire Department Volunteers. When they return, they've been approved by the Members Committee. Otherwise the Committee informs the applicant(s). Dennis Nelson added that he attended the business meeting of the Fire Department and both were approved by the Committee at that meeting.

Councilman Nelson moved to approve Brandi Tribble and Sirsa Helvey as probationary members to the Three Forks Fire Department. Councilwoman Whitesitt seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

REPORT OF OFFICERS

Deputy Clerk Kelly Smith reminded the public that it is dog license time again: licenses are due by April 15th. She thanked Crystal Turner for help while she was out on medical leave.

City Clerk Crystal Turner reported on background check information from Proforma. Brad Eastty had previously recruited quotes from a few background check companies. One was a contract, with annual fee and membership fee; the other was Proforma on an a la carte basis. The City never received any information from Mr. Eastty so she contact Proforma (whom she worked with previously) and was provided a quote for \$58 per the 7-year background check (credit, address, employment, criminal checks). You can add driving records and drug/alcohol screening. If you add on everything it would cost \$107 total per screening. She did not know what the Fire Department required.

Barbara Mutter arrived. Councilwoman Whitesitt questioned Barbara Mutter on the driving training.

Councilman Nelson asked when volunteers are allowed to drive the trucks. Barbara responded that they are not allowed to drive until they have passed all probationary training. Since they do drive trucks eventually after training is complete, the motor vehicle background checks would be important. She added there would be an estimated ten background checks each year that they would have. The Rural Fire Department would pay for half of the cost since volunteers are for both departments.

Dennis questioned if the drug screening is necessary in Barbara's opinion. She didn't believe so and stated these are volunteers and those applying are not typically your non-functioning members of the community. She did not think that the urinalysis would be necessary (if a volunteer was an addict they won't make it through probation). There was discussion on adding the DMV record background check and drug-free policies.

Councilman Nelson made a motion to institute the background checks for probationary or new firefighters on the basis of this Proforma quotation that Crystal has gotten for \$58 for the basic check and the additional \$5 cost for the motor vehicle check. Councilwoman Whitesitt asked if this company had any other additional or membership fees. Crystal answer no, there is a service agreement which has been sent to City Attorney Susan Swimley to review. Councilman Chancellor seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Councilwoman Whitesitt questioned Barbara if she would be going backwards to the previous new members. Barbara did not think it was necessary since they've already been provided equipment and have been attending all trainings. These two new applicants were told they would be having background checks, and the previous ones were not informed of this. She believes it would be best to begin in 2015 and move forward. The Council agreed.

Colter questioned the need to request a medical waiver to retrieve medical history for volunteers, and he suggested talking to Mrs. Swimley about this.

REPORTS OF COUNCIL COMMITTEES

Water & Sewer Committee - Councilwoman Smith asked about Anna Miller's letter regarding the loan amount. She wanted to know if there would be a user increase. (It is still unknown at this time.)

Budget Committee - Councilman Nelson stated he'd like to setup a meeting to review the first half of the fiscal year's expenditures.

Ordinance Committee - Councilwoman Whitesitt reported they met last night to discuss and work on parking issues around the school.

UNFINISHED BUSINESS

Wastewater Project: Councilman Nelson reported they met with Joel Pilcher of Great West Engineering, regarding the final billing with Bullock Construction. He reported on the bid opening meeting yesterday at Great

West in Helena. There were seven bids received. There is no announcement of award of bid yet because Fred Phillips of Great West is still reviewing criteria of each bidder. He should be able to provide a recommendation at the second meeting of this month. The initial estimate was \$4,352,000. The lowest bid did come in above the initial estimate, at \$4,723,000.

Water Project: DNRC Draw #5 in the Amount of \$2,809.25

Mayor Hamilton introduced the DNRC draw and stated the Council had all the information in front of them.

Councilwoman Smith motioned to approve that DNRC Draw #5 in the amount of \$2,809.25. Councilman Nelson seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

There was no new business.

PUBLIC COMMENTS/CONCERNS

Barbara Mutter commented that the whole school is hopping for the adult education program. She said she thinks it's a wonderful addition to the town. She also commented that several of the firefighters would be attending Chief Ken Mergenthaler's funeral tomorrow. He was among the first to arrive at Chief Todd Rummel's accident this past summer.

MAYOR & COUNCIL ANNOUNCEMENTS

There were no Council member reports.

Mayor Hamilton reported he received an invitation from Northwestern Energy to the Economic Summit, Tuesday February 3 from 5-7pm at the Emerson Cultural Center. We need to let them know if anyone will be attending. He added there are MMIA trainings available: Performance Review training (for him), Supervisor training (for Wendell Ewan, Randy Johnston, Mayor Hamilton, Debbi Kramer), and Harassment training (for all employees). He extended the trainings to all Council members if they wish to attend. They will be in March or April and we'll let everyone know the final date. Lastly, the Library has set up "GoToMeeting" with a web camera at one of their computers. He didn't think it would be that difficult to webcast the Council meetings live for those interested in watching a live meeting at home. He thought it might be a good way to encourage public participation.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: January 27, 2015

- Water Project Draw #6 in the Amount of \$4,036.00
- First reading of some Ordinances per Susan Swimley
- Possibly a Wastewater bid award

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilwoman Smith moved this meeting adjourned. Councilwoman Whitesitt seconded the motion. **MOTION PASSED UNANIMOUSLY.** (7:52 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk+

January 27, 2015, The Three Forks City Council met in session in the Council Chambers at 206 Main Street, and was presided over by Steven B. Hamilton, Mayor. Mayor Hamilton called the meeting to order at 7:00 P.M. for the SECOND meeting of January 2015.

PRESENT: Mayor Steven B. Hamilton, Council members Sharon Smith, Ed Tharp, Dennis Nelson, Teri Whitesitt, George Chancellor and Debra Mickelberry.

The record reflects that a quorum was present, with the attendance of six (6) council members, and a meeting was held.
The Pledge of Allegiance to the American Flag was led by Mayor Hamilton.

GUESTS: Gloria Howland, City Attorney Susan Swimley, Sgt. Peterson (7:18).

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing none, he introduced the consent agenda.

CONSENT AGENDA

Approval of Claims per Approval List(s) in the Amount of \$159,715.28.
Approval of January 13th, 2015 Meeting Minutes.

Mayor Hamilton asked if there was any item that anyone wished to pull from the Consent Agenda.

Dennis Nelson brought up claim #141131 for Dana Kepner Company, Inc. in the amount of \$4,183.25. Water Superintendent Randy Johnston has requested this be paid out of impact fees and Dennis wanted to ensure the rest of the Council was in approval of that. There were no objections.

Councilman Chancellor moved to approve the consent agenda. Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC HEARINGS

Resolution #226-2015 Supporting the Continued Funding of the Local Government Center at Montana State University

Mayor Hamilton read the resolution into the record. After reading the resolution, he added that there has been much discussion in the clerk community voicing support to send letters of support to the Montana Legislature urging their continued funding.

Councilwoman Smith moved to approve Resolution #226-2015. Councilman
Tharp seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

REPORT OF OFFICERS

Deputy Clerk Kelly Smith reported that she was informed by Manhattan State Bank that FDIC rules changed in 2013. The City can now have up to \$250,000 in one CD (per bank) and he suggested moving some of our pledged securities into CD's instead to have FDIC insurance on some of our funds (even in other banks if necessary).

City Clerk Crystal Turner had no report.

City Attorney Susan Swimley had no report.

REPORTS OF COUNCIL COMMITTEES

Ordinance Committee - Teri Whitesitt reported they met tonight with Mrs. Swimley regarding business licenses. They also met last week with some administrators at the school regarding the parking situation around the school. She distributed a highlighted map of the school with proposed parking designations: 2nd Avenue East from Oak Street to Ash Street, and E. Neal Street from 2nd Avenue East to 3rd Avenue East on the school-side would be 1-hour. E. Neal Street across from the school, after the parking lot to 4th Avenue East would remain 1-hour parking. 4th Avenue East from Oak Street to E. Neal Street on the residential-side of the street, and also on 4th Avenue East from E. Neal Street to Ash Street on both sides of the street would be 1-hour parking. They propose adding "student only" parking around the parking lot at the corner of E. Neal Street and 2nd Avenue East, and a "no parking" section on 4th Avenue East on the school-side of the street from E. Neal Street to Oak Street for "drop off/pickup only". They also propose a "bus/emergency only" section on E. Neal Street on the school-side from 3rd Avenue East to 4th Avenue East. She asked Mrs. Swimley if the Council could designate a portion of a street as student-only parking. Mrs. Swimley responded that they could, but questioned how it would be enforced. There was discussion regarding available/vacant spots in the parking lots provided by the school. If the faculty parked in the designated parking lots, being there are so many vacancies, there shouldn't be a parking issue on the public streets. The committee would also like to acknowledge perpendicular parking along the school-side of Oak Street between 4th and 5th Avenue. Sgt. Peterson questioned if the residents who live along the streets should have some type of permit allowing them more than 1-hour.

Budget Committee - Dennis Nelson reported they met last week to review the first half of FY2014-2015. They looked at each line item, but didn't see

anything majorly over budget. The Public Safety fund looks great at 26% (but the City hadn't received the 2nd Quarter bill yet); Fire Department is in good shape. Overall, all City departments are within budget. The committee will keep an eye on Parks which is currently at 78%, but this is expected as most of the mowing contract comes out of here and a lot has occurred this fiscal year already. The whole general fund looks good at 48%. He sees the Library's fund total is at 57% and he's discussed this with Steven to talk to the Library Board - but it sounds like they purchase the majority of their books at the beginning of each fiscal year. They will do another quarterly review after 3rd quarter's end. He requested all departments have a preliminary budget to the Committee by June 1. He also complimented all the departments on watching their budgets and being frugal. He requested all departments try to leave 5% on the table again - last year the City was fortunate enough to put aside \$60,000 into Capital Improvement Funds.

UNFINISHED BUSINESS

Water Project: SRF (B) Draw #6 in the Amount of \$4,036.00

Mayor Hamilton introduced the draw and breakdown.

Councilwoman Smith motioned to approve SRF (B) Draw #6 in the amount of \$4,036, and with your [Mayor Hamilton's] signature on that. Councilman Chancellor seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Dennis Nelson reported he's had several discussions with Wendell Ewan and Randy Johnston regarding putting off the tank rehabilitation project. With multiple projects going on, and the bids coming in higher than expected, they propose going back out to bid later after the sewer project. Mayor Hamilton added that the Army Corp of Engineering funding will not be affected by postponing this piece of the project.

Dennis Nelson also reported the Water and Sewer Committee meeting with Bullock Construction regarding the final bill will be held here on February 6, 2015 at 5PM.

Wastewater Project: Discussion and Possible Decision to Award the Bid for the Three Forks Wastewater System Improvements.

Ed Tharp stated the bid came in higher than the Engineer's estimate. We are looking at the whole project and bidders right now. This is not ready for a recommendation and award yet.

NEW BUSINESS

Discussion and Presentation of Drafts for First Readings of Amendments to the Following Municipal Ordinances

Susan Swimley met with the Ordinance Committee back in August about updating some ordinances. She distributed red-line ordinances as follows:

- 8-5-4: Regarding removing Montana Power Company and updating to the current power company;
- 1-7-3: Removed the gender references as well as a bond requirement for the City Judge;
- 1-7A-3 through -6 and 1-7B-1: Reviewed the City Attorney duties and saw that the City Clerk duties were defined here but not in the City Clerk section, so moved them there; and added a provision about the City Attorney being able to exercise duties of the Clerk or Deputy Clerk when both are absent;
- 1-4-1: Added provision that City Judge is able to impose community service as work for violations of city ordinances;
- 6-4B-2: Amending the animal at large section to strictly prohibit roosters;
- 5-4-5: Requiring you can't leave your garbage can in the right-of-way except on pickup day;
- 4-1-1: Business license clarifications were discussed at the Ordinance Committee meeting tonight, so not presented tonight;
- 9-4-1: Added in a provision for commercial users to ask for a change of use the same as domestic users can.

There was discussion regarding 9-4-1 having and separate header for A and B as "Water and Sewer customers", then C for both customer types, and D, E and F for sewer-only customers. Crystal and Kelly suggested adding "household size" and defining it in 9-4-1(C) to explain to new customers how that's the defining sewer usage charge until the winter average is established.

Review of redline Dog Ordinance and 11-10-1(T) Transitional District

Susan Swimley stated she does not have redlines to distribute tonight.

Teri Whitesitt commented on the business licenses and having multiple businesses in one location and the group discussed alternate locations vs. multiple businesses in one location. Susan Swimley commented that you could encompass the more expensive of the two. Further discussion regarding rental properties for income, and having a "more than two" would be for income rather than a homeowner trying to sell their home and renting it out during the process of selling.

PUBLIC COMMENTS/CONCERNS

There was no public comment.

MAYOR & COUNCIL ANNOUNCEMENTS

There were no Council reports.

Mayor Report - Mayor Hamilton did not have City announcements but commented that the Three Forks School Divisional Speech & Drama debate received second place and will be heading to the State debate in Ennis.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: February 10, 2015

- Water Project Draw #6 in the Amount of \$4,036.00
- First reading of some Ordinances per Susan Swimley
- Possibly a Wastewater bid award

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn.

Councilwoman Smith moved this meeting adjourned. Councilman Chancellor seconded the motion.

MOTION PASSED UNANIMOUSLY. (8:12 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

February 10, 2015, The Three Forks City Council met in session in the Council Chambers at 206 Main Street, and was presided over by Steven B. Hamilton, Mayor. Mayor Hamilton called the meeting to order at 7:00 P.M. for the FIRST meeting of February 2015.

PRESENT: Mayor Steven B. Hamilton, Council members Sharon Smith, Dennis Nelson, Teri Whitesitt, George Chancellor and Debra Mickelberry. Ed Tharp was excused.

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

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

GUESTS: Mike Howland, Gloria Howland, City Attorney Susan Swimley, Andy Malby, Street Superintendent Wendell Ewan, Gene Townsend, Sgt. Don Peterson (8:07).

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing none, he introduced the consent agenda.

CONSENT AGENDA

Approval of Claim paid due to Timeliness in the Amount of \$144.67;
Approval of Claims per Approval List(s) in the Amount of \$13,469.06;
Approval of January 27th, 2015 Meeting Minutes.

Mayor Hamilton asked if there was any item that anyone wished to pull from the Consent Agenda.

Councilwoman Smith moved to approve the consent agenda. Councilman Nelson seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC HEARINGS

First Reading and Decision on Ordinance #349-2015 regarding Section #1-4-1 General Penalty to Include Community Service

Mayor Hamilton read Ordinance #349-2015 into the record in its entirety.

Susan Swimley explained this was a request by Judge Drusch some time ago to allow for community service to be a possible fine for city ordinances.

Public Comment: Mike Howland commented that six months seemed severe for a first, or \$500, offense. The Council replied that it is "up to" six months, not an automatic six months, and it would not exceed.

Councilwoman Smith moved to approve the first reading of Ordinance #349-2015. Councilwoman Whitesitt seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

First Reading and Decision on Ordinance #350-2015 regarding Section #1-7-3 City Judge Requirements

Mayor Hamilton read Ordinance #350-2015 into the record in its entirety.

Susan Swimley explained that the previous ordinance always referred to the judge as "he." Also, there was an old requirement for judges to post a bond, which went away in State Statute many years ago so this is just removing it from the ordinance.

Councilman Nelson moved to approve Ordinance #350-2015 on first reading. Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

First Reading and Decision on Ordinance #351-2015 Regarding Sections #1-7A-3 through 6 Regarding Discharge Duties of City Clerk, Regarding Collection of Special Assessments, Regarding Payment of Special Improvement Assessments, Regarding Delinquent Tax

Councilman Nelson read Ordinance #351-2015 into the record in its entirety.

Susan Swimley explained to the Council this was to remove all City Clerk duties from the old Section 1-7B-1 of the City Attorney, and placing them in the correct location of 1-7A-3 for the City Clerk. Crystal Turner proposed to the Council to add "and/or Mayor" to 1-7A-3-B-11, as well as a gender designation missed in 1-7A-4-A; and she explained that we left Section 1-7A-6-A in as written in the event the City ever assessed or received any taxes/assessments in the future. The County is currently administering this for the City but it doesn't hurt to leave it in. Mrs. Swimley agreed.

Councilwoman Smith moved to approve Ordinance #351-2015 as amended for its first reading. Councilman Nelson seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

First Reading and Decision on Ordinance #352-2015 Regarding Section #1-7B-1 the Office of City Attorney

Councilman Chancellor read Ordinance #352-2015 into the record in its entirety. He commented that the word "in" in paragraph 1-7B-1-B-1 should be "on" to read, "...To attend before the city court and other courts, and prosecute on behalf of the city...".

Susan Swimley explained the purpose of this change.

Councilwoman Whitesitt moved to approve Ordinance #352-2015 as amended.

Councilman Chancellor seconded the motion.

Steven Hamilton questioned if the Council would like to add "And/or Mayor" to 1-7B-1-5. Kelly Smith questioned if the Council would like to add the same to 1-7B-1-B-3 as well. The Council agreed to do so. Susan Swimley added that 1-7B-1-B-4 also has a "his/her" missed which currently reads "his." The Council agreed to amend this. Mike Howland asked if adding these "and/or Mayor" is giving too much power to the Mayor. He added that giving power to the Council or Mayor in the same way may cause trouble and asked if the council could override something the Mayor did. Susan responded yes that the Council could override.

MOTION PASSED UNANIMOUSLY.

First Reading and Decision on Ordinance #353-2015 regarding Section #5-4-5 Regarding Containers Required; Specifications to Pull Container off Public Right-of-Way

Councilwoman Whitesitt read Ordinance #353-2015 into the record in its entirety and stated the Committee wished to kill this ordinance.

Section 5-4-5-D is the only change to this ordinance. There was no public comment. George Chancellor asked why the Committee wished to pull this from first reading. Teri Whitesitt responded that the City has only received one complaint requesting this change, and that she drove around Saturday and didn't see many violations (the day after garbage pickup), and Crystal Turner told her she walks around town over the weekends and hasn't seen violations of the proposed ordinance.

Councilwoman Whitesitt made a motion to kill Ordinance #353-2015.

Councilwoman Mickelberry seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

First Reading and Decision on Ordinance #354-2015 regarding Section #6-4B-2 to add Language Prohibiting Roosters

Councilman Chancellor read Ordinance #354-2015 into the record in its entirety.

Mayor Hamilton stated this came up in July of 2014. The ordinance permitting chickens in town did not allow for a rooster, however the way

this ordinance was worded to allow for a rooster of up to 48-hours in town during special circumstances. This was not the intent of the Council's chicken ordinance. There was no public comment.

Councilman Nelson moved to approve Ordinance #354-2015. Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

First Reading and Decision on Ordinance #355-2015 regarding Section #8-5-4 to Modify the Name of the Utility Power Company

Mayor Hamilton read Ordinance #355-2015 into the record in its entirety. He explained this is simply to update the name of the utility provider. There was no public comment.

Councilwoman Smith moved for the first reading of Ordinance #355-2015. Councilman Chancellor seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

First Reading and Decision on Ordinance #356-2015 regarding Section #9-4-1 Allowing for all Users to Request Modifications in Basic Sewer Rates and Other Clarifications

Councilwoman Whitesitt read Ordinance #356-2015 into the record in its entirety.

Crystal Turner commented that she and Kelly were reviewing all these ordinances and moved things around a bit so that they were easier to understand to the water/sewer users. They added a header under this section which was formerly 9-4-1-C including a sentence stating "From initial sign up until an average rate is reached, customers will be setup on a household size basis as defined." The definition existed earlier but was never explained as to when it is used. They further broke down those with water and sewer service, and those with sewer service only, duplicating the household size definition within both of these sections.

Deb Mickelberry questioned how RV dumps are handled because she has witnessed people using the dump station at the old "Cash Dollar" store, which is currently closed. There was discussion on how sewers are metered. Kelly Smith informed the Council sewage use is not metered, only water use is metered. She stated the Cash Dollar is not even turned on right now so there is absolutely no way for the City to know anything is going down the sewer drains. Mayor Hamilton asked former Mayor Gene Townsend if he remembered how RV dumps were handled in the past. Mr. Townsend believed the ordinance defined it already. Kelly could not find anything in the ordinance specifying RV dump qualifications or rates. Crystal said that she would contact the current owner and ask them to lock

the dump station so that at least people in the future will have to use one in town with an active water meter.

Mike Howland questioned if income-based rates have ever been considered. Crystal stated this has been discussed in many other cities and towns who all agree a city cannot provide an income-based rate, just like it can't provide an age-based discount. These have been determined as discriminatory and can disqualify the city for certain grants or loans.

Teri Whitesitt offered an idea to use an annual average for seasonal businesses rather than a winter-use average. This would be more realistic as businesses vary on their busy times and may be impacting the system more heavily but only paying for an average when they are closed or least busy. Crystal added that the Fred Phillips of Great West Engineering suggested a rate based on use and impact of the system, rather than a flat fee with a minimal increase for each additional 100-cubic-feet. Something more based on line size or water use overall (for example, a hotel impacts the system more heavily than a residence but the City's rates are all based on the 400-cubic-feet winter-average as the base with the \$2.17/100-cubic-feet fee for each addition).

Councilwoman Smith moved to approve Ordinance #356-2015 as amended.

Councilman Nelson seconded the motion. Gloria Howland asked if someone owns a rental and the landowner keeps the water in their name, how would you know if three people lived there one month, and six the next. Crystal responded that unless the owner notifies us, the City would not know.

MOTION PASSED UNANIMOUSLY.

REPORT OF OFFICERS

Street Superintendent Wendell Ewan reported that CTEP trail preliminary plan should be received by the end of this month.

Deputy Clerk Kelly Smith did not have a report.

City Clerk Crystal Turner reported on water/sewer rate averages and how the water clerk has historically kept a list of any accounts having leaks or numerous guests during the holidays - trying to find out if any high usage should be considered in the winter use average. The Mayor has received a request from a member of the public to not consider December due to a water heat tank leak. For those accounts with leaks, the Clerks will use a different month in the winter average calculation. There have been a few instances in which household size changed due to death and the Clerks have requested to the Mayor to be allowed to reduce those accounts sewer average immediately. She wanted to alert the Council that this happens and make sure they were in agreement to it occurring. The Council felt that this was acceptable.

City Attorney Susan Swimley reported the State of Montana owns a tract of land along Airport Road that used to be a railroad tract next to the City yard. The State has an interested buyer to purchase a portion of this tract of land. They tried to have a boundary relocation approved and recorded, to which the County would not allow saying the State did not own it. In order to clear up the title, the State of Montana sued every railroad company and railroad or anyone who had interest in it. That is how we were notified. This is adjacent to the city yard and we do have an access to the property, however we cannot find an easement recorded. Susan responded we would like an easement to access there and the State responded that they do not wish to grant an easement but have us purchase this strip of land instead. They offered to survey it, appraise and pay for that cost and offer to the City to buy the other portion of the land rather than an easement or license to access it. It is called a "quiet title action." Wendell Ewan added that this is not a necessary access - we still have access from the State highway. This section is rarely used.

REPORTS OF COUNCIL COMMITTEES

Water & Sewer Committee - Dennis Nelson reported that the Committee, Steven Johnston and Mayor Hamilton met with Bullock Construction and Great West Engineering regarding a change order for labor overages last week. Original contract price was \$254,128 which after project completion was \$18,883 under budget due to material savings. The proposed change order for de-watering and additional labor was \$30,000. After discussion and negotiation, the Committee will recommend to the Council to agree to a \$20,000.00 change order. With the other savings in this project, this brings the total above the original contract price by \$1,117.00. Dennis added that he would like to recommend that the Council accept the change order, however he would like to place a hold on the application for payment until the committee schedules a meeting with Great West Engineering to discuss the caveat of Great West going over budget due to Bullock's failure to complete the project on time (it went over thirteen days). This caused an engineer having to be on site an additional thirteen days and they believe those overages should be between the engineer and the contractor - not the City.

Councilwoman Smith motioned to approve the Change Order as presented by Dennis Nelson. Councilwoman Whitesitt seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Water & Sewer Committee will try to schedule a meeting about the future sewer rate increase with Fred Phillips of Great West Engineering and Anna Miller of DNRC in the upcoming week.

UNFINISHED BUSINESS

Water Project: SRF (B) Draw #7 in the Amount of \$1,100.75

Mayor Hamilton introduced the draw request.

Councilwoman Smith motioned to allow you [Mayor Hamilton] to sign off on that SRF (B) in the amount of \$1,100.75. Councilwoman Whitesitt seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Wastewater Project: TSEP Draw #8 in the Amount of \$19,892.97

Mayor Hamilton introduced the draw request.

Councilwoman Smith motioned to allow you, the Mayor, to sign off on TSEP Draw #8 in the amount of \$19,892.97. Councilwoman Mickelberry seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Discussion and Decision to Award Bid for the Three Forks Wastewater System Improvements

Mayor Hamilton explained the letter from Great West Engineering, dated 2/3/2015, stating they reviewed the bids for the Wastewater Improvements Project. They state the lowest responsive bidder is Smith Contracting, Inc. and recommend award. This bid is in the amount of \$4,740,000.00.

Dennis Nelson added he spoke with Fred Phillips last week about this as well, who asked that the Council adopt this tonight as it will probably take thirty days (putting the City into mid-March) to get started. That would allow the 180 day timeline to finish the project before frost comes next fall.

Councilman Nelson made a motion to authorize the Mayor to sign this notice of award so that Great West Engineering can notice Smith Contracting.

Councilwoman Whitesitt seconded the motion. Mike Howland spoke that most contracts have contractual days that if not done on time the contractor has to eat that financial loss. The Council agreed and stated this contract has that language included.

MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

Request to Apply for a FWP Recreation & Trails Grant for Maintenance

Gene Townsend asked for permission to apply for a grant from the Fish, Wildlife & Park's Recreational Trails funds, which he's applied for since 1998. If successful (and he's not that optimistic because he just went to

training and what used to have forty applicants now sees around sixty-five) he plans on doing maintenance work. Funding has been reduced due to the highway bill decrease. This is a twenty percent match required grant, which his employer, Imerys, has agreed to match. There will be no monetary requirement from the City other than use of staff to account for the funding, which would be awarded to the City if he is awarded the grant. He would like to do a maintenance project, probably a concrete overlay, of the section of trail along the golf course due to the golf course's watering their fairways/greens and running over the trail. He also would like to do a small maintenance project on the south side of town because there is a section of trail that was washed out last year.

Mayor Hamilton thought this was a wonderful idea and believes it is a good fit to have the City continue to sponsor the grant application.

Councilman Nelson moved that the City of Three Forks be the sponsor of the Fish, Wildlife & Parks Recreation & Trails grant for Gene and the Trails Project. Councilman Chancellor seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Discussion and Decision on Lightweight Utility Vehicle Purchase to be shared by all City Departments

Mayor Hamilton read Wendell Ewan's request to purchase new equipment to address some inefficiencies and related expenses with current machinery (a 2006 Rhino DB 150, 1992 sickle mower, and a 1996 John Deere 445 riding mower). With the upcoming wastewater treatment plant, he proposed purchasing a 2013 Polaris Brutus with mower, snow blade, broom for street sweeping and power broom attachments. Wendell stated he received quotes from Gallatin Recreation in the amount of \$32,600.00; Kamp Implement, Co. in the amount of \$31,910.00 which are the closest providers. (He tried to get four quotes but only received responses from these two.) He proposes paying for this with an Intercap loan, which has an APR of 1.25%. This equipment could be used to empty the sludge in the old wastewater lagoons, as well as park mowing, street sweeping and proposed all departments that would use it help pay for it from their budgets. He currently pays about \$6,000 annually renting attachments and equipment to supplement our own to perform these jobs.

Councilman Nelson made a motion that we approve the purchase of the described equipment by Kamp Implement, the Bobcat, 3650 Bobcat with the attachments that are listed : the broom, the mower, the snow blade, the debris screen, understand that there is also freight and delivery service, for the total of \$31,910.00. Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Discussion and Decision on Funding of new Lightweight Utility Vehicle Purchase

Councilwoman Smith would recommend an InterCap loan. Councilman Nelson agreed.

Councilwoman Smith made a motion to apply for an InterCap Loan.

Councilman Nelson seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Discussion and Decision Regarding Main Street Closure over Rodeo Weekend and Cost-Sharing Agreement between the City, Chamber of Commerce, Three Forks Fair Board and Local Bars.

Crystal Turner explained to the Council that the City does not have a legal standing to force anyone to pay the cost-share agreement since it was a verbal arrangement. She has sent letters/invoices out to everyone twice, and there are still three who have not paid.

Since the street dance really benefits the bars and other businesses who choose to remain open late, she offered some options on having those folks administer this in the future. She also reported that one bar owner who paid the City suggested that all businesses chip in \$20/year. The owner felt all business benefit and gave the example that the saddle shop benefits, the pizza parlor is open late, hotels are full, and street vendors come in. She thought a \$20 increase in all business licenses would cover that. Teri Whitesitt and Dennis Nelson agreed with that increase being good. Then Teri said that not all business benefit - she has a preschool and there is no benefit to it from the rodeo or street dance. Dennis like the idea of only businesses along Main Street pay then. The discussion led to businesses that probably don't see any benefit either way. Crystal comment that Kelly and she suggest that the City doesn't close the street at all, or purchase our own barricades and just pay for them once rather than renting annually. Teri stated that if the City doesn't close the street though, the City has penalized the beer/wine license holders because the Council stated it would use that increase towards rodeo costs. Mr. Howland asked how much it costs just to close the street. Crystal explained that the barricades are the most expensive at \$1800.00, overtime about \$800.00, port-o-potties were purchased this past year at \$200.00. Mr. Howland asked why the City doesn't just make its own signs. Wendell Ewan replied that signs have to meet federal standards, and Main Street is a state highway and anytime it is going to be closed must be approved by the Montana Department of Transportation. Susan Swimley advised the City to do the same process that Belgrade does for its Fall Festival: let the Chamber handle it. Crystal asked for direction from the Council on how to proceed, and what to do with the money received to date.

Dennis asked what the Chamber's response was to having them handle it. Crystal reported that the Chamber is one of the groups who have not paid yet. She added that she was told they have had it in their claims twice to be approved and it's been pulled with the Chamber asking for proof they agreed to this. The Fair Board has paid, but stated they don't feel they have anything to benefit from the street dance or costs associated. Crystal said she has not informed the Chamber that the City is considering not administering the street permit closure or costs. Deb Mickelberry stated that the Chamber applied for the permit and paid for the barricades for Christmas Stroll, perhaps they will for this too.

George Chancellor requested Crystal draft a letter to the Chamber to feel out those involved that the City has people that benefit from this but don't want to pay for it, it costs the City a lot of money and we are considering not doing it anymore. If no feedback is received fine, we'll quit. If we get feedback we'll address it.

Gloria Howland stated that she does not believe taxpayer dollars should be used for this, feeling that most citizens do not attend. Mike Howland agreed. Sgt. Peterson said that last Spring Kelly asked if the Sheriff's office would apply for the permit, as the Police Department had previously. He responded no, because the Sheriff's Office isn't in the business of hosting parties. There is too much liability. There was no other public comment.

PUBLIC COMMENTS/CONCERNS

There was no public comment.

MAYOR & COUNCIL ANNOUNCEMENTS

Councilwoman Whitesitt had a concern about garbage, and she knows that our ordinances don't allow burning in a burn barrel but asked about burning garbage burned in a hole in the ground? She knows somewhere nearby her house is burning garbage - she can smell plastic and it's toxic. Sgt. Peterson said that there are certain things you can't burn (like plastic, paint, tires) per the law. It's against County ordinance so if anyone smells that they can call it into dispatch.

Mayor Hamilton reported he received an invitation to a social event at the Montana Rural Water School on February 18th in Great Falls. The Chamber of Commerce dinner is February 19th at 6PM at the Gathering Place. Main Street Office is celebrating their 20th anniversary on February 20th from 2-7PM. He also proposed a computer replacement schedule, starting with the cash receipting computer (which is currently running Windows XP which is no longer supported by Microsoft). He does not recommend replacing all

computers at once; budgetarily this is not good but all are old and need to be planned for replacement. Julie Jensen told the Mayor and reported Kelly Smith and Crystal Turner were both very helpful in clearing up if she'd paid her city taxes. February 3rd, the Gallatin County Commissioners appointed him as the Three Forks representative to the Gallatin County DUI Task Force. Next Wednesday is the Science Fair and if anyone is interested in judging or attending to let him know. He invited all to attend. Last, he offered congratulations to the students who won at last week's State debate Tournament Maggie Kosevich received 4th Place after getting to semi-finals in her first year on the team, Jamie Dundas and Steve Cole made it to the finals and placed 2nd overall.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: February 24, 2015

- Second readings for multiple ordinances.

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn.
Councilman Nelson "so moved". Councilwoman Whitesitt seconded the motion.
MOTION PASSED UNANIMOUSLY. (9:16 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

February 24, 2015, The Three Forks City Council met in session in the Council Chambers at 206 Main Street, and was presided over by Steven B. Hamilton, Mayor. Mayor Hamilton called the meeting to order at 7:00 P.M. for the SECOND meeting of February 2015.

PRESENT: Mayor Steven B. Hamilton, Council members Sharon Smith, Ed Tharp, Dennis Nelson, George Chancellor and Debra Mickelberry. Teri Whitesitt was excused.

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

The Pledge of Allegiance to the American Flag was led by Mayor Hamilton. Reminder to the public that the meeting is being recorded both audio and visual.

GUESTS: Chuck Wambeke, Andy Malby, and Deputy Colter Metcalf.

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns.

Chuck Wambeke, Chair of the Three Forks Rodeo Arena and Events Center Board of Directors (formerly the Fairgrounds Board), which operates as an extension of the City Council, thought it was prudent to provide an update.

The board currently exists of Doug Pickering, Mike Lane, Barbara Hernandez, himself and Christina Kamps who serves as the executive secretary. Chuck reported that the Three Forks Rodeo was awarded the 2014 Rodeo of the Year - given by the NRA and voted on by the contestants and judges. He said, "It's an honor to receive this award."

He reported that in 2013 they had roughly \$102,000 income which was offset by roughly \$80,000 in expenses. In 2014 income was down (mostly due to the high school rodeo - there were two other high school rodeos occurring the same time). This year we will combine the high school and junior high school rodeo to bring the numbers back up. Overall, they had \$88,000 income which was offset by \$71,000 in expenses.

When Chuck joined the board in 2002 they were able to net about \$10,000/year and the last few years they have been able to net about \$15-\$20,000/year, much of which is due to advertising revenue. The primary project in 2014 was rewiring the entire facility. Lights were installed around 2004 using direct wiring and the facility was really having trouble with that. They re-wired the entire facility and placed everything on the

premises in conduit for all the lights, the crow's nest, ticket booth, etc. They also completed gravelling the spectator area (thank you to Holcim for donating the gravel). They also remodeled an office trailer which was donated by the MSU Fire Department. This will serve as an office for the high school rodeo group, as well as the Board of Directors during the annual rodeo. One of the tractors was having mechanical issues which was completely overhauled last year, which was a costly expense.

In 2015, the primary focus will be on the arena itself. They have been working with the stock contractor Dick Lyman to improve the livestock management. They would like to add additional pens on the south side of the arena, and include aero pens for pre-sorting calves. In order to do this they will have to rework some of the current holding pens. Chuck stated they always run into trying to find enough volunteers to help, but doing so helps keep our costs down. Just regular wear and tear and use of the arena pushes sand to the edges. This year they'll be looking at getting more sand placed into the arena.

Thinking about long term plans, the Board would really like to focus its attention to new bleachers. In Chuck's tenure on the Board they have rebuilt the bleachers twice. He's looked into pricing and new bleachers run about \$250/seat. This is a long term goal, but the wooden ones are a liability and hard to maintain. He would like to have a serious discussion with the City about replacing them, but knows we need to get creative [for funding ideas]. The Board would hate to spend that kind of money for about thirteen events each year.

Next Tuesday, March 3rd, at 6PM is the Rodeo appreciation dinner at the Cattlemen's Café and he invited everyone to attend who's helped with events anytime in the past.

The Council thanked Mr. Wambeke for his report and congratulated the Board on the award received.

Mayor Hamilton surprised Mr. Wambeke with a congratulatory letter on Industrial Automation Consulting's 20th anniversary, which is coming up on March 21, 2015.

With no other public comment, Mayor Hamilton introduced the consent agenda.

CONSENT AGENDA

Approval of Claims per List(s) in the Amount of \$15,521.73;
Approval of Meeting Minutes of February 10, 2015;
Approval of Record Destruction of the Following:

- Applications and/or emails soliciting un-posted police department position in 2004
- Applications for posted police department position in 2007, and not hired
- 3 Rivers Internet Service contract from 2003 & 2004
- 2004 Statistical Summary for Police Department (internal document only)
- 2004 Employee Handbook
- 2004 Police Department Dispatch Logs
- 2003 & 2004 Police Department Time Cards
- Applications for City Judge in 1999
- Applications for summer help and maintenance from 1992-2009
- 1999-2013 extra copies of printed W2s and 1099s
- 1099-2010 1099s and W2s, applicable reports and submittal receipts

Mayor Hamilton stated this is to start a pretty lengthy process of destroying public records.

Crystal Turner reported that normally she states "claims paid due to timeliness" on the agenda separately since those were signed/sent prior to Council approval. However, the Clerks cut two checks after the agenda was published: to the State of Montana to submit the Annual Financial Report in the amount of \$760.00 once they completed the report, as well as another claim to Mason Moore which is a reimbursement for two years of identity protection per the City Attorney's recommendation in the amount of \$659.78.

Crystal added that regarding the records for destruction item #6 "2004 Police Department Dispatch Logs" are not listed on the State's record retention schedule. Upon speaking with Connie at the Secretary of State's office, she suggested that the City apply for approval or addition to the Retention Schedule first. So this item will not be up for destruction at this time until an answer is received from the Secretary of State's office. She also said that some of these "records" are just duplicate copies and not required to have Council or State approval prior destruction since they aren't the original record. However, she wanted to inform the Council of this destruction and follow the State's process.

Mayor Hamilton asked if there was any item that anyone wished to pull from the Consent Agenda.

Councilwoman Smith moved to approve the consent agenda. Councilman Chancellor seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC HEARINGS

Second Reading and Decision on Ordinance #349-2015 Regarding Section #1-4-1 General Penalty to Include Community Service

Mayor Hamilton introduced the ordinance, stating we would not be reading any of these ordinances into the record unless someone from the public requested it. No one present requested a second full reading.

Councilman Nelson moved to approve Ordinance #349-2015 as it's presented.
Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Second Reading and Decision on Ordinance #350-2015 Regarding Section #1-7-3 City Judge Requirements

Mayor Hamilton introduced the ordinance stating this removes the bond requirement and gender designation.

Councilwoman Smith motioned for the second reading on Ordinance #350-2015.
Councilman Tharp seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Second Reading and Decision on Ordinance #351-2015 Regarding Sections #1-7A-3 through 6 Regarding Discharge Duties of City Clerk, Regarding Collection of Special Assessments, Regarding Payment of Special Improvement Assessments, Regarding Delinquent Tax

Mayor Hamilton introduced the ordinance, stating it clarifies duties and removes gender designation, as well as placing the duties of the City Clerk under "City Clerk" rather than under "City Attorney" where it currently is documented.

Councilman Chancellor moved to approve the seconded reading of Ordinance #351-2015. Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Second Reading and Decision on Ordinance #352-2015 Regarding Section #1-7B-1 the Office of City Attorney

Mayor Hamilton introduced the ordinance, stating this one also removes gender designation and defines duties of the City Attorney.

Councilwoman Smith motioned for the second reading of Ordinance #352-2015.
Councilman Nelson seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Second Reading and Decision on Ordinance #354-2015 regarding Section #6-4B-2 to add Language Prohibiting Roosters

Mayor Hamilton introduced the ordinance.

Councilman Chancellor motioned to approve the second reading of Ordinance #354-2015. Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Second Reading and Decision on Ordinance #355-2015 regarding Section #8-5-4 to Modify the Name of the Utility Power Company

Mayor Hamilton introduced the ordinance.

Councilman Nelson moved to approve the second reading of Ordinance #355-2015 regarding the name change on our utility provider. Councilman Chancellor seconded the motion. Councilman Chancellor questioned if this ordinance could be written so that the City doesn't have to do this when/if the company name changes in the future. The ordinance is written to include "or its successor." There was no further public comment.

MOTION PASSED UNANIMOUSLY.

Second Reading and Decision on Ordinance #356-2015 Regarding Section #9-4-1 Allowing for all Users to Request Modifications in Basic Sewer Rates and Other Clarifications

Mayor Hamilton introduced the ordinance.

Councilwoman Mickelberry made a motion to approve for second reading of Ordinance #356-2015. Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

REPORT OF OFFICERS

Deputy Clerk Kelly Smith reported that the InterCap loan has been applied to for the new light duty equipment Wendell Ewan reported on at the February 10, 2015 meeting. The interest rate is 1.25%.

City Clerk Crystal Turner asked the Council regarding the rodeo cost sharing letter to ensure there were no further edits. She will send this letter out to most businesses along Main Street who remain open during the weekend and/or street dance, per George Chancellor's suggestion.

Deputy Metcalf did not have a report.

REPORTS OF COUNCIL COMMITTEES

There were no committee reports.

UNFINISHED BUSINESS

Water Project: Dennis Nelson reported that at the last committee meeting the Water & Sewer Committee requested a breakdown of Great West Engineering's overages due to the extra days on the project. Joel Pilcher responded yesterday. Dennis would like to have a meeting with the Committee on Thursday to discuss what will become a change order request for payment from Great West.

Wastewater Project: Dennis Nelson reported that he was aware that Fred Phillips of Great West had requested some additional information from Kelly Smith. Dennis asked if Kelly had provided that to Fred yet, and Kelly responded she had. This project will probably start late March 2015.

Mayor Hamilton thanked Dennis for the extra time and effort he's put in on both the water and sewer projects.

NEW BUSINESS

There was no new business.

PUBLIC COMMENTS/CONCERNS

There was no public comment.

MAYOR & COUNCIL ANNOUNCEMENTS

There were no Council announcements.

Mayor Hamilton was pleased to report that the kids at school did very well at the regional science fair at Montana Tech in Butte. Out of twenty-two schools, Three Forks took second place. The high school regional science fair occurs tomorrow in Butte.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: March 10, 2015

There were no items as of this time.

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn.

Councilman Chancellor made a motion to adjourn. Councilwoman Smith seconded the motion.

MOTION PASSED UNANIMOUSLY. (7:38 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

MARCH 10TH, 2015, The Three Forks City Council met in session in the Council Chambers at 206 Main Street, and was presided over by Steven B. Hamilton, Mayor. Mayor Hamilton called the meeting to order at 7:00 P.M. for the FIRST meeting of March 2015.

PRESENT: Mayor Steven B. Hamilton, Council members Sharon Smith, Ed Tharp, Dennis Nelson, Teri Whitesitt, George Chancellor and Debra Mickelberry.

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

The Pledge of Allegiance to the American Flag was led by Mayor Hamilton. Reminder to the public that the meeting is being recorded both audio and visual.

GUESTS: Gloria Howland, Andy Malby.

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing none he introduced the consent agenda.

CONSENT AGENDA

Approval of Claims Paid due to Timeliness in the Amount of \$6,170.50;
Approval of Claims per List.

Councilwoman Smith motioned to approve the consent agenda as presented.
Councilman Chancellor seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC HEARINGS

There were no public hearings.

REPORT OF OFFICERS

City Clerk Crystal Turner reported that the City is seeking volunteers to serve on the Zoning & Planning Board and the Gallatin Conservation District. The GCD is seeking representatives from both Three Forks and Manhattan, of which each City must approve the other's representative. The District works on soil conservation, water conservation and "farm to table." They are seeking someone with an urban interest, and this board makes major decisions on stream permitting. If anyone is interested in either board, please complete an application at the City Hall.

Crystal also proposed to the Council about a landscaping requirement to the Zoning Ordinance and explained the process as suggested by both Kelly Smith and Ralph Johnson about a year ago.

Crystal reported she contacted Terrell's Office Supply to cancel the existing service contract on the old Kyocera printer/copy machine which would automatically renew in April. The City no longer has this machine but we had to write them within 30-days of the contract expiration date. Terrell's offered a service contract on the City's small desktop printer for toner, 1,000 copies/month and free replacement if it died (refurbished) for \$20/month. Mayor Hamilton added that the replacement cost of this printer would be roughly \$200. George Chancellor questioned what the purpose of this desktop printer is; Kelly Smith replied it is mainly to print utility bills and our checks for payment/payroll. George asked if the Clerks thought the City should have this and both replied "no." The Council agreed it was not a good use of money. Crystal will inform Terrell's of this.

Deputy Clerk Kelly Smith reported the City had a loose dog, which Sgt. Peterson took to the Heart of the Valley Animal Shelter. They informed him the City does not have a contract with them to house our animals. He stated that the County has a contract, and he can write tickets under the County when a dog-at-large is turned into them, or the City could consider its own contract. Manhattan has a contract with Heart of the Valley and it costs \$50/day. The County's contract is the same (she believes). Writing tickets under the County though would lose the revenue to the City, but would be a benefit to the public because they could pay the County seven days a week for their fine and collection of their dog vs. the City only being open Monday-Friday. The Council's thoughts were to leave it with the County: it's more flexible for the public, they could get their dog sooner since the City isn't open seven days a week, and the City doesn't generate much revenue from dog tickets anyway.

There was a memo provided by City Attorney Susan Swimley regarding use of email, and use of personal email.

REPORTS OF COUNCIL COMMITTEES

There were no committee reports.

UNFINISHED BUSINESS

Water Project: There has been no reply from Great West Engineering on the letter the Water & Sewer Committee sent them on February 27, 2015.

Wastewater Project: TSEP Draw #9 in the Amount of \$33,498.00

Councilwoman Smith move to approve that TSEP Draw #9 in the amount of \$33,498 and approve your [the Mayor's] signature on that. Councilman Nelson seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Great West Engineering Contract Amendment #5

This item has been continued until the next meeting.

Mayor Hamilton announced that the City was contacted by Senator Tester's office because the City is a grant recipient from the Army Corps of Engineers funding the wastewater project in the amount of \$400,000.00. Andy Malby added that there was a press release last week on this award.

Dennis Nelson asked if this would be administered by Great West Engineering. Mayor Hamilton stated it would. Dennis reminded this would probably have a 25% holding on the WERDA funding. There will be a conference call on Thursday the 12th to discuss this. Kelly Smith said she spoke with Anna Miller of DNRC today about how this grant could be applied to the various project costs. Anna suggested possibilities like a 25- or 30-year loan (which could be paid off early without prepayment penalties) which would help in any sewer rate increases. Andy Malby added that there was \$3,000,000 distributed among ten recipients, so for Three Forks to receive \$400,000 this is quite substantial.

Discussion and Possible Decision Regarding Main Street Closure over Rodeo Weekend and Cost-Sharing Agreement between the City, Chamber of Commerce, Three Forks Fair Board and Local Bars

Mayor Hamilton stated the Council had a copy of the letter sent out by the City, and three public comment letters received from Dean Folkvord in support to keep it as is and they will continue paying their share; from Gary Boyer requesting to not further raise business or beer/wine license fees and suggesting other options; and from Joe Peterson in opposition to raising any fees. Mr. Hamilton added that Wendell Ewan has done some research and is in process of collecting quotes to purchase our own signs.

Councilman Chancellor made a motion to table this until we have all the information. Councilwoman Smith seconded the motion. George Chancellor asked when Wendell Ewan is expected to have final quotes for purchasing our own signs. Mayor Hamilton said he should have this by the next meeting. Kelly Smith stated that whatever decision is made, the permit application to the Dept. of Transportation should be applied for it in the next month or so. Mr. Hamilton added that the Superintendent of Schools Mr. DoBell asked that he relay the suggestion of having the street dance promoted - essentially people/businesses would pay in and all those would be advertised on a poster as well as paying/hosting the cost. Mrs. Whitesitt suggested a button be purchased for all those in attendance, but

the Council questioned how it would be enforced. Mrs. Whitesitt asked if the letter sent by the City put any pressure on the businesses who previously agreed to come forward and pay. Crystal Turner responded that it had not. Andy Malby stated the Chamber agreed to pay for 2014 but did not make a decision on future cost sharing. Crystal reminded the Council that our attorney has advised that the City should not be in the business of hosting parties.

MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

Fire Department Interlocal Agreement Meeting Update and Plan to use \$16,000 from Impact Fees for SCBA's in Future Budget

Mayor Hamilton reported that he, Dennis Nelson, Ed Tharp, Sharon Smith and George Chancellor attended this meeting last month, per the annual requirement in the Interlocal Agreement. Dennis added that during discussion with the Rural Fire Board, it was said that the Rural has \$16,000 saved from the insurance repayment from last year's accident. They would like to budget with the City to apply for a grant to replace more SCBA's. They run roughly \$8,000/each. The Rural and City would like to replace 12 of these apparatus total. The City would have to match the Rural Board's contribution, and since the City has Impact Fees available they discussed "earmarking" \$16,000 to be used as the match. The group also discussed the interlocal agreement at that time, but neither party had any changes since they just finalized it a couple months prior. Dennis asked if we should have a motion tonight to designate this money in next year's budget. Mayor Hamilton suggested doing this as part of the budget process with a line item for SCBA replacements.

PUBLIC COMMENTS/CONCERNS

There was no public comment.

MAYOR & COUNCIL ANNOUNCEMENTS

Dennis Nelson reminded the public that open burning is now allowed in the County. Permits are available online and at the Library. He urged everyone to be safe and careful. "It's very dry out there and there have already been two fires on the news."

George Chancellor asked when the deadline for anything to be on the ballot is. Crystal Turner contacted the Clerk & Recorder's office today and was informed that the City would have to provide the County with ballot language the first week of August.

Mayor Hamilton met with Gene Townsend yesterday and learned the Historical Society is ready to install gas and electricity into the Depot building. He wanted to let the Council know and ensure all were OK with that, as per the lease. The Council agreed with this improvement.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: March 10, 2015

- Great West Engineering Contract Amendment #5
- Decision Regarding Main Street Closure over Rodeo Weekend

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Nelson "so moved." Councilwoman Smith seconded the motion. There was no public comment. **MOTION PASSED UNANIMOUSLY.**

MOTION PASSED UNANIMOUSLY. (7:40 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

MARCH 24TH, 2015, The Three Forks City Council met in session in the Council Chambers 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 March 2015.

PRESENT: Mayor Steven B. Hamilton, Council members Sharon Smith, Ed Tharp, Dennis Nelson, Teri Whitesitt, George Chancellor and Debra Mickelberry, Staff Kelly Smith, and Crystal Turner.

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

The Pledge of Allegiance to the American Flag was led by Mayor Hamilton. Reminder to the public that the meeting is being recorded both audio and visual.

GUESTS: Mike and Gloria Howland, Fire Department Secretary Barbara Mutter, Fire Department Asst. Chief Brad Eastty, Fred Phillips of Great West Engineering, and Faith Cain.

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing none he introduced the consent agenda.

CONSENT AGENDA

Approval of Claims per List(s)

Approval of Meeting Minutes from February 24 and March 10, 2015

Councilman Nelson brought to the attention of the Council that two bills in the claims to be approved have not followed the traditional process of establishing wages via a resolution. Those claims are #141237 and #141240. In the past the City has not had any official record/documentation outside of budget hearings that the Fire Chief, Keith Aune is paid \$650/year and Fire Secretary/Barb Mutter is paid \$400/year. We need to hold these bills and get a resolution put together. Crystal Turner stated that she will draft a resolution and have it before the Council at their 4/14/2015 meeting. Mayor Hamilton stated in the future we will have these on the annual salary resolution.

Crystal added that Claim #141241 has been amended since the Council was emailed the Claims Approval List. The amount written on the invoice to be split was incorrect. Rural Fire Treasurer/Secretary Gene Townsend brought

it to our attention - both the City and Rural will split the total of all the MES invoices 50%.

Councilwoman Smith moved the consent agenda with pulling those two claims and making that adjustment. Councilman Tharp seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC HEARINGS

Public Hearing and Decision on First Reading of Ordinance #357-2015 Amending Ordinance 349-2015 to Include "and/or" Allowing the Judge to Impose a Combination of Fine/Sentence

Mayor Hamilton read the entire ordinance into the record.

Kelly Smith added that "or any combination of fine/sentence" was also added to the previous version of this ordinance.

Councilman Nelson made a motion to approve Ordinance #357-2015 as presented. Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

REPORT OF OFFICERS

Assistant Fire Chief Brad Eastty distributed an expense plan for the remainder of FY2014-2015 which includes 2 turnouts, half a helmet (Rural will pay for other half), 1 furnace piece, 4 pagers, and 8 volunteer firefighters to attend training in Cody, Wyoming. The Department has elected to defer a purchase of extrication gloves and the Lewistown driving school, mostly due to new recruits still on probation who cannot drive the trucks yet as well as the budget does not allow for all this within this fiscal year.

Barbara Mutter added that the Department will work on a preliminary budget next month and provide it to the Budget Committee by May 1st. The Department is also going to work on a memorial service to be held on the anniversary of former Chief Todd Rummel's death.

Deputy Clerk Kelly Smith reported that the City has received approval on the INTERCAP loan for the lightweight utility vehicle. Estimated delivery is April 6th, and the money to be available between April 17-24th.

City Clerk Crystal Turner did not have a report.

REPORTS OF COUNCIL COMMITTEES

Councilwoman Smith thanked the City for beginning work on the alleys stating, "They are looking very nice."

Councilman Nelson reported that the Budget Committee will plan on meeting after the first of April, once the budget is finalized for this quarter.

UNFINISHED BUSINESS

Water Project: SRF Draw #8 in the Amount of \$26,491.00

Mayor Hamilton introduced the draw request.

Councilwoman Smith motioned to allow you [the Mayor] to sign off on the SFR Draw #8, in the amount of \$26,491.00. Councilwoman Whitesitt seconded the motion.

Councilman Nelson asked the Clerk to verify this was to pay the final amount to Bullock Construction. Kelly Smith confirmed that it was. There were no other Council comments. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Councilman Tharp questioned the cover sheet showing \$26,491 and the Great West Summary sheet showing \$22,491. Crystal Turner explained she was confused as to which was correct as well, but upon adding the two invoices included in the draw request, the total was \$26,491.23. Draw requests are always rounded up or down, so the amount as scheduled is correct.

Wastewater Project: Great West Engineering Contract Amendment #5

Fred Phillips explained the detail of Amendment #5: additional time for a second inspector to be on site, addition to grant administration by two months. During discussions with the Water & Sewer Committee, Great West encouraged extending the project timeline from 5 to 7 months due to the changes occurring, so that extension ends up costing about \$8,000. One item in particular Fred wished to draw the Council's attention to is a "at no cost" item on page 1, #1.a.iii. stating, "Great West shall perform post-construction phase services in accordance with Exhibit A.1.06 of the construction contract." Its intention is to protect both the engineer and the employer (the City). Fred stated that they are also including the unscheduled employment charges (a withholding in the event of unscheduled employment by the contractor) with all invoices moving forward, and the Department of Revenue's 1% Contractor's fee.

Councilman Nelson asked if the contractor payment of 1% to the Department of Revenue is paid upon the project's completion, or at each invoice. Fred Phillips answered that it is paid with each invoice.

Fred added that there is always a potential for change order work (on both sides of the contractor or the City). He just wanted to remind the Council of that, but the "Unscheduled Engineer Time" in this amendment is not for that -if any change order time occurs later in this project, it would be factored separately.

Mayor Hamilton asked that if there are change orders (for instance we already know this might not be done in five months and the engineers are suggesting seven months), would that need a change order? There was discussion about the requirement of the contractor to notify the owner and/or engineer as soon as possible when they are aware of any potential changes. For instance, if a change occurs in July, they are required to notify the engineer and the City in July.

Mayor Hamilton stated he read through this and appreciated Fred's detailed explanation. Dennis Nelson reported that as far as a Committee, they were in agreement with this amendment.

Councilman Nelson made a motion that we would allow Steven to sign off on the Amendment to Owner Agreement #5 effective date March 10th, 2015.
Councilwoman Smith seconded the motion.

Mike Howland asked if this was the same company who dug up the streets for the water project. Dennis Nelson replied, "No, it's a different company." Mike asked, "Isn't Great West involved with that too?" Dennis explained Great West's responsibility with the projects as the Engineer.

MOTION PASSED UNANIMOUSLY.

Approval of IAC's Proposal for Final Design, Engineering, Materials, Panel Fabrication, and Construction Drawings and O&Ms of CP100 and CP200 SCADA Panels in the Amount of \$35,629.23

Mayor Hamilton explained this proposal covers mostly final design of two new SCADA panels, final engineering, purchasing materials and construction of the SCADA panels, construction drawing and Operation & Maintenance Manuals.

Councilman Tharp moved to allow the Mayor to sign off on IAC to construct of the panel. Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Approval of IAC's Proposal for Final Engineering of CP100 and CP200 SCADA Panels in the Amount of \$23,204.54

Mayor Hamilton explained this proposal covers the final programming of the built SCADA panels.

Councilman Tharp moved to approve IAC's proposal for the final engineering of the project. Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Decision Regarding Main Street Closure over Rodeo Weekend and Cost-Sharing Agreement between the City, Chamber of Commerce, Three Forks Fair Board and Local Bars

Mayor Hamilton explained that the Council has a proposal typed up in their packets drafted by Dennis Nelson.

Dennis said he was trying to come up with a way to share the costs for blocking the streets off for various events held in Three Forks: rodeo weekend street dance and the Christmas Stroll. He thought we could divvy up the costs of roughly \$1,800/year for the annual sign rentals. The City will still incur the costs of cleanup - that is inevitable. He proposed taking Wendell Ewan's estimate of \$3,800 to purchase new barricades, to be purchased with gas tax money so that taxpayers are not funding it. He asked the Clerks to contact MMIA and get another quote for event insurance. He proposed using the quote of approximately \$825 (per year for three years) for insurance is used in the draft proposal, with the one-time cost of \$3,800 for barricades comes to \$6,275, and the City applying for the permit and the insurance. He already spoke with Wendell Ewan to see if they could setup and teardown the barricades. At a three-year payback we would need to generate \$1,046 from both the Chamber (Christmas Stroll) and Fair Board (street dance) for each of those three years. We also factored a five-year payback which would require \$792.50 by both entities each year. It's a proposal to keep the street dance in place. He would not want to move forward with anything without a clear contract in place with those entities fully supporting (financially) a payback system. If no one wants to sign something like that, he proposes we do nothing this year and see if others will step forward, but doesn't want to take the gamble for the City. He understands that there will be people driving down Main Street and bands wouldn't be able to be on the street, etc. Dennis greatly enjoys the street dance.

Debra Mickelberry commended Dennis for his proposal. She felt the City's contribution should be to purchase the barricades, and leave the permit and the insurance requirement to the other entities. She added that with the City Attorney's recommendation to "not host a party", even with the potential of being sued even when we aren't a host, the City should do all it can to not be named as a "host".

Teri Whitesitt said she spoke with Christina Kamps of the Fair Board about charging \$1.00 more per ticket to cover this cost. Christina felt that it would negatively impact families who attend the rodeo, and most of the

families don't attend the street dance anyhow. Crystal Turner added that she also spoke with Chuck Wambeke of the Fair Board, who said that any gate fee increase has always decreased their attendance. With both those comments, Crystal added that she felt the City would have a hard time collecting any three- or five-year payback cost from the Fair Board.

There was discussion regarding the payback agreement and being able to force a group to pay. Mayor Hamilton added this was a great starting point because if someone/group doesn't like it, they could propose something different. Debra Mickelberry added that we are running up against a deadline to apply for the permit to close the street and purchase barricades. Teri Whitesitt said she thinks that with one year testing of not closing the street, the community and businesses may come up with a plan for the future. She added that unless they get something in writing with someone committing to the costs, the City doesn't do anything this year.

Faith Cain commented about the street not being closed and asked where the liability lays when bands are setup along the street. Kelly Smith said if the street isn't closed, bands can't be on the street; those are parking spaces.

Kelly Smith added that everyone enjoys the street dance here, but should it be a taxpayer expense? Dennis Nelson echoed that statement, and said he's enjoyed some twenty-plus street dances.

Mayor Hamilton proposed sharing this proposal with the Chamber and the Fair Board and then coming back to make a decision. Dennis Nelson said that it's already been shared with Chuck Wambeke and the Chamber.

Gloria Howland thinks this [proposal] is a good idea, but without any commitments she thinks the City will be paying for the signs and won't be repaid. The Council agreed with her.

Dennis Nelson feels he would like to put this in a motion form that the City not arrange for any purchase or rental of street barricades for either the rodeo/street dance or Christmas Stroll. He'd also like to include this proposal, or any other, to be entertained at a later date to be negotiated on the cost-share. Faith Cain asked if the City applied for a permit, would it be transferrable? No one knew the answer and Kelly stated she would ask Wendell to find out.

Mayor Hamilton stated that this is scheduled for a decision on the agenda, so by not deciding to apply for the permit the City is essentially making a decision.

Crystal Turner asked about refunding those who did pay their cost-share amount as originally requested. The Council agreed to refund those that have paid to date. Crystal will put the reimbursement claims on the next agenda.

Teri Whitesitt asked about the beer/wine license fees that increased last year being reimbursed. Crystal said that it wasn't the original intention but was definitely discussed as going towards rodeo costs after the beer/wine license fees were the only ones to be increased. Teri agreed that it was an afterthought to use it for rodeo costs.

NEW BUSINESS

There was no new business.

PUBLIC COMMENTS/CONCERNS

There was no public comment.

MAYOR & COUNCIL ANNOUNCEMENTS

Dennis Nelson said that Kelly Smith and Fred Phillips reviewed final sewer rate increase options. He'd like to get the Water & Sewer Committee together Thursday the 26th at 4PM.

George Chancellor made an effort to contact the Committee Chair of the Belgrade Parks regarding the splash park, and is waiting a response. Once he receives a response he'll organize a Park Committee meeting.

Mayor Hamilton reported the academic teams at the middle and high schools did very well. They will be competing at State in April.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: April 14, 2015

- Conditional Use Permit for a Home Occupation for Edward Wilson
- Second Reading of Ordinance #357-2015
- Discussion Regarding Eliminating the Wading Pool and Placing a Mill Levy Option on November Ballot to Create a Splash Park
- Board Appointments (if applications are received)
- Resolution Establishing Wage for Fire Department Chief and Secretary

Dennis Nelson and Fred Phillips discussed when the rate increase would need to be adopted. The Council could start the public hearings at the first April meeting, with final adoption in May. They directed the Clerk to add the following to the 4/14/15 agenda:

- Public Hearing on Sewer Rate Increase

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilwoman Whitesitt "so moved." Councilwoman Mickelberry seconded the motion. There was no public comment. **MOTION PASSED UNANIMOUSLY.**

MOTION PASSED UNANIMOUSLY. (8:17 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

APRIL 14TH, 2015, The Three Forks City Council met in session in the Council Chambers at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:01 P.M. for the FIRST meeting of April 2015.

PRESENT: Mayor Steven B. Hamilton, Council members Sharon Smith, Ed Tharp, Dennis Nelson, Teri Whitesitt, and George Chancellor, Staff Kelly Smith, and Crystal Turner, and City Attorney Susan Swimley. Debra Mickelberry was excused.

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

The Pledge of Allegiance to the American Flag was led by Mayor Hamilton. Reminder to the public that the meeting is being recorded both audio and visual.

GUESTS: Diane Phillips, Robert DoBell, Mike and Gloria Howland, Heather Vandolah, Ron and Mickie Imberi, Andy Malby (7:12), and Fred Phillips (7:32).

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns.

Robert DoBell, on behalf of the Chamber of Commerce, spoke regarding the rodeo/street dance and advocated that the City continue to do what has been done historically. The street dance brings a lot of people to town, lots of class reunions, does a lot for the businesses, and he encouraged the Council to maintain it at status quo.

Mickie Imberi spoke as a landlord of many rentals in town and was speaking on behalf of her renters who have small children. She stated that her renters enjoy the rodeo weekend and believed that it would be safer for the children to have the street closed. She asked that the City consider closing the street and leave it as it has been. As a Chamber member, she didn't agree it helps all the member businesses, but believes it helps many businesses and again echoed it be kept the same.

Gloria Howland said that she is not a Chamber member and feels as a city taxpayer she does not believe it benefits the taxpayers to use their money to close the street.

Councilwoman Whitesitt asked if she could read the letter from Dean Folkvord offering to purchase a set of barricades into the record. Mayor Hamilton agreed. Mrs. Whitesitt read Mr. Folkvord's email saying the Sacajawea would commit to purchasing a set of barricades, doing the permit work for a smaller closure area, and will clean up their own mess.

Mrs. Imberi rebutted that the Chamber put forth an effort to pay that cost-share and their money has been returned to the Chamber. She personally felt "smacked" by receiving the money back. Mrs. Whitesitt responded that the cost-share was really an all [who agreed to contribute] or nothing deal and when not all paid their portion, the City felt they needed to return the money to those who did pay. She reminded everyone that the City is under the advice of the City Attorney to not be involved in hosting this party.

Crystal Turner stated that Chuck Wambeke, on behalf of the Three Forks Rodeo and Arena Board of Director's, has also verbally offered to purchase the barricades.

Robert DoBell said that every town in Montana has their "annual day". Bozeman has Sweet Pea, Manhattan has Potato Festival, Belgrade has the Fall Festival - Three Forks has the Annual Rodeo. We sell that "Three Forks is Montana's favorite small town" and losing this may take away from the essence of what Three Forks is. Three Forks used to have the Horse Drive and we've lost that event. If we send a message that we don't value safety and won't block off the street, he thinks Three Forks would lose this annual event as well.

Mike Howland commented that he doesn't believe anyone has a problem blocking off the streets. He believes it is that no one wants to be liable. It is surprising to him that the businesses that benefit most from this are not here tonight to offer up anything. He thought it was a nice gesture of Mr. Folkvord to offer to do it all.

Susan Swimley suggested to Mayor Hamilton that the Council take this information in for a future discussion and decision. This has just been provided as public comment and cannot be decided upon tonight. Mayor Hamilton asked that this be placed on the next meetings' agenda. He added that he will speak with Mr. Folkvord about the area he planned on closing.

Robert DoBell, on behalf of the Three Forks School District, spoke regarding the upcoming J24 School District Trustee Election. They have one position available, and two candidates (Zac McCauley and Candace Rochford). He urged everyone to find out about the candidates and said anyone can come to the school to find out more on April 28th from 7-8:45pm. There is also a general fund mill levy on the upcoming ballot for school

books and supplies, get on a salary matrix and a 2% salary increase, as well as health insurance costs. He urged everyone to vote when they receive their mail ballots.

Seeing no other public comment Mayor Hamilton introduced the consent agenda.

CONSENT AGENDA

Approval of Claims per List(s)

Pledged Securities Report

Approval of Meeting Minutes from March 24, 2015

Councilman Tharp pulled claim #141285 which is for a claim allowing him to attend the Billings Spring Session. He will not be attending and would like to not pay this claim.

Councilwoman Smith motioned to approve the Consent Agenda with the removal of that one claim. Councilwoman Whitesitt seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Crystal Turner explained that Claim #141285 also included Sharon Smith's registration. She apologized for not bringing this up prior to the vote, but asked that the Council amend this claim so that Sharon's registration could still be paid.

Mayor Hamilton asked for a motion to approve Claim #141285 for the amended amount of \$170.00. Councilman Nelson "so moved." Councilman Chancellor seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC HEARINGS

Public Hearing and Decision on a Conditional Use Permit for a Home Occupation in the Residential Zone for Edward Wilson, Wilson Engineering, PLLC

Councilman Nelson recapped the Zoning and Planning Board meeting. Susan Swimley advised that the Council's motion, if it approves this, should be to approve as it was applied for (meaning no employees) so that the business does not grow without an amendment to this CUP application.

Councilwoman Whitesitt moved to approve the conditional use permit for Edward Wilson, so that it is consistent with the application. Councilman Nelson seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Public Hearing and Decision on the Second Reading of Ordinance #357-2015 Amending Ordinance 349-2015 to Include "and/or" Allowing the Judge to Impose a Combination of Fine/Sentence

Councilwoman Smith motioned to approve the second reading of Ordinance #357-2015 that amends Ordinance #349-2015 to include "and/or" allowing the Judge to impose a combination of fine or sentence. Councilman Tharp seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Discussion Regarding Salary Amount for Fire Department Chief and Secretary

Mayor Hamilton explained that this is supposed to be reviewed every year by the City Council. Crystal Turner added this discussion to the agenda because the Chief and Secretary has been paid a flat amount in years past. Since this wasn't discussed by the Council directly at the budget time, she wanted to ensure this was a net or gross amount to be paid, prior to the Council adopting the resolution. In the future these salaries will be included in the resolution adopting salaries. Susan Swimley stated these are employees and we will need to withhold payroll taxes.

Teri Whitesitt asked why this hasn't been done in the past. Crystal stated she wasn't exactly sure and Susan Swimley added that we didn't look back at year's past on how this was done, but just reviewed current payroll tax laws and since they are considered employees we want to do it right moving forward.

Mayor Hamilton asked if the Council would like to set the salaries at the rate budgeted as gross or net. Teri Whitesitt stated she would like to see them get a raise, but understands Chief Aune is new. Crystal added that it's not up for discussion/decision regarding a raise - the amount is already set in the budget to cover these payments. We just wanted clarification on having payroll taxes taken out at the \$650.00 and \$400.00 amounts, or having the employee net closer to that amount. George Chancellor commented that he believed we should take taxes out this year and deal with any raises next year. Dennis Nelson agreed.

Public Comment - Mickie Imberi spoke from a bookkeeping standpoint and stated that even if they received money in the past as a claim check, they should have received a 1099 in the past and claimed that money as income.

Mayor Hamilton said he is essentially hearing that the Council opts for these amounts to be pre-taxed. The Council agreed.

Public Hearing and Decision on a Resolution Establishing the Salary for the City of Three Forks' Fire Department Chief and Secretary for FY2014-2015

Mayor Hamilton read into the record Resolution #227-2015.

Teri Whitesitt asked if the Mayor knew Barbara Mutter was retiring. She asked if we needed to put names in the resolution and about this being a resolution setting their salary at this rate permanently. Crystal Turner responded that this is only for this fiscal year, and the future salary amount(s) will be in the salary resolution during budget time every year.

Councilwoman Smith motioned to approve Resolution #227-2015 establishing and designating the salaries of the Fire Department Chief and Secretary. Councilman Nelson seconded the motion. There was no public comment.
MOTION PASSED UNANIMOUSLY.

Public Hearing and Decision Authorizing Participation in the State of Montana Annual Adjustable Rate Tender Option Municipal Finance consolidation Ace Bonds (InterCap Program) Approving the Form and Terms of the Loan Agreement and Authorizing the Execution and Delivery of Documents Related Thereto (Lightweight Utility Vehicle)

Mayor Hamilton said this is Resolution #227-2015 and for a lightweight utility vehicle which will be used by the Streets, and Water & Sewer Departments.

There was discussion regarding the interest rate of 1.25% and the term of the loan. This loan is for three-years. Dennis Nelson asked if the grader was paid off yet. Kelly Smith stated it was. Dennis added that this bobcat will be necessary to move sludge in the new lagoon system. It will also be used to plow the trails, sweep alley bibs and other uses.

Councilwoman Smith moved that we, the Council, approve that you sign off on these documents to get that InterCap Loan. Councilman Tharp seconded the motion. Public Comment: Mickie Imberi asked how much the total was. The Council responded that it was \$31,910.00 and would be used by all departments, as well as split out the loan payments over those budgets.
MOTION PASSED UNANIMOUSLY.

Public Hearing and Discussion Regarding Increasing the Rates for the Users of the Municipal Sewer System

Councilman Nelson said that the Water and Sewer Committee looked at a few possibilities: 20-, 25- and 30-year loans. The committee really only looked closely at the 20- and 25-year loans. They realize they have raised the rates on water and sewer the last few years but knew they may have one more and were hoping to keep it around \$5. By looking at the 20-year loan it saved the City about \$365,700 in interest. They looked at

options of raising the base rate and the overage charge, or just raising the overage charge (anything over 400-cubic-feet). On the 25-year loan they looked only at adding that cost to the overage charge. However, looking at the 20-year loan and adding \$4.26/month all into the overage charge keeps the majority of residential users' costs the same, and only would raise those who use more and impact the system more. Anyone using 400-cubic-feet or less, their base rate remains the same. Any overage per 400-cubic-feet instead of the current \$2.71 fee, it would be raised by \$4.26 to a total of \$6.97. He thanked Great West Engineering for helping them do a lot of work,

Public Comment: Diane Phillips asked what the percentage of residences use over 400-cubic-feet. Kelly Smith replied that we do not know that exactly but the average residence uses 496-cubic-feet (which may have household size factors or excessive users). Mayor Hamilton added that he thinks the Committee opted for the best solution. He added that he believes it encourages conservation. Gloria Howland gave a thumb's up to the recommendation. Mickie Imberi said that as an owner of eight rentals in town, she hears a lot of heartburn from her renters when she explains that they can just about expect a \$100.00 water/sewer bill. She understands that there are a lot of requirements and it costs money to have a water and sewer system - she just wanted it on record that it's tough for her rental business. Dennis Nelson responded that he appreciates that, but after much education and discussion, heavy users greatly impact the system. Dennis said, "There is a \$6,000,000 hole in the ground out there that requires a lot of attention." For businesses, one benefit is that any increase can be considered as a tax-deductible expense. For the residences who are heavy users they should be paying their impact. There was discussion between Mickie Imberi, Kelly Smith and Mayor Hamilton regarding how she can educate her renters on where the 400-cubic-feet of use is and how one can conserve. Kelly explained the winter average and how that affects your bill the rest of the year.

REPORT OF OFFICERS

Deputy City Clerk Kelly Smith did not have a report.

City Clerk Crystal Turner did not have a report.

City Attorney Susan Swimley apologized for not being able to attend the last meeting where she sent a report on private and public emails. She echoed her report submitted on 3/10/2015 regarding lawsuits about public meetings. She gave examples of an email from the Clerk to all the Council sending out the agenda or packet is fine, or a Council member replying to all and saying their opinion on one of the items becomes a public meeting without the public notice requirements. She stressed that any "meeting"

via in person, on the phone, email or any electronic device has the potential to be a meeting. She urged everyone to not use their personal email and gave the example of Hillary Clinton's recent scandal. She urged the Council to reply to only one person, and to utilize the Clerk to serve as the "filter" for those types of possible meetings.

Susan Swimley explained to the Council that the City was sued regarding a tract of land by the airport, which the City has no legal interest in. It started with someone wanting to buy a 50-foot tract, where the State tried to do a quiet title (saying they do own it and want to sell it). You can see on the map she distributed that the City has a gate into the City yard as well as a pretty well-used tract which can be seen from Google Earth. She just wanted to let the Council know the City has no legal interest in the property, but we may be interested in buying this in the future. The State would pay for the appraisal and has legal notice requirements to meet so something to think about in the next few months.

Susan Swimley also reported that the Council will see an amendment to the Rural Fire and City Fire Interlocal Agreement regarding the annual payment to the Chief by the Rural Board. In the future, since the Chief is a City employee, the Rural will provide the payment to the City and then the City will pay the employee via regular payroll practices. She added that there is also an Interlocal Agreement between the Willow Creek Rural Fire District the Three Forks Rural Fire District for a training center which is on City land. It is coming up for another 5-year renewal unless either party notifies the other stating they wish to dissolve or amend it. Susan has heard that the Three Forks Rural Fire District may be interested in doing something different. These are just discussions right now but she wanted the Council to be aware of them. Dennis Nelson added that he attended the meeting last week with Bruce Felz, Dave Hargrove and George Reich regarding possibly using the funds they have set aside for the training center on something else.

REPORTS OF COUNCIL COMMITTEES

Parks Committee - George Chancellor reported that he and Teri Whitesitt attended the Kiwanis meeting last night to discuss the Kiwanis' desire to make an addition to Ed Bellach Park. He informed them that any ideas they have, he requested be in writing with a plan, submitted to the Parks Committee. He also suggested that they could present at a Council meeting.

Budget Committee - Dennis Nelson reported that they met last week to review Quarter 3 of FY2014/2015. Overall, the General Fund total is at 61%. They reviewed the departments/accounts individually as well. The Financial Administration account consists of basically administration,

financial, Fire, Streets, Planning & Research, City Court - some items were not budgeted this year and yet the overall budget is still coming in at 63%. Within the Public Safety Fund the City hadn't paid the 3rd Quarter payment to the Gallatin County Sheriff at the time they reviewed but it was approved in tonight's claims. He felt overall it looked very good. One issue is that the Library Fund total is at 73% and it appears that they will only have about \$11,000.00 left for the remainder of this fiscal year, after making the remaining fiscal year payroll. Dennis asked that Steven Hamilton bring this to the attention of Library Director Debbi Kramer. Steven said he will be attending the Library Board meeting tomorrow and will talk to Debbi and the Board.

UNFINISHED BUSINESS

Water Project:

No items, but Dennis Nelson wanted to report that over the last few years the City has received \$975,841.56, and has spent \$975,849.77. Anyone that is concerned about where the dollars have gone, we have all the proof regarding the project costs.

Wastewater Project:

Fred Phillips of Great West Engineering reported we had our first pre-construction meeting on April 1, 2015. At this meeting the contractor was granted permission to do some pre-construction work in the barrow pit, but specifically told not to start on the lagoon site until the beginning date of April 6th. We held an emergency meeting on April 6th to discuss the contractor working on the lagoon site prior to the April 6th start date. At that meeting Great West and the City (Dennis Nelson was in attendance at that meeting) demanded a letter from Smith Contracting regarding why they performed this work without permission. He has received the letter and will forward that on to the City, who he asked to forward on to the City Attorney.

TSEP Draw #10 in the Amount of \$121,810.10

Councilwoman Smith motioned to approve to allow you [the Mayor] to sign that TSEP Draw #10 in the amount of \$121,810.10. Councilman Tharp seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Fred Phillips added that Great West, the City and Smith Contracting hold weekly construction meetings at the City office at 1:30PM every Thursday. He invited anyone interested in learning the project's status to attend these meetings. Dennis added that he takes minutes at these meetings, as well as Great West and Smith Contracting take minutes. All the construction meeting minutes are available at City Hall if anyone is interested in reading them.

Dennis Nelson reported that Crystal Turner provided him some reports on the water and sewer projects. Dennis said, "There was a letter to the editor a couple weeks ago, with a title 'Where Have All the Dollars Gone?' that really irked me." He reported in earlier tonight on the Water project's money to date and added that to date on the Sewer project we have received \$423,271.91 and spent \$396,835.71 to date.

NEW BUSINESS

Diane Phillips spoke on behalf of the Chamber of Commerce regarding the Farmer's Market. They will be holding it again this year and are requesting to move it from Veteran's Park to Milwaukee Park. Diane attended the Historical Society's meeting last week to approach them to see if they would mind the Farmer's Market being held there. They were very open to this idea but said it was a City park. Diane requested permission from the Council to move Farmer's Market to this park. After discussion, the Council agreed to moving the location as well as not charging business licenses to the market vendors.

PUBLIC COMMENTS/CONCERNS

There was no public comment.

MAYOR & COUNCIL ANNOUNCEMENTS

Dennis Nelson said that there is a Zoning & Planning Meeting tomorrow night.

Teri Whitesitt thanked Mickie Imberi for providing eggs to her preschool so the kids could learn about incubating them and watching them hatch. She happily reported that the hatched chicks are already back with Mickie outside of City limits.

Steven Hamilton informed the public that the Spring Cleanup hosted by Republic Services will be held May 2, 2015 and the dumpster will once again be at the Fairgrounds. The Mayor also reported that the Arbor Day tree planting will be held on April 24th at 4PM at Helton-Peterson Park. He invited anyone interested in participating to join him and Lavon Flynn.

Mickie Imberi said that April 25th and 26th is the High School rodeo sponsored by the Fair Board and the Three Forks Chamber. It's for both junior and high school.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: April 28, 2015

- Zoning Designation Change from Neighborhood Highway Business (NHB) to Residential Airport Influence (R/AI) for Roy & Patricia Wherley
- Street closure for rodeo
- Resolution regarding a Sewer Rate Increase

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilwoman Whitesitt "so moved." Councilman Nelson seconded the motion. There was no public comment. **MOTION PASSED UNANIMOUSLY.** (8:17 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

APRIL 28TH, 2015, The Three Forks City Council met in session in the Council Chambers 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 2015.

PRESENT: Mayor Steven B. Hamilton, Council members George Chancellor, Teri Whitesitt, Debra Mickelberry, Sharon Smith, Ed Tharp, and Dennis Nelson, Staff Kelly Smith, and Crystal Turner, and City Attorney Susan Swimley.

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

The Pledge of Allegiance to the American Flag was led by Mayor Hamilton. Reminder to the public that the meeting is being recorded both audio and visual.

GUESTS: Gloria Howland, Roy Wherley and Patricia Wherley.

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing none, he introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claims per List(s)

Approval of Meeting Minutes from April 14, 2015

Councilman Nelson requested to pull claim #141305 to Action911.com for the Fire Department. Dave Whitesitt had told him that it is for an application for their smartphones to alert them of 911 calls, but he wanted more information on this claim before paying it.

Councilwoman Smith motioned to approve the consent agenda with pulling that claim #141305 to find out more information. Councilwoman Whitesitt seconded the motion. Dennis Nelson also noted a correction to the minutes of April 14, 2015 noting that the Three Forks Rural Fire "Department" should read "District", as well as the Willow Creek Fire "Department" should have "Rural" added and change "Department" to "District".

Mayor Hamilton verified both Councilwoman Smith (motion) and Councilwoman Whitesitt (second) agreed to the additional change to the minutes. Both agreed. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC HEARINGS

Zoning Designation Change from Neighborhood Highway Business (NHB) to Residential Airport Influence (R/AI) for Roy & Patricia Wherley

Mayor Hamilton asked that Dennis Nelson, the Zoning & Planning Chairman, explain the application.

Councilman Nelson reported that the Zoning & Planning Board met on April 15, 2015 to hear public comment and hear City Planner Ralph Johnson's staff report and recommendation. He reported that this was the first time he'd seen staff recommend denial, and an approval with conditions.

Applicant Presentation: Patricia Wherley said that even though the staff report encouraged public support, her neighbors all told her that if they were against it they would have come to the meeting to voice that. In light of the Zoning & Planning Board's recommendation, a petition of support was signed and submitted. They have tried selling this property as is (commercial) in the past and not had any interested buyers. They are seeking a residential status as it's easier to qualify for financing. Mrs. Wherley added that one greenhouse has been removed already and there has not been any business activity for more than three years.

Board Discussion: Teri Whitesitt asked the Wherley's if all the signees of the petition are the actual homeowners, and was told that they were. One renter did sign it, but the homeowner did as well. George Chancellor asked Dennis Nelson to explain the comments from Zoning & Planning members Roger Nerlin. Dennis explained that the majority along Hwy 2 is Neighborhood Highway Business and the Mr. Nerlin was basically stating they'd be creating a spot-zone of residential. George asked if it literally stopped the zoning, or just placed a residential "break" in the zone. Dennis Nelson explained that the adjacent property, which is not in the City limits, if this were to become a residential area he didn't believe it would encourage spot zoning. George verified this property is already adjacent to R/AI and Dennis agreed it was.

Public Comment: Roy Wherley stated that there is a three-block break between NHB zone and their property. Gloria Howland stated she didn't see a reason for the Council to deny this request. Patricia Wherley added that they had their property for sale a few years ago and had no offers on the property, so that should mean that no one was interested in the commercial property. Public comment was also received via a petition signed by Dale & Lavon Flynn, Edward Covey, Ronnie & Jackie Anderson, Marcus Gruber, James Yocom, Tara Forsberg, Lucas Babcock, Cheryl Krattiger and Scott Nichols. Mary Hardin also submitted a letter of support via email.

Councilwoman Whitesitt asked where it was stated by Zoning & Planning Board to have public support. The Council directed her to page 5 of the Zoning & Planning minutes.

Councilman Chancellor moved to approve the zoning change for Mr. & Mrs. Wherley. Motion was seconded by Councilman Tharp. City Attorney reminded the Council that they need to explain why they vote yea or nay for any motion and said that they need to go through the 12-point zoning criteria. The Council requested a few moments to read through the staff report again.

Councilman Tharp stated he supports the change because he believes it is in align with the residential zone since there are five blocks until you get to other NHB zoning, and he also doesn't want to hold up a sale of the Wherley's home. Councilman Nelson noted he supports the zone change as well because he disagrees that having commercial in this location, such as a convenience store with heavy traffic and possibly having a semi-truck turning around on the gravel road - he feels it would be better to be a residential lot. Councilwoman Smith would vote yes for the zone change due to the fact that the applicants did show support of the neighboring properties to change to residential. She also echoed the other member's comments.

City Attorney Susan Swimley brought Item #4 of the Staff Report to the attention of the Council, asking if they could make a finding that they are being asked to change from a home in the commercial district to a home in the residential district and so that use would remain the same, noting that there is already noise from the airport for the other neighboring properties. The Council agreed to that finding. Mrs. Swimley asked if the Council could also agree that most of the houses there are already out of conformance since they pre-date the zoning district. George Chancellor asked that if someone in the future wanted to change back to NHB they could go through this same process. Mrs. Swimley agreed but said that changing one lot to any particular zone is very difficult to do because it encourages spot zoning. Councilman Chancellor stated he would vote yes because he believes that the applicants have done due diligence, it's their property right [to change], and there has been no public opposition. Councilwoman Whitesitt would vote in support as well because in 1985 this was residentially zoned and the owner at that time requested to change it to NHB. She added that the applicants stated they have tried to sell the property as a commercial business and couldn't find a buyer. She also noted #9 in the Staff Report stating the application has taken into consideration the neighboring zoning districts, and she liked all the public support. Councilwoman Mickelberry sympathized with the applications, but would vote in opposition to the motion. She hates to see the NHB properties go away but understands it would be very difficult

to sell the lots as individual residential lots. She thinks it's a very important buffer zone to keep and does not think the property is suited for residential development.

There was no further discussion or public comment.

MOTION PASSED 5:1, Debra Mickelberry opposed.

Public Hearing and Decision on a Resolution of Intent to Increase Rates for the Users of the Municipal Sewer System

Councilman Nelson explained the Committee's recommendation, as explained in the April 14, 2015 meeting. The committee recommends a 20-year loan, which saves significant interest, and to meet the increase needed for those loan payments by increasing the overage fee of anything over 400-cubic-feet from \$2.71 to \$6.97 (for each additional 100-cubic-feet).

Mayor Hamilton read Resolution #229-2015 into the record.

Councilwoman Whitesitt asked for an explanation on Section 3.b regarding sewer not based on water use. Kelly Smith explained that this is for those that do not have water service, but are hooked up to the City's sewer system only. For those customers we charge them based on household size since we do not meter sewage. This is also how we set the sewer rate for new customers until a winter average is established.

Councilwoman Smith motioned to approve Resolution #229-2015, a Resolution of Intention of the City of Three Forks, Montana to Increase Rates for the Users of the Municipal Sewer System as outlined in this resolution.

Councilman Chancellor seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

REPORT OF OFFICERS

Deputy City Clerk Kelly Smith reported that the City office is selling Circus tickets if anyone is interested in purchasing them for a discounted price prior to the event on May 8.

City Clerk Crystal Turner reported that the City is currently underway with our Auditors. Everything is going well so far and they believe they'll have the audit report to the Council by the end of June.

City Attorney Susan Swimley did not have a report.

REPORTS OF COUNCIL COMMITTEES

Parks Committee - Mayor Hamilton reported that he was contacted by Marcia Anderson about one month ago who loves tennis, but wasn't such a fan of our tennis court. She is a part-time resident here and has offered to pay

for a full replacement of the Stevenson Park's tennis courts. She has contacted an architect and has hired construction companies to start the removal of the courts and full construction replacement some time after rodeo weekend. She has already replaced the courts in Manhattan and Belgrade and helped Belgrade implement a tennis team at their high school. He'd like to recognize Marcia publically at a meeting when she is in town next.

Ordinance Committee - Teri Whitesitt reported they met yesterday and worked on the school parking, business licenses and some complaints they've received. They have turned those over to Susan Swimley for advice.

Water & Sewer Committee - Dennis Nelson reported that the project is going very well.

UNFINISHED BUSINESS

Discussion and Decision Regarding the Rodeo/Street Dance Cost-Share, and Whether the City will Purchase Barricades, Apply for the Street Closure Permit and/or Purchase Event Insurance, or any Combination

Mayor Hamilton spoke with Hilary Folkvord via email this week, and he distributed a map to the Council where they propose they will close off the street if they purchase barricades, apply for the permit and purchase event insurance.

Councilman Tharp noted that the Wolf Den wouldn't have any access if it was closed off as presented, however he added that there is usually just foot traffic there anyhow. Kelly Smith added that the Wolf Den is typically closed off.

Councilwoman Whitesitt asked if other bars down the street wanted to extend the closure how that would happen. Mayor Hamilton responded that it would be between those bar owners and the permittee: the Sacajawea Inn.

Councilman Nelson asked if there was any further word from the Chamber of Commerce. The City has not received any other offers in writing.

Councilwoman Whitesitt made a motion to accept Dean Folkvord's offer to purchase the barricades, apply for the permit for the rodeo, and the insurance. Councilwoman Smith seconded the motion.

Public Comment: Gloria Howland stated that she didn't believe the City would find a better offer.

Board Discussion: Ed Tharp agreed with Gloria's comments and think that this is a good deal. He added the other bars haven't stepped forward so it looks like a plan. Dennis Nelson remembers Mr. DoBell's comments regarding this being a "Three Forks" event and he regrets that this end of Main Street won't benefit from this closure. He appreciates Mr. Folkvord's offer. Susan Swimley added that those other businesses could certainly come up with a plan to present further closure. George Chancellor noted that he believed everyone had ample opportunity to come up with another plan.

MOTION PASSED UNANIMOUSLY.

Water Project: There was nothing to report on the Water project.

Wastewater Project: There was nothing to report on the Sewer project.

NEW BUSINESS

Board Appointments to the Gallatin Conservation District (Manhattan/Three Forks Representative)

Mayor Hamilton read the Board Appointment Memo into the record. There was board discussion that they did not have any applications and did not know either of these people named in the memo.

Councilman Chancellor moved to table this item until the next meeting.

Councilwoman Whitesitt seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC COMMENTS/CONCERNS

There was no public comment.

City Attorney Swimley gave kudos to the City of Three Forks because the Legislature met today and did not vote on the infrastructure bill, and closed the legislative session. She applauded the City Council for having their water and sewer projects ready to go and get grants and loans prior to waiting on funding from the Legislature.

MAYOR & COUNCIL ANNOUNCEMENTS

Councilman Nelson asked if Susan Swimley had a chance to review the Interlocal Agreement for the Rural fire districts (Three Forks and Willow Creek) on the Training Center. She is waiting for comment from both of those districts.

Mayor Hamilton announced that the new member of the Zoning & Planning Board Roger Nerlin was in attendance at the last meeting and was an active participant.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: May 12, 2015

- Gallatin Conservation District Board Appointment

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Chancellor "so moved." Councilman Nelson seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY. (8:17 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

MAY 12th, 2015, The Three Forks City Council met in session in the Council Chambers 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 2015.

PRESENT: Mayor Steven B. Hamilton, Council members Sharon Smith, Ed Tharp, Teri Whitesitt, George Chancellor and Debra Mickelberry. Dennis Nelson was excused. Also present were staff members Crystal Turner and City Attorney Susan Swimley.

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

The Pledge of Allegiance to the American Flag was led by Mayor Hamilton. Reminder to the public that the meeting is being recorded both audio and visual.

GUESTS: Bill Frank, Becky Crabtree and Gloria Howland. Andy Malby arrived at 7:22.

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns.

Becky Crabtree spoke regarding a request to the Department of Transportation for a speed limit study. She wanted to inform the Council of this and to request support to reduce the speed limit to 25 MPH all the way through town along Main Street.

Bill Frank spoke regarding the rabbit population in town and requested the City consider some sort of trapping or extermination plan in the upcoming budget year.

Seeing no other public comment, Mayor Hamilton introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claims per List

Councilwoman Smith motioned to approve the Consent Agenda and all the claims. Motion was seconded by Ed Tharp. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC HEARINGS

There were no public hearings.

REPORT OF OFFICERS

City Clerk Crystal Turner reminded the Council of the Gallatin County Emergency Management meeting on May 21, 2015 at 6PM at their headquarters on Tamarack in Bozeman. She also reported on the Municipal Clerk Institute she attended last week and thanked the Council for sending her. Finally, she reported that the sewer increase letters went out yesterday and upon stuffing the envelopes she and Kelly Smith believed it to be a little misleading. When doing the math it works, but can sound misleading. A one-person household minimum sewage rate does not change, as the committee has recommended. The additional overage fee of \$4.26 for each additional 100-cubic-feet over the first 400-cubic-feet actually will be \$8.52 more for a two-person household. This is because a two-person household is based on 600-cubic-feet. A three-person household is set at 768-cubic-feet which would run about \$15 more than the current fee. This is until a winter average is established of course, but she encouraged the Council members to take a look at their own bill and be ready for the public's comments or questions. It is more than just a \$4.26 increase as the Committee had previously stated to the public, "a roughly \$5 increase remained".

City Attorney Susan Swimley reported that she has worked a lot with Sgt. Peterson regarding City ordinances this past month. She has recently drafted a complaint form because that is what creates the enforceability of the City ordinances. She wanted to get away from people calling the City hall to complain of a violation, then staff has to report it to Sgt. Peterson. If the Sheriff's office is working on something else, these verbal complaints get forgotten as other emergency calls come in and cases are worked on. A complaint form is there to help the Deputy get back to issue when time allows. She began the enforcement of abandoned vehicles on City lots to be enforced. We have a couple vehicles now that have been posted as abandoned, so the owners have five days from that posting to remove it. Susan said that there have been complaints about the parking situation on Jefferson and Adams Streets. The ordinance reads that parking must be alongside the curb or edge of street. These streets do not have curb or any edge so she cannot enforce the ordinance. She gave the Council the option to pave the street (so there would be an edge) and install curb and gutter, but until that occurs the ordinance as written is unenforceable. She also attended the Attorney Conference in Billings last week and learned much. She will provide a list of items to discuss and send it to the Mayor and Clerk. She also recently drafted an ordinance to allow the Mayor to declare emergencies. There have been instances in the

past where the Mayor declared an emergency and banned burning. The ordinance does not allow for that so she drafted an ordinance to give the Mayor authority to declare emergencies. She handed the draft to the ordinance committee.

Susan also reported that the City received a request to step in for the Three Forks Rural Fire District's responsibility for the training center which is at the old City landfill. She has liability questions which she submitted to the insurance company, and asked the Rural Fire District the political question regarding what the Rural really pays for if the City pays for all. She requested the potential purchase of the land between the Airport and the City yard to be on an upcoming agenda for decision. Even if the City chooses not to purchase this land this action would further, or close the topic.

She is also looking into a couple properties in town which are not hooked up to water or sewer by choice, but there is an ordinance stating you must hook up to the services provided by the City. However, it is difficult to enforce when these alleged violations have occurred for so many years. She also talked about the sidewalks and who owns them and who enforces the sidewalk and street. We have a municipal definition of street which includes the sidewalk. The initial complaint that someone makes of a violation of a City ordinance which is criminal, is a public document. The complaint is public, but the details of the "case" are not public. If someone asks what happened with a certain violation, she can only address that the violation was properly enforced. She said that sandwich boards are being used throughout town and those are violating the City ordinances by having them out. She's a big believer in enforcing ordinances.

Teri said that if someone files a complaint, does that mean that the complainant may have to testify in court? Susan said yes, it may. Teri felt that would deter people from signing a complaint. Mayor Hamilton added that the person receiving a complaint about that has the constitutional right to face their accuser though.

REPORTS OF COUNCIL COMMITTEES

Sharon Smith thanked the Council for letting her go to the Elected Officials training conference in Billings. She heard repeatedly at the conference the stress for transparency and urged the City to continue providing the public information and encouraging their participation.

There were no other Committee reports.

UNFINISHED BUSINESS

Water Project: There was nothing to report on the Water project.

Wastewater Project:

a) TSEP Draw #11 for \$289,205.79

Mayor Hamilton introduced the draw request.

Councilwoman Smith made a motion to approve your signature on the TSEP Draw #11 in the amount of \$289,205.79.

Motion was seconded by Councilman Chancellor. There was no further discussion or public comment.

MOTION PASSED UNANIMOUSLY.

b) DNRC Draw #6 for \$2,873.00

Mayor Hamilton introduced the draw request. He noted a typo on the agenda, the agenda said draw is for \$2,783.00 but it is actually for \$2,872.00

Councilwoman Smith motioned to approve your signature on DNRC #6 for \$2,872.00. Motion was seconded by Councilwoman Whitesitt. There was no further discussion or public comment.

MOTION PASSED UNANIMOUSLY.

c) City to Cover out of Reserves \$124,891.31 Until the SRF Loan Closes in June Total Advances \$416,969.10

Mayor Hamilton introduced the draw request. Crystal Turner explained that technically this is all one draw request, broken down by different funding sources. On page 1 of the Great West Engineering progress report there is an asterisk next to the "Local" links to page 3 of the progress report explains this as the City will front the money, then the decision for the first SRF loan draw request will be on the May 25th agenda, with the loan closing on June 25th.

Councilwoman Smith made a motion to approve your signature to cover the reserves of \$124,891.31 until the SRF loan closes in June for the total advances of \$416,969.10. Councilman Chancellor 2nd. Mayor Hamilton clarified the TSEP and DNRC amounts of that \$416,969.10 total is already taken care in the earlier motions. There was no further public comment or discussion.

MOTION PASSED UNANIMOUSLY.

Board Appointments to the Gallatin Conservation District (Manhattan/Three Forks Representative)

Mayor Hamilton recapped the Board Appointment memo from the previous Council meeting. Crystal Turner reminded the Council that no other applications were received and no applications from Three Forks' residents were received.

Councilwoman Whitesitt made a motion to appoint Mike Hansen of Bozeman, and Bob Logar of Manhattan for the Gallatin Conservation District. Motion was seconded by Councilwoman Smith. There was no public comment.

MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

Application for Kennel License for Bill & Lucy Frank

Mayor Hamilton stated the Council has the application for the Kennel License in their packet. He added that Sgt. Peterson submitted a recommendation and read his letter into the record.

Applicant presentation: Bill Frank explained that he and his wife have two dogs, a third dog is his son's (who has been staying with them temporarily) and his daughter keeps her dog at their home during her visits, but not consistently. So they could have four dogs on their property on any given day, but again it's inconsistent.

Public Comment & Board Discussion: Deb Mickelberry asked if the fourth dog would be gone at night. Mr. Frank stated yes. Susan Swimley asked if Mr. Frank has seen Sgt. Peterson's recommendations. Mr. Frank replied no, but said that he and Sgt. Peterson have spoken and he was aware of his conditions. Mrs. Swimley asked if Mr. Frank would be in agreement to changing #1 to read, "The owners build the privacy fence, as necessary." Mr. Frank agreed. Councilwoman Whitesitt asked what the ordinance reads - do the dogs have to be there permanently or just temporarily to require a kennel license. Mrs. Swimley said yes, as written one would need to require a kennel license to have more than three dogs, no matter the length of their stay. Crystal Turner stated that the kennel license the Council approved last year did not request one this year because some dogs passed away, so if approved tonight this would be the only kennel licensed in the City limits.

Mayor Hamilton closed public comment.

Councilman Chancellor made a motion to grant Mr. & Mrs. Frank at 512 5th Avenue East, Three Forks, Montana a kennel license as they follow the conditions, including the modified condition #1 "as necessary". Motion was seconded by Councilwoman Whitesitt. There was no further public comment or discussion.

MOTION PASSED UNANIMOUSLY.

PUBLIC COMMENTS/CONCERNS

There was no public comment.

MAYOR & COUNCIL ANNOUNCEMENTS

There were no Council announcements.

Mayor Hamilton stated he received a letter from the Three Forks Ministerial Association to the baccalaureate ceremony which invited the Council to the ceremony. This will be held May 20th at 7PM at the High School gym.

He also reported he's working on a project on the pollution insurance coverage and working with MMIA to ensure the City is covered for the old landfill site. The third-party insurance provider (MMIA is a pass-through) is stating that we may or may not be covered, but he's preparing a new application to request coverage.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: May 26, 2015

- Adoption of sewer rate
- Potential purchase the land between the Airport and the City
- Sheriff Gootkin hearing/concerns on interlocal agreement
- Support for speed limit study request

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilwoman Whitesitt "so moved." Councilman Tharp seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY. (8:09 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

MAY 26th, 2015, The Three Forks City Council met in session in the Council Chambers at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:03 P.M. for the SECOND meeting of May 2015.

PRESENT: Mayor Steven B. Hamilton, Council members Debra Mickelberry, Teri Whitesitt, Sharon Smith, Ed Tharp, and Dennis Nelson. George Chancellor was absent. Also present were staff members Crystal Turner, Kelly Smith and City Attorney Susan Swimley.

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

The Pledge of Allegiance to the American Flag was led by Mayor Hamilton. Reminder to the public that the meeting is being recorded both audio and visual.

GUESTS: Gloria Howland, Joann Bird, Dep. Colter Metcalf, Sheriff Brian Gootkin, Angie Williams, and Marie Wendland.

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing none, he introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claims per List

Approval of Meeting Minutes from April 28, 2015 and May 12, 2015

Councilwoman Smith moved to approve the consent agenda as presented.

Councilwoman Whitesitt seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC HEARINGS

Public Hearing and Decision on Resolution #230-2015 to Increase Rates for the Users of the Municipal Sewer System

Mayor Hamilton asked permission to change the order of the agenda and hear Resolution #232-2015 before Resolution #231-2015. There was no objection.

Mayor Hamilton introduced Resolution #230-2015 and read it in its entirety into the record.

Public Comment: Joann Bird, 205 4th Ave East - who had questions about whether or not the Council considered elderly and widows/widowers in the difference between the household size of one versus two; and requested a brief history of the need for this project. Dennis Nelson responded explaining the past two and half years and the decision for the current project. Kelly Smith explained to Ms. Bird how our minimum rates affect our loan amounts, and how we qualify for our loan(s), review of annual fees, operation and maintenance - this doesn't always mean that an increase will occur. Crystal Turner explained to Ms. Bird that the City cannot consider something similar to a "senior discount" as those who don't qualify could claim discrimination that the City doesn't offer a similar discount for other classes/races. She added that this resolution is slightly different than the resolution of intent (#229-2015) as read two weeks ago. It is missing the disconnected user section and misstated that users not connected to the water system would not see incremental increases.

Gloria Howland questioned if the winter average is the same since her first winter average, or if it is reviewed more often. Crystal Turner explained that it is reviewed annually.

Councilwoman Smith motioned to approve the Resolution #230-2015 to increase rates for the users of the municipal sewer system. Councilman Tharp seconded the motion. There was no further public comment or council discussion.

MOTION PASSED UNANIMOUSLY.

Public Hearing and Decision on a Resolution of Intent #232-2015 to Increase Rates for the Users of the Municipal Sewer System

Mayor Hamilton read Resolution of Intention #232-2015 into the record in its entirety. He noted a typo in one section which states the hearing date being May 26, 2016, which should be 2015.

Public Comment - Joann Bird asked if the City would provide a table of how much money has been spent and how it will be spent. Kelly Smith replied that it is available here at the City Office for anyone who would like a copy.

Councilwoman Smith motioned to approve Resolution #232-2015 as the date corrected also. Councilwoman Whitesitt seconded the motion. There was no further public comment or council discussion.

MOTION PASSED UNANIMOUSLY.

Public Hearing and Decision on Resolution #231-2015 Relating to \$4,891,000 for Sewer System Revenue Bond (DNRC Water Pollution Control State Revolving Loan Program Series 2015)

Mayor Hamilton asked if anyone opposed him not reading this resolution fully into the record. No council member or public opposed. He stated, "This is essentially the loan document."

Councilman Nelson made a motion to approve Resolution #231-2015 Relating to \$4,891,000 sewer system revenue bond (DNRC water pollution control state revolving loan program), series 2015; authorizing the issuance and fixing the terms and conditions thereof, and amending the original resolution. Councilwoman Smith seconded the motion. There was no further public comment or council discussion.

MOTION PASSED UNANIMOUSLY.

Public Hearing and Decision on Pursuing a Tract of Land Owned by the State of Montana Located in Section 35, Township 2 North, Range 1 East, part of the Abandoned C M St P/P Mainline

Mayor Hamilton asked if the Council was interested in purchasing this property. The State of Montana will pay for the appraisal, but don't want to request one if the City is not interested.

Councilman Tharp would make a motion to vote against pursuing this tract of land. Councilwoman Mickelberry seconded the motion. There was no further public comment or council discussion.

MOTION PASSED UNANIMOUSLY.

REPORT OF OFFICERS

Deputy Clerk Kelly Smith did not have a report.

City Clerk Crystal Turner reported that eleven people, including Crystal and Kelly, reviewed the original resolution of intent and it was the City who caught that the "sewer only" customers and the "snowbirds" language was missing from the notice mailed out to all users. It was the intent of the Water & Sewer Committee to include but somehow was missed the first time. An additional resolution of intent to include this was passed tonight, and an additional notice will be mailed to all users of the system. She alerted the Council that when bond counsel's bill is received, that the City review it to ensure these additional charges aren't the sole responsibility of the City, as the City will already be incurring \$416.50 in postage alone to send out the additional notice.

REPORTS OF COUNCIL COMMITTEES

There were no Council Committees to report.

UNFINISHED BUSINESS

Water Project: There was nothing to report on the Water project.

Wastewater Project:

SRF Draw #1 in the Amount of \$149,176.00

Mayor Hamilton introduced the draw. He explained this particular draw is reimbursing the City \$124,000 (fronted by the City on May 12th), and all the corrections Kelly Smith caught on various invoices in previous draws which TSEP had not yet covered.

Councilman Smith motioned to allow the Mayor to sign off of SRF Draw #1 in the Amount of \$149,176.00. Councilman Tharp seconded the motion. There was no further public comment or council discussion.

MOTION PASSED UNANIMOUSLY.

Dennis Nelson reported that he and Steve Johnston met with Great West Engineering and the Army Corps of Engineers last week regarding the City's WRDA grant money could be spent within the wastewater project.

NEW BUSINESS

Discussion on the Interlocal Agreement for Police Services between the Gallatin County Sheriff and City of Three Forks

Sheriff Gootkin distributed a cost breakdown. He discussed a vehicle rotation schedule, knowing the City is stuck in a lease agreement right now. He feels comfortable leaving the vehicles on a seven-year rotation, which aligns with the City's loan payments. He also added that overtime, due to training and coverage when someone left, is an additional cost which may be in the next contract.

Ed Tharp commented that he has not heard anything but great comments since the Gallatin County Sheriff Office has taken over, and he thinks everyone has done a great job. Dennis Nelson asked if the deputies run more miles on these vehicles, citing the vehicle budget line item. Dep. Metcalf responded they definitely run more miles than when they were just City of Three Forks police officers, as they run to Clarkston and Willow Creek way more often. Mayor Hamilton, speaking as a teacher, said that whenever anything has happened at the school, the Sheriff's Office has responded and made all feel safe, as well as providing training to the staff/teachers. Sheriff Gootkin asked if the City had any space to house bikes, they currently haul them into Bozeman. The City agreed to allow them to store bikes in the old City shop. Sheriff Gootkin reported that in his FY2015/2016 budget request to the County Commission he has asked

for three additional deputies, one who would specifically help in the Three Forks area.

PUBLIC COMMENTS/CONCERNS

There was no public comment.

MAYOR & COUNCIL ANNOUNCEMENTS

There were no Council reports.

Mayor Hamilton reported on the flowers planted out front of City Hall planted by Wildflower Design. He reminded everyone that yesterday was Memorial Day. Erin Hayder proposed to him to find some garden groups/clubs to take on the flower beds along Main Street when businesses do not want to maintain them. The Council supported this cause.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: June 9, 2015

- Possible first reading of business license ordinance.

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilwoman Whitesitt moved to adjourn. Councilman Tharp seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY. (8:19 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

JUNE 9th, 2015, The Three Forks City Council met in session in the Council Chambers 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 2015.

PRESENT: Mayor Steven B. Hamilton, Council members George Chancellor, Debra Mickelberry, Teri Whitesitt, Sharon Smith, Ed Tharp, and Dennis Nelson. Also present were staff members Crystal Turner and Kelly Smith. City Attorney Susan Swimley was absent.

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

The Pledge of Allegiance to the American Flag was led by Mayor Hamilton. Reminder to the public that the meeting is being recorded both audio and visual.

GUESTS: Gloria Howland, Andy Malby, and Sgt. Peterson (7:30).

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing none, he introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claims paid due to Timeliness in the Amount of \$149.02

Approval of Claims per List(s)

Approval of Meeting Minutes of May 26, 2015

Councilwoman Smith motioned to approve the consent agenda. Councilman Chancellor seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC HEARINGS

Public Hearing and Decision on a Resolution Notifying the Gallatin County Election Administrator of the City's Desire to Conduct the 2015 City General Election by Mail Ballot

Mayor Hamilton read Resolution #233-2015 into the record. He added that Crystal Turner has volunteered to come in and have the office open at 7AM, and he has volunteered to keep the office open until 8PM and then take the ballots into the Election Administrator to be counted.

Councilwoman Whitesitt moved to adopt Resolution #233-2015 notifying the Gallatin County Election Administrator of the City's desire to conduct the 2015 City General Election by mail ballot.

Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

REPORT OF OFFICERS

Crystal Turner proposed to the Ordinance Committee a request to consider adding a landscaping plan to Title 11 of the City Code. She noted there is no uniformity for new commercial buildings, and with all the available NHB property it might be nice to have some added trees and uniformity throughout town. She added that Ralph Johnson is aware of this and would be happy to help draft something and work with the Zoning & Planning Board first.

Public Comment: Andy Malby urged the Council to not make something as stringent as perhaps Bozeman (who has the ordinance down to the diameter of the tree planted). Gloria Howland echoed rules that are too strict may require the business owner/land owner to continuously replant when covenants/ordinances require too much detail as to the type of plants/trees planted. She suggested keeping it broad, and agreed it would be a good idea.

Kelly Smith reported that she and Crystal Turner attended the Chamber of Commerce luncheon yesterday. The Chamber voted to purchase barricades and additional insurance to hold the street dance event for Saturday only. They hope it will grow in the future back to a two-day event, but for now they are trying to build a festival style event that would include a complete Main Street closure from parade time through the street dance.

REPORTS OF COUNCIL COMMITTEES

Ordinance Committee - Teri Whitesitt met with Susan Swimley regarding the business license ordinance. The Committee does not want to charge a license fee to churches or non-profits, to hosted-parties (DoTerra, Pampered Chef, Tupperware, etc.) or to anyone under the age of 18. They also agreed to implementing a late fee for businesses that pay their license past the due date. (The City has long since stated in their renewal letter that a late fee will be applied if not paid on time, however the current ordinance does not allow for this.)

They are undecided on the following parts of this ordinance and request the Council's input:

- What is the difference between a business and a hobby? Dennis Nelson spoke in support of hobbyists and didn't believe they should be charged a business license. He gave the example of Headwaters Seat Covers, who started small in their garage, and who became a viable business in the City of Three Forks. There was discussion regarding garage sales and farmer's market. Crystal reminded the Council that farmer's market are currently exempt in the ordinance (trial basis and this will be the third year of the market). Mayor Hamilton added that he agrees we don't want to discourage hobbies which become businesses and help our community thrive (adding jobs for instance). The Council did not want to discourage entrepreneurship.

Public Comment: Andy Malby thought that when a business is registered with the Secretary of State that could be the trigger that it is more than a hobby.

There was discussion regarding providing lessons (piano, riding, etc. usually a hobby activity to teach others), and businesses that advertise. Perhaps advertising could be the trigger that you are no longer a hobby. Dennis Nelson asked how detailed the Council really wants to get. Kelly Smith said that the ordinance as written now needs more definition because it is too difficult for the office staff to determine and too difficult for enforcement.

- Teri Whitesitt also reported that the Committee is undecided on whether or not to charge a license to those providing lessons (dance, yoga, riding, flying, guitar, etc.).

Debra Mickelberry thought this would be a good one for checking with the Secretary of State to see if they are a registered business. Andy Malby warned that one could pay to register a business simply to hold the name and not be in operation. He suggested there may be other places to look.

- They are also divided on business licenses for multiple businesses at one location, and gave examples like Main Street Office and the Lewis & Clark Journal, the Three Forks Herald and Dicker Bros., Mable's Tax Service and the Community Center.

Kelly Smith offered perhaps additional businesses could pay a smaller fee, such as \$50 for the first, and \$10 for the second at the same location. Dennis Nelson thought mailing addresses would be a good way to verify multiple businesses in one location. Debra Mickelberry thought it would be better to go by physical address.

- The Committee is also undecided on delivered products (eggs, landscaping, bricks, washers & dryers were all discussed as types of delivered products).

The Committee said they are not trying to be nitpicky but want to make it clear so that it's easily understood by businesses and the clerks alike to know when a license is required.

Budget Committee - Scheduled to meet June 23rd at 3PM at the City Office.

UNFINISHED BUSINESS

Water Project: There was nothing to report on the Water project.

Wastewater Project: SRF Draw #2 in the Amount of \$417,156.00

Mayor Hamilton introduced the Draw request.

Councilwoman Smith moved for your (Mayor Hamilton) signature on that SRF Draw #2 in the amount of \$417,156.00.

Councilman Nelson seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Mayor Hamilton reported that Three Forks has received over 5.5 inches of rain since May 1st. The storm drains have been full, the sewer lagoon is full, and consequently the City had to rent a few extra pumps. There will be a cost associated with this, but it will be charged to the operational costs and not the project costs.

NEW BUSINESS

First Amendment to the Interlocal Agreement between the City of Three Forks and the Three Forks Rural Fire District

Mayor Hamilton explained this is to accept the payment from the Three Forks Rural District for their portion of the Chief's salary. They will essentially pay the City and we'll in turn pay the Chief at our annual time.

Councilman Nelson made a motion to accept the first amendment to the interlocal agreement with the Rural Fire District and that Steven, Ed and Crystal will be allowed to sign off on that.

Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC COMMENTS/CONCERNS

Andy Malby said that one suggestion which repeatedly is reported to him, was to charge the vendors who come to the rodeo event and street dance more than other businesses pay to help offset the street closure costs.

MAYOR & COUNCIL ANNOUNCEMENTS

There were no Council reports.

Mayor Hamilton reported that one of his former students, Luke Colberg, helped accomplish a decisive win with the State Academic team on their win in Wyoming today. Luke did so well he was offered a full scholarship at Sheridan College, which he graciously declined since he was also offered a full scholarship at MSU for Engineering.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: June 9, 2015

- Public Hearing and Decision on a Resolution of Adoption to Increase the Sewer Rates
- FY2013/2014 Audit Report

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Chancellor moved to adjourn. Councilman Nelson seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY. (8:00 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

JUNE 23rd, 2015, The Three Forks City Council met in session in the Council Chambers at 206 Main Street, and was presided over by Mayor Steven B. Hamilton. Mayor Hamilton called the meeting to order at 7:10 P.M. for the SECOND meeting of June 2015.

PRESENT: Mayor Steven B. Hamilton, Council members George Chancellor, Debra Mickelberry, Teri Whitesitt, Sharon Smith, Ed Tharp, and Dennis Nelson. Also present were staff members Crystal Turner, Kelly Smith and City Attorney Susan Swimley.

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

The Pledge of Allegiance to the American Flag was led by Mayor Hamilton. Reminder to the public that the meeting is being recorded both audio and visual.

GUESTS: Gloria Howland, Mickie Imberi, Ron Imberi, Carol Fandrich, Matt Jones, Jon Kamps, Christina Kamps, Julie Kostelecky and Dane Hancock both from Rudd & Company, Jack Dyer, Michelle Dyer, Randy Hamilton, James "Mac" Cochran, Leslie Merrit, Katy Hansen and Mike Marburger.

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing none, he introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claims per List(s)
Meeting Minutes of June 9, 2015

Councilwoman Smith motioned to approve the consent agenda. Councilwoman Whitesitt seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC HEARINGS

Public Hearing and Decision on a Resolution of Adoption to Increase the Sewer Rates

Mayor Hamilton stated the resolution was read into the record at the May 26, 2015 meeting, and asked the public if anyone wished for it to be read into the record again. No one wished for it to be read aloud again.

Public Comment:

- Mike Marburger asked what the resolution was for. Mayor Hamilton explained the sewer system project.
- Jack Dyer asked when the last sewer rate increase was, the average cost of the O&M for the sewer, what the increase will be used for, and how long this rate is expected to be in effect. Mayor Hamilton, Crystal Turner and Dennis Nelson provided answers to Mr. Dyer. Mr. Dyer asked if the Council thought this would be a system that will meet requirements forever. Ed Tharp responded that requirements may change in the future and no one knows that right now, however this system will meet the current requirements with room for expansion.
- Michelle Dyer asked why the pricing is based on an individual household size. The Council explained winter averages and how household size is used for sewer-only customers or when an average hasn't been established.
- Mike Marburger stated he recently retired and spent years constructing water and wastewater facilities. He disagrees with the inactive service fee. Mayor Hamilton said that he understood, but the phone company charges you to have a line whether you use it or not, same with the utility companies. He questioned back to the public, "Is it fair for the rest of the community to pay for infrastructure you are connected to just because you aren't using it?"
- Jon Kamps asked what the cost is up to 400 cubic feet. The Council answered. He then asked the rate above that. Crystal responded the cost would be \$6.97 for each additional 100 cubic feet. He asked for some time to do the math for his account.
- Matt Jones asked if the committee ever discussed an increase on the base rate. Ed Tharp said that he doesn't believe they did discuss it. Crystal Turner disagreed that the committee did discuss it and took it into great consideration with the numerous fixed income homes, and senior or low income comments stated at previous meetings. Hence the reason the committee recommended the increase on anything above the base rate.
- Jon Kamps and Christina Kamps said that the increase at the car wash, at this rate they would go out of business. They stated they cannot afford these sewer rates. They charge the same as car washes in other towns, if not more, and to have to raise their rates again they would put themselves out of business.
- Gloria Howland asked what the Kamps' suggestion would be. This project has been going on for years so she wondered how they expect the City to pay for this rate. Kelly Smith reminded the public the \$6.97 increase decision occurred over a month ago, and the notice sent out the second time for the increase tonight is for sewer-only

customers and "snowbirds" for the inactive service fee which had not been previously defined in ordinance.

- Jack Dyer suggested the Council take into account specific circumstances, like the car wash, and drafting an ordinance to take on cases like this. Susan Swimley reminded the Council they recently adopted an amendment to the ordinance regarding sewer rates to include commercial users requesting different rates.
- Mickie Imberi echoed she disagrees with the inactive service fee. She likes the suggestion of a reconnection fee or disconnected fee instead.

Mayor Hamilton asked if there was any further Council or public comment. There was none.

Councilman Chancellor made a motion to pass Resolution #234-2015.

Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

(Many public left at this time.)

Public Hearing and Acceptance of FY2013/2014 Audit Report

Julie Kostelecky distributed the Draft Annual Financial/Audit Report, and highlighted the Independent Auditors' Report letter on page 4.

Findings:

1. There should be adequate documentation for all expenditures. Such as some employees are being reimbursed for their home internet and there is no such agreement or contract.
2. The Headwaters Community Fairgrounds' is appointed by the City Council, and is an extension of the City of Three Forks yet there is very little back and forth. They suggested more back and forth and oversight in the financials.
3. The fixed asset listing should agree to the fixed asset accounts on the trial balance. Basically there were assets on the asset list that appeared on the Annual Financial Report (prepared by Craig Shepherd) which had actually been disposed of. They just need removed from the asset list now.
4. GASB 54 requires special revenue funds to have either a committee or assigned net position balance unless a resolution is made to classify the net position balance as assigned. The Library Memorial fund is the only remaining special revenue fund which does not have a defined revenue budget. It just needs to be dissolved.
5. Similar to finding #1, another example is that the Headwaters Community Fairgrounds have paid contractors the same amount for years without documented contracts.

6. Per MCA 19-18-503, the City is required to soundly fund the Volunteer Fire Department pension plan. The City has been aware of this underfunded account for years. The latest GASB 68 also requires the State to have proven (actuarial studies) that the retirement account for your current employees (PERS) is properly funded. Because the City has not done an actuarial study since 2008 we really don't know the current underfunded amount. In 2008 it was around \$250,000 underfunded if all eligible firefighters opted to retire at that date. Without having a current actuarial study Rudd & Company they will need to draft an unqualified opinion on the relief association in the future if the City decides not to spend money on a study. She understands that it's hard to decide to spend money on a fund you know is underfunded, just for them to say, "You're underfunded."

Susan Swimley asked if the Headwaters Fair Board could just become its own entity and the City could lease the land to them, if that could solve the problem. Julie Kostelecky said that was definitely an option. Susan also informed the Council what having a unqualified opinion from your auditor means: that you will get less state money, less federal money, higher interest rates, etc.

Julie proposed an amended Department of Administration contract, for a one-time only fee amending their first year contract amount by an additional \$3,500. They began their planning process with Darcy Perrenoud and were provided numbers at that time, Kelly Smith helped in the interim, then Crystal Turner was hired and they had to start over with the plan. With the amount of hours they have into this audit already they have roughly \$50,000 in time. She left the amendment/invoice with the Council for consideration.

Mayor Hamilton asked if there was any public comment. There was none.

Councilman Nelson made a motion that we approve the audit report that has been presented to the City of Three Forks. Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

REPORT OF OFFICERS

Kelly Smith reported that the City email addresses have been changed. She left instructions for each of the council members to update and access their emails.

Crystal Turner reported that in 2013 the Ordinance Committee amended roughly twelve ordinances and provided those updated to the City Attorney at that time. Somehow the update to eliminate a higher licensing fee for

unspayed dogs was never made into an ordinance. She suggested just drafting an ordinance to amend that so that the City is following the fees that are currently being charged. Crystal also reported that the City is not able to clean up property in violation of various codes. She asked the Council if they wished to adopt an ordinance to allow the City to bring a property into compliance and place a lien on the property to recoup any costs. Lastly, she updated the Council on a meeting held last week with Imerys regarding water/sewer fees Imerys is currently charged. We learned much in this meeting and Imerys has replaced a couple boilers with more efficient ones which use less water. They also have a storm drain in the parking lot which flows to the lagoons to be treated as any other wastewater, and the ball fields have bathrooms connected to the building on Old Yellowstone Trail. We are in the process of finalizing a more accurate sewer rate for them.

Susan Swimley did not have anything to report.

REPORTS OF COUNCIL COMMITTEES

Budget Committee - Dennis Nelson report they met today to go through the preliminary numbers for the upcoming fiscal year budget, as well as where we're sitting at the end of this fiscal year. George Chancellor asked if it would behoove the City to budget for the actuarial study in this upcoming fiscal year. The Council agreed it would be good to start addressing that.

UNFINISHED BUSINESS

Water Project: There was nothing to report on the Water project.

Wastewater Project: There was nothing to report on the Wastewater project.

NEW BUSINESS

There was no new business.

PUBLIC COMMENTS/CONCERNS

Gloria Howland commended the Council on answering questions tonight. She knows it's hard and she thinks the Council does a good job.

MAYOR & COUNCIL ANNOUNCEMENTS

There were no Council reports.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: July 14, 2015

- Public Hearing and Decision on a Resolution Amending FY2014/2015 Budget.

Teri Whitesitt asked if Susan thought if one hour was enough time for the upcoming ordinance committee meeting. Susan agreed it was sufficient time, and suggested structure like they began tonight asking for a show of hands to poll the public on what they would like to see in an effort to move the meeting along.

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Chancellor moved to adjourn. Councilwoman Whitesitt seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY. (8:52 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

JULY 14th 2015, The Three Forks City Council met in session in the Council Chambers 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 July 2015.

PRESENT: Mayor Steven B. Hamilton, Council members George Chancellor, Debra Mickelberry, Teri Whitesitt, Sharon Smith, Ed Tharp, and Dennis Nelson. Also present were staff members Crystal Turner, Kelly Smith and City Attorney Susan Swimley.

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

The Pledge of Allegiance to the American Flag was led by Mayor Hamilton. Reminder to the public that the meeting is being recorded both audio and visual.

GUESTS: Jon & Christina Kamps, Kelly Cooper Bugland, Gloria Howland and Sgt. Don Peterson (7:30).

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns not on the agenda.

Seeing none, he introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claims per List(s), including claims paid due to timeliness by June 30, 2015 in the amount of \$7,020.53.

Meeting Minutes of June 23, 2015.

Pledged Securities through June 2015.

Councilwoman Smith motioned to approve the consent agenda. Councilman Chancellor seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

PUBLIC HEARINGS

Public Hearing and Decision to Accept City Fire Department Volunteer's Recommendation on Fire Chief, Assistant Fire Chief and Secretary

Mayor Hamilton read into the record Keith Aune's letter which recommended Keith Aune as Fire Chief, John David Whitesitt as Assistant Fire Chief and Christine Pastrama as Secretary.

There was no Council or public comment.

Councilman Chancellor made a motion to accept the Fire Department's recommendation for the City for their officers. Councilwoman Smith seconded the motion. There was no Council comment.

Public Comment: Kelly Bugland asked if Christine Pastrama would be taking Barb Mutter's place. The Mayor answered yes.

MOTION PASSED UNANIMOUSLY.

Public Hearing and Decision on a Resolution Amending FY2014/2015 Budget

Mayor Hamilton read the resolution into the record in its entirety.

Crystal Turner noted there is an incomplete sentence in the second "Whereas". Kelly Smith noted we mentioned fund 2810 in the fifth "Whereas" but missed its inclusion in the table of funds to be amended. She also noted a correction to the Account to be amended based on the Auditor's recommendation to merge Library funds, but that the Council could do something different based on the Auditor's recommendations.

Public Comment: Gloria Howland questioned why the Trails system is in the budget. Mayor Hamilton explained because there were unanticipated grants received. She amended her question to clarify that she believed the trails weren't a City department. Crystal Turner explained that Trail funds are administered by the City, and thus a department.

Councilman Chancellor made a motion to table Resolution #235-2015 till next council meeting pending modifications. Councilwoman Smith seconded the motion. There was no further public comment.

MOTION PASSED UNANIMOUSLY.

Public Hearing and Decision on First Reading of Ordinance Clarifying Authority to Declare Emergency Prohibition on Burning Exceptions within the City Limits

Mayor Hamilton read the ordinance into the record in its entirety.

Councilwoman Smith motioned to approve the first reading of Ordinance #358-2015. Councilman Nelson seconded the motion.

Public Comment: Gloria Howland questioned if she has a sand point well, green grass and pavers all around her fire pit that essentially the Mayor could say she could not burn in her firepit. The answer was yes, in extreme circumstances, with recommendation of the Fire Chief, the Mayor could initiate a ban on burning (including fireworks) for safety reasons. There was no further public comment.

MOTION PASSED UNANIMOUSLY.

Public Hearing and Decision on First Reading of Ordinance Regarding Dog Licensing Requirements

Mayor Hamilton read the ordinance into the record in its entirety.

Teri Whitesitt asked what the penalty for not licensing a dog is. Kelly Smith responded that a penalty is \$25.00. Gloria Howland said that she will be in tomorrow morning to register her dogs, adding she, "got away with it for fourteen years." Everyone laughed.

Councilwoman Whitesitt moved to adopt Ordinance #359-2015 amending Title 6, Chapter 4A regarding dog licensing requirements. Councilwoman Mickelberry seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

Public Hearing and Decision on First Reading of Ordinance to Provide Water and Sewer Service to Imerys which is Outside the City Limits

Mayor Hamilton read the ordinance into the record in its entirety. He added that this basically puts into writing what we've been doing for years: providing City services to Imerys which is outside of City limits. This also allows for the Council to set a separate fee in the Resolution when they set the water and sewer rate structure.

Councilman Chancellor made a motion to accept the first reading of Ordinance #360-2015 to provide water and sewer service to Imerys. Councilwoman Smith seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

REPORT OF OFFICERS

Sgt. Peterson did not have a report.

Kelly Smith did not have a report.

Crystal Turner requested a meeting with the Water & Sewer Committee to review some properties which have service/connections but are vacant land at the moment, as well as some that have abandoned lines.

Susan Swimley reported that she has been working on ordinances, and that she'll have a rough draft on business licenses in two weeks to the Ordinance Committee.

REPORTS OF COUNCIL COMMITTEES

Budget Committee - Dennis Nelson reported they met today and reviewed in detail the budgeted expenditures for FY2015/2016. He asked if Susan Swimley anticipated there was enough in her budget if left as is. She

replied yes, and believed she may need less than this past year because as she learns more she does not need to research as deeply. Dennis also reported to the public that at the end of FY2014/2015 the City ended up roughly \$20,000 in the black. Some of that was for a CTEP grant not used, so bottom line was roughly \$13,000 in the black. He commended the departments and staff for staying within budget.

Streets & Alleys - Sharon Smith will get in touch with Wendell Ewan to schedule a meeting with the committee to look at hazardous areas in various sidewalks.

UNFINISHED BUSINESS

Discussion and Decision on Second Amendment to the Interlocal Agreement between the City and the Three Forks Rural Fire District

Susan Swimley said that there are separated retirement benefits based on where they respond to fire calls (City or Rural). This amendment clarifies that under the retirement contributions section. Under 5.7 the Rural doesn't technically have volunteers (it uses the City's volunteers); this helps keep the books separated and straight.

Councilwoman Smith motioned to approve this second amendment to the Interlocal agreement. Ed Tharp seconded the motion. There was no further Council or public discussion.

MOTION PASSED UNANIMOUSLY.

Public Hearing and Decision to Accept or Negotiate an Amendment to Appendix A of the Contract with Rudd & Company, PLLC Regarding the First Year's Price

Mayor Hamilton reminded the Council that at the last Council meeting we had the audit report and Julie Kostelecky presented this additional charge to the first year of their contract.

Susan Swimley commented that she reviewed the contract and bid from Rudd & Co. The first thing she noticed in the contract they noted 125 hours for the audit, and the amendment also states the hours it has taken them as 125. So this amendment doesn't show the additional hours spent. Additionally, the bid submission states "no surprise billing" and on page 26 it states, "If additional work arises due to changes in the City's business during the contract period, we will discuss a change in the engagement with management. If work is substantially different than from the original scope of the engagement, we will discuss a change in fee at that time." This is a flat contract and the City is not legally obligated to pay anymore than what you originally agreed to.

Dennis Nelson would like to know how many additional hours have been spent and what they entail. He'd then be willing to negotiate. Sharon Smith, Ed Tharp and Teri Whitesitt agreed. Crystal Turner will discuss with the Auditors and get the requested information back to the Council.

Water Project: Kelly Smith reported that Red Tiger Drilling had submitted a letter to Great West Engineering saying they weren't paid roughly \$900 for work completed. Great West investigated and found that Red Tiger was actually overpaid \$1,358 and requested they submit that overpayment back to the City. The City received Red Tiger's reimbursement last week.

Wastewater Project: SRF Draw #3 in the Amount of \$222,246.00

Mayor Hamilton introduced the draw and requested permission from the Council to sign it.

Councilwoman Smith motioned to approve for your signature on that SRF Draw #3 for the disbursement of \$222,246.00. Councilwoman Whitesitt seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

Marcia Anderson Award

Mayor Hamilton explained that Marcia Anderson is donating both architecture and replacement of the tennis court at Stevenson Park. She declined attending the meeting being uncomfortable receiving an award, so Mayor Hamilton will deliver the award himself for the City's appreciation of her generous donation.

Board Appointments to the Three Forks Board of Adjustments, Three Forks Library Board and Headwaters Fair Board

Mayor Hamilton read the board appointment memo into the record.

Councilman Nelson made a motion to approve the reapplication of Deb Mickelberry and Ray Noble for the second term for the Board of Adjustment being the only applications received, and the same with the Three Forks Library Board to appoint Sally Griffin to another term on the Library Board, and for the Headwaters Fair Board I would make a recommendation to appoint Rick Moeykens and Nate Carr and the remaining vacancy on the Headwaters Fair Board to be continued to be advertised. Councilwoman Whitesitt seconded the motion. There was no public comment.

MOTION PASSED 5:0, Deb Mickelberry abstained.

Request for Consideration of Alternate Average of Sewer Rate

Christina Kamps read her letter into the record regarding the Three Rivers Car Wash.

Mayor Hamilton stated he wasn't aware of running water during the winter; it's understandable that water would be running to prevent freezing/damage, but it just hadn't occurred to him.

Christina Kamps presented her three lowest month's average use. There was discussion regarding their last twelve month's usage. Dennis Nelson proposed the Water & Sewer Committee meeting with the Kamps to review their last year's average and come back to the Council with a recommendation.

PUBLIC COMMENTS/CONCERNS

Gloria Howland commended the Kamps on their efforts on finding solutions and getting involved.

MAYOR & COUNCIL ANNOUNCEMENTS

Teri Whitesitt asked about City purchases on personal credit cards. The City doesn't have a policy on such, but each full-time employee is issued a credit card in their name and the City's name. Teri said this was a large purchase on a personal credit and wondered about collecting purchase points using City funds. Mayor Hamilton stated he suggested the employee purchase this on their personal card so that the City could issue a check back to them and have the charge fall into the last fiscal year. These were new computers purchased for Crystal Turner and Kelly Smith which were on an incredible sale on June 30th. He directed Kelly to purchase them and the only way we could make the purchase fall in FY2014-2015 was to cut a check; cutting a check to Dell Computers was not an option.

Sharon Smith noticed a nice plaque at Helton-Peterson Park and she assumed it was donated by Lavon Flynn. Kelly Smith asked what the plaque said, and if it was history of the park. Sharon was unsure. Kelly stated that if it's history of the park, Lavon drafted it up but the City paid for the plaque, and it has been posted for a couple years.

Mayor Hamilton said there have been numerous rumors floating around lately. He encouraged the public if you have questions to please call and ask the City staff for the City's position on whatever the topic is. He was disappointed to read about rumors flying around lately, especially after learning some people saying these things have not even checked with the City.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: July 28, 2015

- Second Reading on Ordinance #358-2015 Clarifying Authority to Declare Emergency Prohibition on Burning Exceptions within the City Limits
- Second Reading of Ordinance #359-2015 Regarding Dog Licensing Requirements
- Second Reading of Ordinance #360-2015 to Provide Water and Sewer Service to Imerys which is Outside the City Limits
- First Reading of an Ordinance Modifying Parking Regulations Around the School
- Decision/Negotiation for Amendment to Contract with Rudd & Company for Auditing Services
- Decision on Sewer Rate Determination for Three Rivers Car Wash
- Budget Amendment for FY2014/2015

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Nelson "so moved". Councilman Tharp seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY. (8:15 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

JULY 28th 2015, The Three Forks City Council met in session in the Council Chambers 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 July 2015.

PRESENT: Mayor Steven B. Hamilton, Council members George Chancellor, Debra Mickelberry, Teri Whitesitt, Sharon Smith, Ed Tharp, and Dennis Nelson. Also present were staff members Crystal Turner and Kelly Smith.

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

The Pledge of Allegiance to the American Flag was led by Mayor Hamilton. Reminder to the public that the meeting is being recorded both audio and visual.

GUESTS: Gloria Howland.

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns.

Gloria Howland asked why dogs have to be licensed and cats do not. Kelly Smith responded that more people get bit by dogs than cats and usually licensing is to verify a rabies vaccine. Gloria also asked if she saw a City employee working on a weekend if that would be overtime or a traded day. There was discussion/explanation on this particular circumstance of reading water meters.

Mayor Hamilton introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claims per List(s)

Approval of July 14, 2015 Meeting Minutes

Councilwoman Smith moved to approve the consent agenda. Councilman Chancellor seconded the motion. There was no public comment.

Motion passed unanimously.

PUBLIC HEARINGS

Public Hearing and Decision on a Resolution Amending FY2014/2015 Budget

Mayor Hamilton highlighted the changes to Resolution #235-2015 which was read into the record at the July 14, 2015 meeting. He detailed all the fund changes to both expenditures and revenues.

There was no Council discussion or public comments.

Councilwoman Smith motioned to approve Resolution #235-2015. Motion was seconded by Councilman Tharp. There was no other Council or public comments.

Motion passed unanimously.

Second Reading of Ordinance #358-2015 Clarifying Authority to Declare Emergency Prohibition on Burning Exceptions within the City Limits

Mayor Hamilton stated this was the second reading of Ordinance #358-2015, adding it requires the Mayor to consult with the Fire Chief which should happen anyway.

Councilman Nelson motioned to approve the second reading of Ordinance #358-2015 clarifying the authority to declare emergencies. Councilwoman Whitesitt seconded the motion. There was no public comment.

Motion passed unanimously.

Second Reading of Ordinance #359-2015 Regarding Dog Licensing Requirements

Mayor Hamilton stated this was the second hearing for the dog licensing requirements, essentially eliminating the gender bias.

Councilman Chancellor made a motion to pass Ordinance #359-2015 regarding dog license requirements. Motion seconded by Councilman Tharp. There was no public comment.

Motion passed unanimously.

Second Reading of Ordinance #360-2015 to Provide Water and Sewer Service to Imerys which is Outside the City Limits

Mayor Hamilton stated this was because Imerys is outside the City Limits and we have been servicing them. We would now legally allowed to do so, as well as set their rate separately in the resolution setting rates via this ordinance.

Councilman Nelson made a motion to approve Ordinance #360-2015 to provide water and sewer service to Imerys. Councilman Tharp seconded the motion. There was no public comment.

Motion passed unanimously.

First Reading of Ordinance Clarifying Commercial and Public Refuse Containers

Mayor Hamilton read Ordinance #361-2015 into the record in its entirety. He explained that some garbage cans throughout town are not flytight and so are out of compliance with the ordinance as currently written. However, some are the city's cans and emptied often, as well as some commercial customers are not flytight yet emptied daily.

Public Comment: Gloria Howland brought up that dumpsters have openings drilled/cut into them as to let leakage out. There was discussion regarding the necessity of removing fluid before the dumpsters are emptied. The intent is so that garbage isn't spilling out and "leaking" over the vessel. Crystal Turner will discuss this with Susan Swimley for clarification.

Councilman Chancellor made a motion to approve at first reading Ordinance #361-2015 about commercial and public garbage vessels. Councilwoman Mickelberry seconded the motion. George Chancellor asked if he should comment regarding the leakage. Crystal Turner said she will speak with Susan Swimley and find out more information and edit for the second reading as needed. No further public comment.

Motion passed unanimously.

First Reading of Ordinance Modifying Parking Regulations around the School

Mayor Hamilton read into the record Ordinance #362-2015 in its entirety.

Mayor Hamilton questioned the fifteen minute limit at the student pickup/drop off area. Teri Whitesitt agreed and didn't agree with the fifteen minutes. Five minutes should be sufficient and drivers should remain in their car, or it will be used as a parking area. There was discussion regarding one hour parking along 2nd Ave E. There was also discussion regarding the length needed for a handicapped parking space. Teri Whitesitt also suggested the date/time of the parking restriction be adjusted due to students/faculty usually being gone well before 4:30pm. Steven Hamilton said that sometimes groups leave very early from the school and should be excluded. Teri thought that the morning wouldn't be an issue like afternoons would be. Kelly Smith stated that the easterly side of 2nd Ave E language in the ordinance does not match the map. If the Council's intention is to allow parking adjacent to what is currently used as a student parking lot the language in the ordinance would need to be amended. She also questioned if there would be a limited number of residential parking permits provided to each home. There was discussion regarding amending the dates of the school year, which will be posted on the signs to alert visitors. Crystal Turner brought up that this ordinance states all of 7-2-15-A is all amended by this new language, but the ordinance reads that the rest of this title, section and chapter will remain the same. In 7-2-15-B we currently discuss exemptions. She

questioned if they Council was wishing to omit that as well, and if not we need to include that language.

Councilwoman Whitesitt moved that we approve Ordinance #362-2015 with the following changes: "A." will be changed to read, "...August 20th of each year and continuing until June 1st..." and, "...from the hours of 7:15 a.m. to 4:00p.m. Monday through Friday..."; 2.b. to read, "Westerly side of N. 4th Avenue from E. Oak Street to E. Neal Street: No parking, student drop off and pick up only"; 4.c. Neal to the edge of school property is school parking, from the edge of school property to Ash Street is one hour parking; We will have the school district issue parking permits for the school students and students; the Existing B to be repealed and the new B to read, "Special School events within school hours are exempt from the one hour parking regulation."

Councilwoman Smith seconded the motion.

Ed Tharp questioned if the City would issue resident parking permits annually or would it be good for the life of the property ownership. There was discussion regarding limiting the number of permits per lot. There was no further comment.

Motion passed unanimously.

REPORT OF OFFICERS

Kelly Smith did not have a report.

Crystal Turner did not have a report.

REPORTS OF COUNCIL COMMITTEES

There were no Council Committee reports.

UNFINISHED BUSINESS

Approval/Negotiation Appendix A Amendment to Contract with Rudd & Company for Auditing Services of FY2013/2014

Dennis Nelson explained he reviewed the original contract today which was for 125 hours. The hours the auditors spent prior to the actual audit was roughly 35 hours, which seemed like poor planning to him. He believes the City should offer \$1,250.00 and go from there. Ed Tharp agreed that is reasonable; he believes they should receive some increase but thinks \$3,500 is way over. Sharon Smith agreed it's a fair place to start negotiations. Mayor Hamilton's impression when Rudd & Co presented the amendment was that they would take anything really. Teri Whitesitt stated that the City does not have to offer them anything - per the contract. Crystal Turner tallied the hours prior to the AFR being completed that had been logged by Rudd & Co, and they spent 34 hours prior to the AFR being

completed by Craig Shepherd - that is already 27% of their bid total hours. Rudd & Co. estimated 14 hours for the planning phase. Dennis agreed that with them being new to us, the City having two newer clerks that he is willing to provide more money for their services but not to the tune of \$3,500. Dennis asked Kelly Smith if this amount would come out of this year's fiscal budget or be able to be backdated. Kelly responded that some of it could be since some of the audit is paid out of enterprise funds. George Chancellor asked if this would be a continuation to negotiate and come to a different price; Teri rebutted that the City could offer them nothing. Deb Mickelberry agreed and since this is a contractual agreement the City is not required to pay them anything additional. George does not want to continue negotiations, but just provide a flat offer.

Councilman Chancellor made a motion that we pay an additional \$1,250.00 on Addendum of Appendix A to the Rudd & Company contract. Councilwoman Smith seconded the motion. George clarified that this is only for the first year of the contract. Crystal stated that Appendix A is only for the 1st year of the contract, Appendix B is for the 2nd year and Appendix C is for the 3rd year so that is covered as a one-time only additional payment.

Motion passed 5:1, Teri Whitesitt opposed.

Water & Sewer Committee's Recommendation on the Request for Alternate Sewer Rate Average for Three Rivers Car Wash

Councilman Tharp explained the Committee's recommendation: with the environmental savings of not washing cars on streets/driveways, the three-tiered baffled system which already removes metal, solids and oils, and running water in the winter to keep the system from freezing, the Committee could justify a 6,000 cubic foot average. Councilman Nelson added that the Committee would like to review this again when staff reviews winter averages.

Councilman Tharp made a motion to accept the 6,000 for the Three Rivers Car Wash. Councilwoman Smith seconded the motion. There was not public comment.

Motion passed unanimously.

Water Project

There was no update on the water project.

Wastewater Project

Councilman Nelson said that the job site got a couple rained out days over the past week but everything is going well.

NEW BUSINESS

Public Hearing and Decision on Preliminary Budget for FY2015/2016

Mayor Hamilton reported that this is a preliminary budget presented tonight; it does not include raises for staff other than for part-time employees as presented. Dennis Nelson added he met with Fire Chief Keith Aune today to review in detail their line items. The Fire Department will make a couple changes to their budget with the volunteers all being considered City employees. One of those being the training portion will be increased. The Rural will reimburse the City for half of that. Kelly Smith reported that there will be an addition to the water and sewer budget, because the meter reader is no longer serviced (out of date) and there was a glitch when starting readings this month. A quote for a new replacement is \$10,000.00. Kelly said that she asked if there was a lesser model that would accommodate the City's needs and is awaiting an answer. Dennis added that this preliminary budget also does not include a GIS planning/mapping software program which could be used to identify water and sewer connections for all the properties in town, shut-off valves, flood plain overlay mapping. It could be used to map the conditional use permits which run with the property and a variety of other uses to document the tribal knowledge of our staff to run with all the properties in town. With the various uses it has, it could be paid for by almost all departments.

Mayor Hamilton read Resolution #236-2015 into the record in its entirety.

Councilman Nelson made a motion that we approve Resolution #236-2015 a resolution of the City of Three Forks, Montana adopting fiscal year 2015-2016 preliminary budget. Councilman Tharp seconded the motion. There was no public comment.

Motion passed unanimously.

PUBLIC COMMENTS/CONCERNS

There were no public comments.

MAYOR & COUNCIL ANNOUNCEMENTS

There were no Council announcements.

Mayor Hamilton reported that there is a vacancy on the MMIA Board of Directors for cities with less than 20,000 populations, for elected or appointed members of government. If anyone is interested, please contact MMIA.

He also reported we have received Craig Shepherd's letter of engagement for the FY2014/2015 fiscal year, which has an increase over last year's

cost in the amount of \$500.00 due to the new GASB update regarding retirement reporting.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: August 11, 2015

- Second Reading of Ordinance #361-2015 Clarifying Commercial and Public Refuse Containers
- Second Reading of Ordinance #362-2015 Modifying Parking Regulations Around the School

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Chancellor "so moved". Councilman Nelson seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY. (8:45 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

AUGUST 11th 2015, The Three Forks City Council met in session in the Council Chambers 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 August 2015.

PRESENT: Mayor Steven B. Hamilton, Council members George Chancellor, Debra Mickelberry, Dennis Nelson, Sharon Smith, Ed Tharp, and Teri Whitesitt. Also present were staff members Crystal Turner, Kelly Smith, Library Director Debbi Kramer, and City Attorney Susan Swimley.

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

The Pledge of Allegiance to the American Flag was led by Mayor Hamilton. Reminder to the public that the meeting is being recorded both audio and visual.

GUESTS: Gloria Howland, Charlene Boggio, Fawn Venzor, Kristy Walton, Amy Murillo and Sgt. Don Peterson.

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing none, he introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claims for Fiscal Year ending June 30, 2015 totaling \$5,100.00 to be credited to the accounting period 13/15

Approval of Claims per List(s)

Approval of July 28, 2015 Meeting Minutes

Approval to shred duplicate copies (one original file retained) of the following:

- a. Three copies 1994 Audit Reports
- b. One copy 1995 Audit Report
- c. Four copies 1996 Budget, one copy 1996 AFR and one copy of 1996 Audit Report
- d. Two copies 1997 Montana CDBG application guidelines booklet, three copies of the 1997 Budget and one copy 1997 AFR
- e. Two copies 1998 Budget, two copies 1998 AFR and one copy 1998 Audit Report
- f. One copy 1999 Budget four copies 1999 Audit Report
- g. One copy 2000 Audit Report
- h. Two copies 2001 Budget and three copies 2001 Audit Report

- i. Five copies 2002 AFR and three copies 2002 Audit Report
- j. Nine copies 2003 Budget, four copies of 2003 AFR and two copies of 2003 Audit Report
- k. Three copies 2004 AFR and two copy 2004 Audit Report
- l. Two copies 2005 Budget
- m. One copy 2006 Budget and five copies 2006 Audit Report
- n. One copy 2007 Budget, one copy 2007 AFR and one copy 2007 Audit Report
- o. One copy 2008 AFR and one copy 2008 Audit Report
- p. One copy 2009 Budget, one 2009 AFR and one copy 2009 Audit Report
- q. One copy 2010 Budget and one copy 2010 Audit Report
- r. One copy 2011 Budget and one copy 2011 Audit Report
- s. One copy 2012 Budget, one copy 2012 AFR and one copy 2012 Audit Report

Approval of the First Amendment to the Cell Tower Lease Agreement with GTP Acquisition Partners II, LLC

Councilwoman Smith motioned to approve the consent agenda. Councilwoman Mickelberry seconded the motion. There was no further public comment.

Motion Passed Unanimously.

PUBLIC HEARINGS

Mayor Hamilton asked the Council's permission to amend the agenda to allow Library Director Debbi Kramer to go first.

The Council did not have any objections.

Annual Report for Three Forks Library

Mrs. Kramer distributed her Fiscal Year 2015 Annual Report, citing the library's circulation is down but she feels this is mostly due to users checking out books for two weeks, when historically they were checked out for only one week. Total patron numbers are also down, but she is not worried about that. She feels that since she does not allow users younger than 10 years old to have a library card that it contributes to lower patron numbers. She does not distinguish between those living in other counties who have a Three Forks address. She has approached the Broadwater County Commissioners, who are not opposed to a Library District, but they are not willing to fund the library at this time with their tax base.

Mrs. Kramer also distributed a public library statistics spreadsheet from 2014 on libraries similar to Three Forks' size. She went through the statistics on circulation, collections, expenditures, general service population, total income, interlibrary loans, programs and program attendance, registered borrowers, service hours, staff numbers, and total

visits. "You're getting a good bang for the taxpayer's buck," said Debbi Kramer.

She informed the Council that the Three Forks Library also recently received the ELSA award (Excellence in Library Service Award). Librarians also must be certified and Debbi just finished her fourth certification. Debbi said, "Library Directors are very much like teachers, and are required to have 60 hours of continuing education credits annually." Debbi also serves on the executive committee for Montana Share Catalog and Montana2Go.

Public Comment: Fawn Venzor, a Library Board member, commented that she felt we have an excellent library. There were no other public comments.

Debbi Kramer was excused.

Second Reading of Ordinance #361-2015 Providing Clarification for Commercial and Public Refuse Containers (which allows liquid leakage) OR First Reading of Ordinance #361-2015 Providing Clarification for Commercial and Public Refuse Containers (which prevents liquid leakage)

Mayor Hamilton explained that first version in their packet is as read at the last meeting, which would not allow leakage. The second version in the packet is an alternate version which would allow leakage. He asked how the Council wished to proceed.

George Chancellor questioned how the City proposes to handle commercial sized dumpsters which do not have a cover (similar to those used for construction sites). He stated there is no provision in either ordinance to allow that. George questioned a flytight cover - and asked anyone to check their garbage after a few days and see if there were flies hatching. There was discussion regarding if Allied Waste (now Republic Services) even offered containers which did not have pre-drilled holes to allow water to leak out. Mrs. Swimley questioned if Three Forks wants to allow leakage to be dumped around town and into our ground and groundwater system? She stated Allied Waste can provided dumpsters that do not leak.

Councilman Chancellor made a motion to table the ordinance for the City Council of the City of Three Forks, Montana providing clarification on public refuse containers until we find out what "leaking" means.

Councilwoman Whitesitt said she would call Allied to find out about costs and availability. Councilwoman Smith seconded the meeting.

Public Comment: Gloria Howland added that you cannot really regulate if someone dumps something illegal in a dumpster - you would rarely ever know who did it. There was no further public.

Motion Passed Unanimously.

**Second Reading of Ordinance #362-2015 Modifying Parking Restrictions Surrounding the School (includes faculty/student parking along 2nd Ave E)
OR First Reading of Ordinance #362-2015 Modifying Parking Restrictions Surrounding the School (limits faculty/student parking along 2nd Ave E only around parking lot at corner of 2nd and Neal)**

Mayor Hamilton asked Crystal Turner to explain the differences of the two versions. Crystal explained that she sent the revised version to Mr. DoBell after the last hearing and he requested to remove any school parking along the streets. He did not want to create preferential areas for any students or staff. He counted 100 parking spaces in the back parking lot and said he does not even have 100 members of faculty. Crystal created an updated map to reflect this and for ease of everyone to follow along in this reading, but the map would not print in color.

Teri Whitesitt stated that when the Ordinance Committee first started reviewing the parking issue, for ease of law enforcement, faculty, and public, and there being plenty of spaces available to park in the school provided parking lots, she personally preferred to see the residential areas remain one hour. She is happy to hear Mr. DoBell agrees. She believes it keeps it clear and concise and easy for all to understand.

Kelly Smith added this would probably save money as well for all the signs differences.

Public Comment: Fawn Venzor, who works at the school, commented regarding the loading/unloading zone as well as having to park in dark areas when she arrives at work. She wishes there had been a committee formed to discuss this. (The Ordinance Committee met in publically noticed meetings several times; Mr. DoBell and Sgt. Peterson attended a few of those meetings.) Sgt. Peterson stated that he does not have a problem with trucks unloading or loading in the other designated parking areas, as long as they are not impeding on other parking areas when needed. A lot of this is about common sense and discretion of each officer upon enforcement.

Mayor Hamilton asked for confirmation that the Council wants the alternate version of Ordinance #362-2015. The Council agreed. He said that he would like the Council members to state on the record why they changed their mind since the last meeting if moving forward with this version. He stated for the record that he does work at the school, but does not have a conflict here since he already parks in the back parking lot.

Deb Mickelberry stated that when the Ordinance Committee was working on this, her original thought was that she did not want to short the school staff or students any parking spaces. She understands now that Mr. Dobell

does not want to play any favorites by having some parking spaces near certain areas of school. Dennis Nelson likes this version in that it is a better option dealing specifically with 2nd Ave E. Ed Tharp agrees with Deb and Dennis that this makes it simpler on 2nd Ave E, and he agrees with Kelly Smith that this would save money on signage. Sharon Smith agreed with Ed, Dennis, Deb and Kelly. Teri Whitesitt said that she had not thought of the favoritism aspect previously and she does not want to do that. She always preferred keeping the residential area 1-hour parking.

Mayor Hamilton read Ordinance #362-2015 (limiting faculty/student parking along 2nd Ave E only around parking lot at corner of 2nd and Neal) into the record in its entirety.

Teri Whitesitt corrected A. of the ordinance to omit the "s" in trailers to be "trailer" only in this sentence. Crystal Turner reminded the Council she kept the south side of Neal Street as student/faculty parking on the street, and wanted to make sure the Council agreed with that. The Council did agree.

Sgt. Peterson stated he had heard a lot of complaints over the past year on school parking, and that those same parents are now asking more questions and trying to be sure they do the right thing.

Councilwoman Whitesitt moved that we adopt Ordinance #362-2015 with the omission of A. should be "trailer." Councilman Tharp seconded the motion. There was no public comment.

Motion Passed Unanimously.

REPORT OF OFFICERS

Sgt. Peterson reported that August 18, 19, 20, 2015 the Three Forks Ambulance requested training, which coincides with the same training dates as the Sheriff's office scheduled. They decided to hold training together and move it the High School, including Willow Creek, Manhattan and others to train for emergency situations. Starting about 5pm and training until around 9pm, there will be a lot of law enforcement, firefighters, EMS and role players in the area so he did not want to alert the public that there is an actual incident. He encouraged anyone interested in role playing to help distract emergency responders, to contact him.

Crystal Turner reported that she has been working with the Chamber of Commerce to follow up on a couple vendors who did not obtain a business license. She only has email or fax numbers for these two vendors and asked if the Council wanted her to try to send emails or faxes reminding them of the need to obtain a business license. The Council did wish for her to do so. Crystal reported that she received another complaint regarding the Thrifty Cannons Thrift Store, from the Brooke Leugers.

Crystal informed the complainant that our attorney has already reviewed the numerous complaints and can find no violation. The complainant urged the Council to adopt some sort of ordinance to disallow messes like this. Crystal also reported that construction has begun at the tennis courts at Stevenson Park, which will be out of commission for around six weeks waiting for the pavement to cure properly.

Kelly Smith reported that the City finally received the FEMA score on the audit which occurred in 2013. The City's score is 1,254 and remained an 8 overall. If we get 250 more points the City could become a 7 rating, which would further reduce the flood insurance cost. She also reported that she found someone in Montana who would perform an actuarial study for the fire relief pension fund; he's from Whitefish and has provided a verbal quote of between \$2,000 - \$5,000. Kelly also asked the Mayor when the wading pool would be closed. Mayor Hamilton said that Friday, August 14th would be the last day.

City Attorney Susan Swimley reported that she started on sidewalk replacement and improvements research. She has spent quite a bit of time responding to complaints regarding Thrifty Cannons. She has started a complete revision of the business license ordinance and is trying to incorporate all they have heard at the ordinance committee meetings. Regarding the cost of the actuarial study, Susan has requested some information from the volunteer's attorney who was on vacation so still waiting response. She is also still trying to finalize six projects Kelly and Crystal have requested her attention on. She appreciates their patience.

REPORTS OF COUNCIL COMMITTEES

Budget Committee - They met last week and have made some initial changes from the preliminary budget distributed at the last meeting. One thing the Committee will recommend is a 2.5% wage increase for all City employees. They "earmarked" an additional \$1,000 from Motor Vehicle Option Tax to assist the Library budget. This would be for one year only with review next year in order for the Library to catch up their shortfall of revenue vs. expenditures. The Committee also discussed an increase for Council members. Since 2002 Council members have received \$60/meeting. Dennis Nelson is proposing increasing this to \$70/meeting. George Chancellor commented that the City just increased sewer fees, and since the Council members are paid 1/3 out of each sewer, water and general fund perhaps the Council's wage should be paid entirely out of the general fund. This could eliminate the argument that the Council raised fees to cover a stipend increase. It would also free up some funds for water and sewer which are greatly needed with the recent projects, and the general fund can support this. Dennis encouraged the public and Council to comment on a \$10/meeting increase for Council members.

UNFINISHED BUSINESS

Wastewater Project

SRF Draw #4 in the Amount of \$253,975.00

Mayor Hamilton introduced the draw.

Councilwoman Smith moved to approve your signature on this Draw #4 in the amount of \$253,975.00. Councilman Chancellor seconded the motion. There was no public comment.

Motion Passed Unanimously.

Dennis Nelson reported that the City attended the Construction meeting last week and the project is moving along smoothly. There have been a few hiccups to the schedule due to cement pouring, but they seem to be caught up now. The concrete contractor asked that they could work overtime setting concrete forms, at their own cost, and the City approved this request.

NEW BUSINESS

Application for Kennel License for Charlene Boggio at 515 5th Ave E

Mayor Hamilton stated the Council had the application for kennel license in their packet, as well as the investigation report from Sgt. Peterson. Sgt. Peterson stated that his personal opinion is that he does not believe the kennel license provision in the ordinance is intended for those who want to have more than three dogs - but for a business. Other licenses have been granted in town and so he did not see a reason for this one to be denied since it's not a business.

Applicants: Amy Murillo and Charlene Boggio spoke that they just love their animals. Their dogs are fixed, two are rescue dogs, and all dogs are inside 95% of the time. Ed Tharp asked what the neighbors thoughts. The Boggio's responded that they wish their neighbors had talked to them at first as this probably could have been resolved at that time. They have a completely fenced in yard now, and are intending to change the fence to a privacy fence rather than cyclone so that the dogs cannot see out and hopefully will not bark at anything they see. They also get worried about their grandson sticking his hand in through the cyclone fence to the neighboring dogs.

Public Comment: Kristy Walton spoke in concern regarding a white dog, a small black dog with white feet, a husky and then three other dogs. She was concerned when it was going to stop. There was discussion between Kristy Walton and the Boggio family regarding installing a fence and statements of the dogs barking incessantly. Charlene Boggio said that one

of the dogs Mrs. Walton is describing is the one that passed away and the black dog with white feet is its replacement. There have only been a total of four dogs. Charlene stated she would really try to keep the dogs quiet and added that is why she has a bark collar on one of them. Kristy reiterated that she wanted to know when it would stop since at one time she believed there were six dogs, and who knows how many cats. Mayor Hamilton said that it will stop at four, and the City does not regulate the number of cats one can have so this is all we will be discussing. Kristy Walton said she did not really care anymore if it was only four dogs.

George Chancellor said that both applicant and the neighbor have discussed building a fence, and suggested that be something they could do together. The Boggio's seemed open to this idea; Mrs. Walton did not.

Councilman Chancellor made a motion to approve the application for a kennel license for Charlene Boggio at 515 5th Ave E. Councilwoman Smith seconded the motion. There was no further public comment.

Motion Passed Unanimously.

Taxable Valuation

Mayor Hamilton reported the 2015 Certified Taxable Valuation Information was received last week from Gallatin County. The value of a mill will be \$2,086.00 which is down from last year. However, the number of mills which can be levied has increased slightly.

PUBLIC COMMENTS/CONCERNS

Fawn Venzor stated she does a lot of service/volunteer work and knows it is a thankless job at times and wanted the Council to know that the value of a \$10 increase really works out to be pennies on all the work they do. She thanked the Council, law enforcement and staff for their hard work.

MAYOR & COUNCIL ANNOUNCEMENTS

There were no Council announcements.

Mayor Hamilton reported school will start in a couple weeks and he cautioned everyone to drive safely as kids are walking and riding to school.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: August 25, 2015

- Second Reading of Ordinance #361-2015 Providing Clarification for Commercial and Public Refuse Containers (which allows liquid leakage)
OR First Reading of Ordinance #361-2015 Providing Clarification for

Commercial and Public Refuse Containers (which prevents liquid leakage)

- Second Reading of Ordinance #362-2015 Modifying Parking Restrictions Surrounding the School (limits faculty/student parking along 2nd Ave E only around parking lot at corner of 2nd and Neal)
- Request by Three Forks School to hold the Homecoming Parade on Main Street on October TBD, 2015

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Nelson "so moved". Councilman Tharp seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY. (8:29 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

AUGUST 25th 2015, The Three Forks City Council met in session in the Council Chambers 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 August 2015.

PRESENT: Mayor Steven B. Hamilton, Council members George Chancellor, Debra Mickelberry, Teri Whitesitt, Sharon Smith, Ed Tharp, and Dennis Nelson. Also present were staff members Crystal Turner and Kelly Smith.

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

The Pledge of Allegiance to the American Flag was led by Mayor Hamilton. Reminder to the public that the meeting is being recorded both audio and visual.

GUESTS: Gloria Howland, Robert DoBell and Justin Helvik.

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing none, he introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claims per List(s)

Approval of August 11, 2015 Meeting Minutes

Approval of Correction to July 28, 2015 Meeting Minutes which state Susan B. Swimley as present, yet she was not in attendance

Change Order #2 with Smith Contracting, Inc. for \$1,084.00

Dennis Nelson commented on the change order being a necessity to include electrical disconnects for the heater panel in the Headworks buildings.

Crystal Turner commented that Kelly Smith just noticed on the budget reports that Fund 2700 (Library Memorial) has money assigned to it and this account was closed at the end of last fiscal year. Crystal just checked in Accounting and saw that it was a claim paid at the 8/11/2015 meeting and asked Kelly if we needed to correct that on the record. Kelly responded that it could be moved in Accounting outside the meeting.

Councilwoman Smith moved to approve the consent agenda with all the comments and noting those comments. Councilman Tharp seconded the motion. There was no public comment.

Motion passed unanimously.

PUBLIC HEARINGS

Second Reading of Ordinance #361-2015 Providing Clarification for Commercial and Public Refuse Containers (preventing leakage)

Mayor Hamilton asked for an update from the Council regarding the drainage holes in the dumpsters.

Teri Whitesitt explained she spoke with Harry Kirchenbaum at Republic Services, who referred her to Project Manager Jason Dietch. Jason said they could begin plugging the factory-made drainage holes at no cost to the City as early as this week.

Councilwoman Whitesitt moved that we table this, Ordinance #361-2015, until the first meeting in September. Councilman Chancellor seconded the motion. There was no public comment.

Motion passed unanimously.

Second Reading of Ordinance #362-2015 Modifying Parking Restrictions Surrounding the School

Mayor Hamilton introduced the ordinance and asked if anyone wanted it read into the record in full again. No one commented.

Councilman Chancellor made a motion that we approve the second reading of Ordinance #362-2015 modifying parking restrictions surrounding the school. Councilwoman Whitesitt seconded the motion. There was no public comment.

Motion passed unanimously.

Preliminary Budget of FY2015-2016

The Mayor said that he believes the Budget Committee has done a great job on this year's budget, and that the Council has had time to review what has been presented so far. He asked Dennis Nelson to explain further. Dennis thanked Kelly Smith and Crystal Turner for their help, as well as the Mayor for detailed input. He encouraged all Council members to review it prior to the meeting on September 8th, and suggested if they had any questions to visit with Kelly or Crystal, as they may get an answer earlier, but he would be available as well. He noted there is an inclusion to cover the GIS software. Dennis also said that Kelly has done a great job adding line items/object codes to help clarify how funds are spent in each specific account.

REPORT OF OFFICERS

Kelly Smith did not have a report.

Crystal Turner reported that it is time to send out renewal notices for business licenses. She was hesitant to send them out since she and Kelly are aware that the Ordinance Committee and Susan Swimley are working to amend that ordinance. Crystal suggested to the Council that she could send out renewal notices knowing the City may be issuing refunds if the Council adopts a different fee this year. The Council agreed.

Crystal also reported that Black Mountain Software had contacted her stating they are trying to streamline their billing cycles for all their annual maintenance. We currently have six programs running with Black Mountain and all six have a different month to renew the annual maintenance. Black Mountain Software suggested January annually. Crystal wondered if some of these would be hit twice within the same fiscal year - she had not checked yet which have already been paid since July 1, 2015. Kelly Smith asked if Black Mountain would pro-rate any that have already been paid this fiscal year. Crystal said that she would find out.

REPORTS OF COUNCIL COMMITTEES

Dennis Nelson - GIS report: As mentioned in the budget comments earlier the City is looking at purchasing a GIS software platform which would enable the City to map all the knowledge of where water shutoff valves are located, where sewer lines run, etc. He see lots of advantages to having things mapped: well heads, water lines, sewer lines, shutoff valves, flood plain permits, CUP/Zoning issues, inventory of street signs and their locations, or notes to make when replacements are needed. Stahly Engineering had originally quoted the software around \$13,000. The Budget Committee budgeted \$15,000 (\$5,000 water impact fees, \$5,000 sewer impact fees and \$5,000 out of option tax revenue). Molly Hershey will put together a presentation for the Council. Ed Tharp added that a lot of this information is in Randy Johnston and Wendell Ewan's head right now and getting this all documented with GIS precision. Crystal and Kelly will ensure we get competitive quotes from other vendors to adhere to the purchase policy.

Water & Sewer Committee - Dennis Nelson reported that the City has held weekly construction meeting with Smith Contracting and Great West Engineering. This is a big project worth \$4.7 Million from the contractor's side alone, and issues occur along the line of any project. He mentioned he requested that the meeting last week be recorded, and he is now officially requesting all future meetings be recorded. He will thoroughly evaluate the issues presented at the last meeting. He invited other Council members to attend and sit in on the wayside, and also requested the Water & Sewer Committee meet separately with Fred Phillips of Great West Engineering. He believes Great West has done an excellent job handling the City's position so far on this project. He requested

that other Council members attend while he is on vacation. Lastly, he requested another Water & Sewer Committee be held after the construction meeting on 9/3/2015.

UNFINISHED BUSINESS

Wastewater Project

There was no further wastewater discussion.

NEW BUSINESS

Request by Three Forks School to hold the Homecoming Parade on Main Street on September 18, 2015

Justin Helvik, Three Forks High School Principal, said that the school would like to hold their annual parade along Main Street beginning on September 18th, 2015 beginning at 2:45PM. Main Street should be reopened by 3:30PM. He has already obtained the Montana Department of Transportation permit to close Main Street. The school would also like to have a bonfire as has historically been done. He will coordinate with the Fire Chief since there are dry conditions but is also requesting permission from the Council.

Teri Whitesitt asked if he was planning on doing the bonfire at the bus barn again. Mr. Helvik agreed. Dennis Nelson asked Mr. Helvik to check with Gallatin County to ensure there were no burning restrictions.

Mayor Hamilton asked, "Council is there a motion to allow the school to hold their homecoming parade?" Councilman Tharp "I'll make that motion." Councilman Nelson seconded the motion. Mayor Hamilton stated for the record that he does work for the school. There was no public comment.

Motion passed unanimously.

Acceptance of Proposal of Actuarial Study for the Fire Relief Pension Fund

Mayor Hamilton introduced this topic as a finding in the FY2013/2014 Audit as necessary. Kelly Smith investigated many actuaries and found one in the state of Montana, who also is very affordable. As you can see on the Small Purchase Policy form Firestone & Associates is the low quote. Other quotes were received from Cavanaugh/MacDonald Consulting at \$7,500.00; Bartel & Associates at \$8,000.00; and Independent Actuaries, Inc. between \$10,000-15,000.00

Kelly clarified the minimum is \$2,000, as a retainer, but the maximum he would charge would be \$3,000.

Councilwoman Smith so moved to approve this contract with Firestone, with Richard A. Firestone, for actuary for the Three Forks Fire Relief

Association. Councilman Tharp seconded the motion. There was no public comment.

Motion passed unanimously.

PUBLIC COMMENTS/CONCERNS

There were no public comments or concerns.

MAYOR & COUNCIL ANNOUNCEMENTS

There were no Council reports.

Mayor Hamilton announced a reminder that school starts tomorrow, August 26, 2015 and asked everyone to be mindful while driving. He also reported he received a letter at the last Three Forks Library Board meeting offering Ann Cole's resignation from the Board. This vacancy is already being advertised.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: September 8, 2015

- Resolution Establishing the Wages and Compensation for the Appointed City of Three Forks Officers and Employees
- Resolution of the Three Forks City Council Adopting and Establishing the Mills to be Levied for the Fiscal Year Beginning July 1, 2015 and ending June 30, 2015
- Resolution Adopting the Fiscal Year 2015-2016 Budget
- First Reading of Ordinance #361-2015 with amendments to the "flytight" language.

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Nelson "so moved". Councilman Tharp seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY. (7:40 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

SEPTEMBER 8th, 2015, The Three Forks City Council met in session in the Council Chambers 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 September 2015.

PRESENT: Mayor Steven B. Hamilton, Council members George Chancellor, Debra Mickelberry, Teri Whitesitt, Sharon Smith, Ed Tharp, and Dennis Nelson. Also present were staff members Crystal Turner, Kelly Smith and City Attorney Susan Swimley.

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

GUESTS: Gloria Howland and David Whitesitt.

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing none, he introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claims per List(s)
Approval of August 25, 2015 Meeting Minutes

Councilwoman Smith moved to approve the consent agenda. Councilman Chancellor seconded the motion. There was no public comment or concerns.
Motion passed unanimously.

PUBLIC HEARINGS

Resolution #237-2015 Establishing the Wages and Compensation for the Appointed City of Three Forks Officers and Employees

Mayor Hamilton read Resolution #237-2015 into the record.

Mayor Hamilton asked for any public comment. There was none. Dennis Nelson ensured the budget to be approved tonight took into consideration wage increases effective 7/1/2015. Kelly Smith said that it does include increases to be effective 7/1/2015.

Councilwoman Whitesitt moved to approve Resolution #237-2015, establishing wages and compensation for the appointed City of Three Forks officers and employees. Councilwoman Smith seconded the motion. There was no public comment.

Motion passed unanimously.

Resolution #238-2015 of the Three Forks City Council Adopting and Establishing the Mills to be Levied for the Fiscal Year Beginning July 1, 2015 and ending June 30, 2016

Mayor Hamilton read Resolution #238-2015 into the record.

Mayor Hamilton asked for any public comment. There was none.

Dennis Nelson stated that the Mayor read the value of a mill as \$2,078.00 and it states \$2,087.00. Mayor Hamilton apologized and joked that he was trying to cut taxes by reading things incorrectly. Everyone laughed. Dennis also gave his gratitude to Kelly Smith, Crystal Turner, the budget committee and the Mayor for their input and help in preparing this budget.

Councilwoman Smith motioned that we approve Resolution #238-2015, a resolution of the Three Forks City Council adopting and establishing the mills to be levied for the fiscal year beginning July 1st, 2015 and ending June 30th, 2016. Councilman Nelson seconded the motion. There was no public comment.

Motion passed unanimously.

Resolution #239-2015 Adopting the Fiscal Year 2015-2016 Budget

Mayor Hamilton read Resolution #239-2015 into the record.

Public Comment: Gloria Howland asked what drug forfeitures were. Mayor Hamilton explained that they are fines/fees charged for drug violations/tickets in court. Crystal Turner added that the City no longer has these fines but this is money to be spent this fiscal year which is leftover in that fund. Dave Whitesitt asked for a copy of the budget. Dennis Nelson apologized to Dave, as he ran into Brad Eastty and told him a copy of the budget would be available, but Dennis didn't mean at the meeting. Dave asked that the City print or email he and Chief Aune a copy.

Councilman Chancellor made a motion to pass Resolution #239-2015, a resolution of the Three Forks City Council adopting the Fiscal Year 2015-2016 Budget. Councilwoman Smith seconded the motion. There was no further public comment.

Motion passed unanimously.

First Reading of Ordinance #361-2015 Providing Clarification for Commercial and Public Refuse Containers (preventing leakage and revising "fly-tight")

Mayor Hamilton read Ordinance #361-2015 into the record.

He opened the hearing up for public comment. There was no public comment.

Councilwoman Whitesitt moved that we approve Ordinance #361-2015, providing clarification for the commercial and public refuse containers.

Councilwoman Mickelberry seconded the motion. No further public comments.

Motion passed unanimously.

REPORT OF OFFICERS

Kelly Smith reported that everything has been submitted to Craig Shepherd for the annual financial report for FY2014/2015. She also reported the actuarial study for the Fire Relief Association is going well and should be completed by the end of September.

Crystal Turner reported that the Gallatin County Election office notified her that the close of voter registration for the upcoming municipal and special resort tax district area elections is October 25, 2015. Staff member Laura Werley asked if the City wished to run any additional notices in the Bozeman Daily Chronicle or Three Forks Herald. The Election Department will run notices on 9/13/15, 9/20/15, and 9/27/15. The Council did not think additional public notice was necessary. Crystal will report this back to Laura Werley. Crystal also informed the Council of the Family Heritage supplemental cancer insurance information and directed them to contact Matt Schuster if they wished to learn more.

Susan Swimley commended the Council on the way the City handles the budget process. She recently visited a county who adopted its budget, and then two weeks later voted to increase wages for everyone, which was an amendment to the budget. Three Forks is ahead of the game here by thinking about wages and salaries first and including them in the budget.

REPORTS OF COUNCIL COMMITTEES

Dennis Nelson reminded the Council and public of the GIS database proposal Stahly Engineering has provided, and directed Crystal Turner to gather more quotes.

UNFINISHED BUSINESS

Wastewater Project

SRF Draw #5 in the Amount of \$232,391.00

Mayor Hamilton introduced the draw.

Councilwoman Smith motioned to approve your signature for this draw #5 for \$232,391.00. Councilman Tharp seconded the motion. There was no public comment.

Motion passed unanimously.

Dennis Nelson said that the project will not be completed on time. He knows Fred Phillips is in process of contacting DEQ to request an extension. Fred did not feel that an extension would be denied, but that we do have to go through the process and request permission. He stated that Smith Contracting has presented a change order, and contacted a lawyer out of Spokane who will represent them on a hefty change order. A copy of the draft change order presented was sent to Susan Swimley, Great West Engineering and MMIA. Dennis thinks it is really an issue between Great West and Smith Contracting. He does not believe the City of Three Forks is responsible for any of the added dollars in change orders. He feels this is a situation to be addressed between those two parties.

Dennis read an email from Terry Campbell at DEQ in response to a question from Smith Contracting regarding a large purchase, particularly the LEMNA liner. Smith Contracting had requested submitting reimbursement of this purchase prior to their vendor's invoice being paid, a deviation from the contract. Terry Campbell had originally said it would not be a problem, but upon further research has agreed that materials stored on site could be covered for SRF reimbursement. (See email from Terry Campbell, dated 9/8/2015 to Fred Phillips.)

NEW BUSINESS

There was no new business.

PUBLIC COMMENTS/CONCERNS

There were no public comments or concerns.

MAYOR & COUNCIL ANNOUNCEMENTS

There were no Council reports.

Mayor Hamilton announced he will be in Powell, Wyoming for his brother's wedding on Friday September 18, 2015.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: September 22, 2015

- Resolution #240-2015 Adopting & Levying Assessments for the 2015-2016 Street Light District No. 1

- i. Resolution #241-2015 Adopting & Levying Assessments for the 2015-2016 Street Maintenance District No. 1
- ii. Resolution #242-2015 Adopting & Levying Assessments for the 2015-2016 Street Maintenance District No. 2 (Ridge View Subdivision)
- iii. Second Reading of Ordinance #361-2015 Providing Clarification for Commercial and Public Refuse Containers

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Chancellor "so moved". Councilman Tharp seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY. (7:50 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

SEPTEMBER 22nd, 2015, The Three Forks City Council met in session in the Council Chambers 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 September 2015.

PRESENT: Mayor Steven B. Hamilton, Council members George Chancellor, Teri Whitesitt, Sharon Smith, and Ed Tharp. Also present were staff members Crystal Turner and Kelly Smith.

The record reflects that a quorum was present, with the attendance of four (4) council members, and a 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 both audio and visual.

GUESTS: Esther Lily and Gloria Howland.

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing none, he introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claim paid due to timeliness in the amount of \$5.00
Approval of Claims per List(s)
Approval of Meeting Minutes of September 8, 2015
Approval of Record Disposal Request #2 for old records as listed on form

Kelly Smith informed the Council that 2015 MCA law books arrived today, which had not been ordered. Judge Drusch had requested to purchase three volumes only (claim #141593), so staff will find out more information before ordering/paying the claim tonight.

Councilman Chancellor made a motion to approve the consent agenda with the exception of claim #141593. Councilwoman Whitesitt seconded the motion.

There was no public comment or concerns.

Motion passed unanimously.

PUBLIC HEARINGS

Second Reading of Ordinance #361-2015 Providing Clarification for Commercial and Public Refuse Containers

Mayor Hamilton asked if anyone wished for him to read the ordinance into the record again, and if not he would forgo this reading. No one requested it be read aloud.

Councilwoman Whitesitt moved that we pass Ordinance #361-2015 providing clarification for commercial and public refuse containers. Councilwoman Smith seconded the motion. There were no Council comments or public discussion.

Motion passed unanimously.

Mayor Hamilton reminded the public that this ordinance would take effect in thirty (30) days.

REPORT OF OFFICERS

Kelly Smith informed the Council that the actuarial study is complete if anyone is interested in reviewing it prior to her presentation on October 13, 2015. She reported that the FY2015/2016 Budget has been submitted to the Department of Administration. She also reported that the trail going to the airport appears to be ready for asphalt to be poured this week.

Crystal Turner did not have a report.

REPORTS OF COUNCIL COMMITTEES

Water/Sewer Committee - Dennis Nelson will not be able to attend Thursday's construction meeting and he asked that Ed Tharp attend in his absence.

UNFINISHED BUSINESS

Wastewater Project

SRF Draw #6 in the Amount of \$215,005.46

Mayor Hamilton introduced the draw and read highlights of Susan Swimley's email regarding the payment on tonight's agenda - she reviewed the requirements for the materials on site and did not find a clause not to approve this draw.

Councilwoman Smith moved to approve that SRF Draw #6 in the amount of \$204,255.00. Councilman Tharp seconded the motion. There were no further comments or discussion.

Motion passed unanimously.

NEW BUSINESS

Board Appointment - Three Forks Library Board

Mayor Hamilton reminded the Council that Ann Cole had resigned from the board last month. Three applications have been received: "TK" Toni Gibson, Lana Torrence and Teri Whitesitt.

Teri Whitesitt recused herself from the discussion. She offered to leave the room so the Council could discuss. No discussion was had so the Council did not ask her to leave the room.

Councilman Chancellor made a motion to appoint Teri Whitesitt to the Library Board. Councilman Tharp seconded the motion. There was no public comment.

Motion passed 3:0 with Teri Whitesitt abstaining.

Kelly Smith suggested the applicants not appointed tonight be reminded there are vacancies on other boards. There was a lot of Council discussion on the Fair Board, how it operates, how people get appointed to sit on the Board, and how their finances are currently operated. Crystal Turner will contact the other applicants and inform them of the other vacancies.

PUBLIC COMMENTS/CONCERNS

There were no public comments or concerns.

MAYOR & COUNCIL ANNOUNCEMENTS

Teri Whitesitt has been in touch with Republic Services to find out the status for them plugging holes in dumpsters available in Three Forks. She has not heard back yet.

Mayor Hamilton said that he knows the Streets & Alleys Committee has been talking about sidewalks, but he wanted to remind the committee that they need to take an inventory of all sidewalks and prioritize what needs to be done first.

Mayor Hamilton also informed the Council that he will be attending the Gallatin County Citizen Police Academy over the next twelve Monday nights.

Kelly Smith reminded the public that the Fall Cleanup dumpster provided by Republic Services will be available on October 10, 2015. Something new this year will be that whatever occurs first: posted end time or six dumpsters being full, is when Republic Services will be done for the day.

Mayor Hamilton thanked the Council for approving the September 8, 2015 minutes because some of his students do not think that he is funny and now it is official that he can make a room laugh.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: October 13, 2015

- Resolution #240-2015 Adopting & Levying Assessments for the 2015-2016 Street Light District No. 1
- iv. Resolution #241-2015 Adopting & Levying Assessments for the 2015-2016 Street Maintenance District No. 1
- v. Resolution #242-2015 Adopting & Levying Assessments for the 2015-2016 Street Maintenance District No. 2 (Ridge View Subdivision)
- vi. Proclamation Remembering Col. Dean Pogreba
- vii. Presentation of the Fire Relief Association Actuarial Study

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Chancellor "so moved". Councilman Tharp seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY. (7:27 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

OCTOBER 13TH, 2015, The Three Forks City Council met in session in the Council Chambers 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 2015.

PRESENT: Mayor Steven B. Hamilton, Council members George Chancellor, Deb Mickelberry, Teri Whitesitt, Sharon Smith, Ed Tharp and Dennis Nelson. Also present were staff members Crystal Turner, Kelly Smith and City Attorney Susan Swimley.

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

GUESTS: Marcia Fairhurst, Teresa Roadarmel, Esther Lily, Kira Gifford, Kellie Cahill, Charles Eastty, John (David) Whitesitt, David and Doreen Kennedy, Rick Gale, Harriet Buckman, Sean Ketterling, Shannon Olsen, and Dep. Colter Metcalf (at 7:10).

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns.

Rick Gale, of the Gallatin County DUI Task Force, was present to encourage people to participate in sober and responsible drinking. The DUI Task Force is present at MSU games, Music on Main Street, the Three Forks Rodeo and other local events. He requested support for Red Ribbon Week, in hopes the City will support a proclamation for October 23-31, 2015. He distributed a pamphlet with information on Red Ribbon Week and a draft proclamation.

Seeing no other public comment, Mayor Hamilton introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claim paid due to timeliness in the amount of \$162.66

Approval of Claims per List(s)

Approval of Meeting Minutes of September 22, 2015

Pledged Securities

There was no public comment or concerns.

Councilwoman Smith moved to approve the consent agenda. Councilwoman Whitesitt seconded the motion. There was no public comment.

Motion passed unanimously.

PUBLIC HEARINGS

Mayor Hamilton requested permission to amend the agenda, moving items c) "Fire Department Quarter 1 FY2015/2016 Report" and a) "Presentation of Fire Relief Association Actuary Study" from "New Business" to be heard now. The Council did not object.

Fire Department Quarter 1 FY2015/2016 Report

Battalion Chief Charles Eastty introduced himself and Assistant Fire Chief (John) David Whitesitt. He requested an update on the Fire Training Center. Councilman Nelson stated that the Rural Fire Department is not dropping out of their support of the training center, but it was brought up during the Interlocal agreement discussions to address the cost-sharing aspect. It is still on the "books" to address, but due to other more pressing issues, it was postponed until the fall to review.

Charles also discussed Cancer Prevention, noting that firefighters are 48% more likely to develop cancer than others in the community. The firefighters will be working to promote cancer prevention. One example he gave was that using an industrial washing machine to wash turnout gear so that other members of the firefighters' family aren't exposed.

Asst. Chief (John) David Whitesitt discussed meals on fire calls. He explained that during firefighting of the Eustis Fire, they ordered sandwiches for all the firefighters (entities other than Three Forks as well) which cost roughly \$500. Originally they believed their budget would have to absorb this cost, but in the end the DNRC covered the cost. They want to brainstorm on meal planning and enlisting resources to help in planning for future events, like delivering cooked meals.

Mr. Whitesitt also provided incident numbers for July, being approximately 43.5 man hours, over 13 calls. In August they had approximately 209 man hours for 214 calls (which included a couple structure fires and the Eustis Fire). He stressed that these hours do not training hours or business meetings, so he wanted to share his awe of all the volunteers who spend time away from work, their families and in the middle of the night to help fight fires.

Lastly, the Fire Department is actively trying to find new recruits. They had a booth at Farmer's Market and are trying to be involved in more community events. One thing they do is through the Firefighter's nonprofit, they have a Facebook page. They would like to do some profiles

on some of the equipment, but since it would be featuring City equipment they would request feedback from the City on what they would like to see posted. Susan Swimley reminded them that the wearing of hats has been blurred in the past, and since we do not have a media policy yet, she requested to see everything first to ensure the clarity of the information posted.

Dennis Nelson offered to look at the budget to include a food line item in the future since this does happen and we should be prepared to pay for meals once in a while for nearby fires.

Charles Eastty asked about a social media policy, separate from the City's policy, since they recently adopted a handbook. Mrs. Swimley agreed that would be something worth discussing.

Actuarial Study

Kelly Smith informed the Council and public that the study is complete, citing it has met the new GASB requirements. She reviewed Exhibit 1 stating how much the plan actually had at the beginning of July 1, 2014, and the end of June 30, 2015. On Exhibit 2 she explained the number of participants fully vested who are eligible for retirement benefits at the end of FY2015. She further discussed the total benefits to be paid, or estimated to be paid, through June 30, 2017. Exhibits 3 and 4 just review the actual retirees.

Exhibit 5 is our actual value. Kelly said the "Amortization of the Unfunded Liability" Mr. Firestone forecasted the unfunded portion as a loan payment to be paid every year. This is not a true expense, "We don't actually pay ourselves," Kelly said. However, it is good to show it on paper as an expense. The present value of future benefits, we need to have is \$245,094. We are roughly \$81,000 short right now. Making these "paper payments" through June 30, 2017 the City would be underfunded about \$50,000. By 2019 it appears the Relief Association would be fully funded, just as the 10 mills for 10 years projected.

Exhibit 6 discusses Mr. Firestone's observations on how he came to these projections. Exhibit 7 is Mr. Firestone's recommendations on becoming fully funded. One recommendation he provides is to maintain a copy of all forms signed and dated by the retirees; we currently do not do this because PERS at the State of Montana is who receives and maintains the forms. He recommends the City establish a policy on having the potential retirees bring the forms here prior to sending them to PERS, or something similar, providing the City with documentation of retirement.

Exhibit 7 is Mr. Firestone's actuarial facts. Exhibit 9 is the letter stating he is an actuary and that this study meets the current GASB standards. Exhibit 10 is the summary of projected benefits based on those currently collecting and estimated how long they will collect. Exhibit 11 shows the employees with vested benefits. Exhibit 12 is the summary of projected benefits payable, and continues into Exhibit 13. Exhibits 14, 15, and 16 are various graphs showing the next three years of payments, underfunded balance and the projected balances.

Councilman Nelson questioned the total cost of the Actuarial Study. Kelly Smith stated the final bill was the total contracted amount of \$3,000.

Councilman Nelson made a motion to accept the Three Forks Relief Association Actuary Report by Richard A. Firestone as presented.

Councilwoman Smith seconded the motion. There were no public comments or concerns.

Motion passed unanimously.

Proclamation of the City of Three Forks, Montana Proclaiming the Week of October 11-17, 2015 in Memoriam of MIA pilot Col. Dean Pogreba, and Marking the 50th Anniversary of his Missing in Action Date on October 15, 2015.

Mayor Hamilton read the proclamation into the record.

Public Comment: David Kennedy of the Vietnam Veterans of America, Montana Chapter #788. He had hoped Mrs. Maxine Pogreba or Larry Pogreba were present, and would like to give a commemorative coin to Maxine (wife), Larry (son), Caroline and Beverly (daughters). He read into the record a letter to the family from his Chapter in thanks, and memory of Col. Dean Pogreba's service and ultimate sacrifice. Teresa Roadarmel said that if she received the coins, she would get them to the family members. Mr. Kennedy thanked her.

Mrs. Marcia Fairhurst spoke on behalf of Maxine Pogreba, who could not attend tonight, that she is very honored to the City for recognizing and honoring her late husband tonight.

Mayor Hamilton said that he was proud to be a part of this proclamation tonight stating, "This is why we name buildings and bridges after people: to keep alive their memory and their stories told in future generations."

Rick Gale, sits on the board of the Vietnam Veterans of America and just this past Saturday, Sen. Steve Daines initiated the Veterans History Project. Sen. Daines' office is asking for veterans to contact his office, to be interviewed in hopes of sharing their stories.

Councilman Nelson made a motion to approve the Proclamation of #2015-01 marking the 50th anniversary of Dean Pogreba's missing in action.

Councilwoman Smith seconded the motion. There were no public comments or concerns.

Motion passed unanimously.

Resolution #240-2015 Adopting & Levying Assessments for the 2015-2016 Street Light District No. 1

Mayor Hamilton read the resolution into the record. He opened it up for any public comment. There were no comments. He asked the Clerk if any comments had been received in writing. Crystal Turner stated there had not been any written comments received.

Councilwoman Smith motioned to approve Resolution #240-2015 for adopting and levying assessments for the 2015-2016 Street Lighting District #1.

Councilman Tharp seconded the motion. There was no public comment.

Motion passed unanimously.

Resolution #241-2015 Adopting & Levying Assessments for the 2015-2016 Street Maintenance District No. 1

Mayor Hamilton read the resolution into the record. He opened the hearing for public comment. There were no comments.

Councilman Tharp made a motion to accept Resolution #241-2015 the Street Maintenance District No. 1 for the assessments. Councilwoman Smith seconded the motion. There were no public or Council comments.

Motion passed unanimously.

Resolution #242-2015 Adopting & Levying Assessments for the 2015-2016 Street Maintenance District No. 2 (Ridge View Subdivision)

Mayor Hamilton read the resolution into the record. He opened the hearing for public comment. Kelly Smith informed the Council and public that Crystal had gone through and reviewed the linear feet on the plat and revised some of the lots' linear footage in SAMSID, so this resolution will tax about \$90 less than we have in previous years. There were no other comments.

Councilwoman Smith moved to approve Resolution #242-2015 for the 2015-2016 Street Maintenance District No. 2 Ridge View Subdivision. Councilman Nelson seconded the motion. There was no further public or Council comments.

Motion passed unanimously.

REPORT OF OFFICERS

Crystal Turner reported the Council and employees probably found a memo in their boxes regarding children's health coverage. It was required for the City to distribute to all employees, regardless of their current health coverage. If it does not pertain to you please feel free to recycle the memo. She also reported that Century Link finally responded with quotes for upgrading the Fire Department's internet. They proposed fiber optic at \$700/month which is out of the question. Crystal requested other options and they quoted Ethernet over copper at \$500/month, or upgrading DSL to 20mb download and 2mb upload speed for \$129/month. This is only about \$15/month more than the current price and over twice the current DSL speed. There will also be a one-time fee of \$229 for the modem. The Council was agreeable to moving forward with the DSL upgrade for the Fire Department. Lastly, Crystal proposed closing city offices on Wednesday, November 25th this year since school is out, and holiday weeks are usually pretty quiet. That time of each month is usually quieter in the office. She spoke with Debbi Kramer who would also be interested in closing the office, or closing early - she mentioned the Library Board usually approves them closing early anyway. If granted, employees would be required to use vacation, comp or unpaid time - this would not be a city paid holiday.

Kelly Smith informed the Council that the Headwaters Trail System has made its annual payment, so they should be done with all loan repayments next fiscal year. Also, we have a ballot box available for people to drop off their ballots locally.

Gallatin County Sheriff Deputy Metcalf informed the public of them hosting the annual Citizens' Academy, which is an informative and hands-on session which demonstrates and teaches the assets/resources that the Sheriff's Office provides the community. He extends an invitation and recommends any member of the public interested to attend any of the future sessions.

City Attorney Susan Swimley did not have anything to report, but did want to introduce Kellie Cahill, a new associate in her office at Swimley Law.

REPORTS OF COUNCIL COMMITTEES

Ordinance Committee - Teri Whitesitt reported that she asked Republic Services for the status of them plugging the dumpster holes and they admitted to dropping the ball on that the last few weeks. Republic called the City office today and informed Kelly Smith that they will be plugging two dumpsters a week until they are done.

Water/Sewer Committee - Dennis Nelson reported they met yesterday with Great West Engineering on various change directives and change orders which needed to be discussed for the project. They agreed to a fencing

change order, which will cost around \$5,000, for around the lagoon along the embankment which will be better than originally presented in the project specifications. There are a couple of other changes that do not have costs finalized yet. Great West is working on the numbers before presenting them to the City. The committee also discussed specifying a process for change orders which are denied. Susan Swimley reported she also attended that meeting and said she would contact Smith Contracting's lawyer to discuss. Susan responded that she has contacted them, and has not heard back yet. She informed them that to date these change orders are being denied because they are incomplete at this time. There was discussion regarding tasks that could be done during the winter shutdown, which do not require supervision (and could be inspected at a later date by the engineer).

UNFINISHED BUSINESS

Wastewater Project

SRF Draw #7 in the Amount of \$456,211.00

Mayor Hamilton introduced the draw.

Councilwoman Smith moved to approve your signature on this SRF loan disbursement in the amount of \$456,211.00. Councilman Nelson seconded the motion. There were no public or Council comments.

Motion passed unanimously.

NEW BUSINESS

Approval to Accept Bridger Glass & Windows' quote in the amount of \$493.14 for window replacements at City Hall.

Councilman Chancellor reminded everyone there is no labor included in this quote, as he and Dennis Nelson will take care of the installation if the Council approves the purchase of these windows.

Councilman Nelson made a motion to accept the quote from Bridger Glass & Windows in the amount of \$493.14. Councilwoman Whitesitt seconded the motion. There was no public comment.

Motion passed unanimously.

PUBLIC COMMENTS/CONCERNS

There were no public comment/concerns which were not on the agenda.

MAYOR & COUNCIL ANNOUNCEMENTS

There were no Council announcements.

Mayor Hamilton commended the Public Safety Workshops that Dep. Metcalf spoke of earlier. He has attended them and has learned a lot and enjoyed working with the deputies.

He informed the Council he will be out of state on October 16-20, 2015.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: Date TBD pending items needing action due to timeliness (Mayor Hamilton proposed postponing these until the first meeting in November):

- i. Red Ribbon Week Proclamation
- ii. Headwaters Fairgrounds Board Appointments
- iii. Resolution to Increase the Water Security Deposit Fee
- iv. Possibly a Resolution to Close Certain City Offices on 11/25/2015 (if the Council agrees)

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Nelson "so moved". Councilwoman Whitesitt seconded the motion. There was no public comment.

MOTION PASSED UNANIMOUSLY. (8:22 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

NOVEMBER 10TH, 2015, The Three Forks City Council met in session in the Council Chambers 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 November 2015.

PRESENT: Mayor Steven B. Hamilton, Council members George Chancellor, Deb Mickelberry, Teri Whitesitt, Sharon Smith, Ed Tharp and Dennis Nelson. Also present were staff members Crystal Turner, Kelly Smith and City Attorney Susan Swimley.

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

GUESTS: Gloria Howland

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns.

Seeing no public comment, Mayor Hamilton introduced the Consent Agenda.

CONSENT AGENDA

Approval of Amended Claim #141620 from previously approved of \$451.68 to corrected amount of \$112.92

Approval of Claims paid due to timeliness on 10/23/2015 totaling #3,071.23

Approval of Claims paid due to timeliness on 10/28/2015 totaling \$457,400.98

Approval of Claim paid due to timeliness on 10/30/2015 totaling \$162.36 to mail utility bills

Approval of Claims per List(s)

Approval of Meeting Minutes of October 13, 2015

Approval of Change Order #3 for chain link fencing required around the wastewater lagoon construction site in the amount of \$5,470.50

Mayor Hamilton asked if anyone wished to pull any consent agenda items. No one wished to pull any items from the consent agenda. There were no comments either.

Councilwoman Smith motioned to approve the consent agenda as presented.
Councilman Chancellor seconded the motion. There was no public comment.

Motion passed unanimously.

PUBLIC HEARINGS

Resolution Increasing the Water/Sewer Security Deposit Fee

Mayor Hamilton pulled this item from the agenda due it not being properly noticed in the Three Forks Herald, which did not print an issue this.

There was discussion regarding if there is a need to choose another legal advertising newspaper. Crystal Turner said that she had reviewed the MCA regarding legal advertising requirements, and reported that the Three Forks Herald and the Bozeman Daily Chronicle have provided annual circulation notice. The Council asked if Belgrade News would be a viable option. Crystal was not sure since they are a free publication and do not have subscribers, but she would ask. Susan Swimley agreed about the MCA requirements for a newspaper in general circulation and within the county which Three Forks sits. She questioned if Belgrade News did legal notices since she doesn't see any in their most recent edition. Kelly Smith said they do print legal notices and she has seen them published. She agreed that the City would need to have the Belgrade News' circulation notice, and once received the Council could decide to advertise elsewhere. Mayor Hamilton said that he would speak with Andy Malby too. George Chancellor asked that (assuming we get all required information) that it be on the next agenda for decision of which company to advertise with.

Resolution #244-2015 Closing City Departments on Wednesday before Thanksgiving 2015

Mayor Hamilton read the resolution into the record in its entirety.

Councilwoman Whitesitt moved to approve Resolution #244-2015.

Councilwoman Smith seconded the motion. There was no public comment.

Motion passed unanimously.

Resolution #245-2015 Setting the Time and Place for City Council Meetings

Mayor Hamilton read the resolution into the record in its entirety. He added that this is just setting policy to what has already been practiced but we could find no record of actually setting this in a resolution.

Councilman Nelson made a motion to accept Resolution #245-2015 setting the time and place for City Council meetings. Councilman Chancellor seconded the motion. There was no public comment.

Motion passed unanimously.

Resolution #246-2015 Providing for Appointment of Gallatin County Sheriff Deputies to be Cross Deputized to Enforce Three Forks Municipal Ordinances

Mayor Hamilton read the resolution into the record in its entirety.

Councilman Chancellor made a motion to approve Resolution #246-2015 providing for the appointment of the Gallatin County Deputies to be cross deputized to enforce City of Three Forks ordinances. Councilman Nelson seconded the motion. Councilman Nelson asked if someone were hired December 15th and not be on this list would they still be automatically able to enforce City of Three Forks ordinances. Mayor Hamilton said he believed it was based on badge numbers, so yes they would be cross deputized. Susan Swimley believed he was correct. There were no other comments.

Motion passed unanimously.

REPORT OF OFFICERS

City Treasurer Kelly Smith reported that there is an Elected Official workshop being held on November 12th, if anyone was interested in attending. She also reported that the City had its TSEP review a few weeks ago and just received the letter saying everything was good.

City Clerk Crystal Turner had nothing to report.

City Attorney Susan Swimley said she is working with MMIA regarding the Interlocal agreement with the Sheriff Office regarding liability for the vehicles. She has also been working with the Water/Sewer committee on the project, and with Sgt. Peterson on old complaints. Up next on her list is the fire training center with Willow Creek and who owns the property. Business licenses are also back on top of her list. She hopes to have a draft back to the Ordinance Committee before the next meeting.

Dennis Nelson said he attended the last business meeting of the volunteer firefighters and Dave Whitesitt had asked for an update on the social media policy. Susan responded that the City needs to see a policy first: who will be the moderator, who is responsible for taking down inappropriate comments, being very clear regarding the volunteers as their non-profit distinction, and the volunteers as firefighters working for the City. The City needs to see what the policy will be, and act on it, prior to them posting anything on their Facebook site.

REPORTS OF COUNCIL COMMITTEES

Water/Sewer Committee - Ed Tharp reported they met with Smith Contracting yesterday on several outstanding issues, one being an outstanding change order. He felt the meeting went really well and believe all items can be resolved without any legal action. They plan to shutdown on November 13th, some items will occur during shutdown without engineering supervision (only items that will not be covered up and can be inspected by engineer

upon their return to the jobsite). George Chancellor asked if there was any way to get the \$650.00 fine to DEQ back since the future violation could have been prevented this year if Smith Contracting had completed on time. Kelly Smith has asked Susan Swimley to look into this as well when reviewing the change order regarding time extension.

Budget Committee - Dennis Nelson reported he would like to set a meeting soon to review the second quarter of FY2015/2016, tentatively in early January.

UNFINISHED BUSINESS

Wastewater Project

WRDA Draw #1 in the Amount of \$282,000.00

Mayor Hamilton introduced the draw.

Councilman Nelson made a motion to allow Mayor Hamilton to sign the letter on the WRDA draw in the amount of \$282,000.00. Councilwoman Smith seconded the motion. There was no public comment.

Motion passed unanimously. Kelly Smith reminded the Council that this is not a loan, this is grant money.

SRF Draw #8 in the Amount of \$153,210.00

Mayor Hamilton introduced the draw.

Councilwoman Smith moved to approve your signature on that disbursement Draw #8 in the total of \$153,210.00. Councilman Tharp seconded the motion. There was a question about it being Draw #7 or #8 (the paperwork stated #7). Crystal Turner replied that it is #8 (#7 was drawn on the October 13, 2015 agenda).

Motion passed unanimously.

Dennis Nelson asked if the word "draw #1" would be correct on the agenda since it is actually a request for WRDA reimbursement. Kelly Smith replied that it would be acceptable as it is, "a draw on their funds."

NEW BUSINESS

Proclamation #2015-02 Declaring October 23-31, 2015 as Red Ribbon Week

Mayor Hamilton read the proclamation into the record. Crystal Turner asked if Mayor Hamilton wished for her to have this on our schedule annually. Mayor Hamilton agreed he wished to do this annually.

Councilwoman Whitesitt moved to adopt proclamation #2015-02. Councilwoman Smith seconded the motion. There were no public or Council comments.

Motion passed unanimously.

Board Appointments: Headwaters Fairgrounds Board

Mayor Hamilton read the board appointment memo into the record.

Teri Whitesitt asked who left the board. Crystal responded that she was unsure as records are not available but she knows the board recruited volunteers to help in the past and those folks "sat" on the board. She has been working with the Fair Board secretary, Christina Kamps, to get accurate terms and members so that we have matching records.

Councilman Nelson made a motion we recognize the appointment of Gene Townsend and Matt Hussung to the Headwaters Fair Board to finish out the previous members' terms which are expiring June 30, 2017. Councilwoman Whitsitt seconded the motion. There were no public or Council comments.
Motion passed unanimously.

Council Appointment: Representative on Board for the Interlocal Agreement for Law Enforcement with the Gallatin County Sheriff

Mayor Hamilton explained there is a Council appointment, as per the Interlocal Agreement, which has never been appointed. There will be one member of the County Commissioners, the County Sheriff, the Mayor, and one member of the City Council. This committee has never met but the City has never made an official appointment.

Ed Tharp said he would like to be the representative on this board and he has worked with the Sheriff Office in the past to get the Interlocal Agreement setup.

Councilman Nelson moved to appoint Ed Tharp as the City Council representative on this board. Councilwoman Smith seconded the motion. There were no further comments.

Motion passed unanimously.

Acceptance of Andy's Glass, Inc. quote for new door at City Hall in the amount of \$2,380.00

Mayor Hamilton reviewed the quote received. (Others were received as well but much higher - see Budget Committee meeting minutes of 8/6/2015.)

Councilwoman Whitesitt moved to approve the quote in the amount of \$2,380.00 from Andy's Glass. Councilwoman Mickelberry seconded the motion.

Public comment: Gloria Howland asked why the City could not just use a new threshold. Crystal replied that this door is very inefficient, the glass will be tempered, it will be easier for the public to see our notices posted on the door, and it will meet code by opening out. George

Chancellor said he was just about to ask how Andy's Glass proposed to eliminate the crack at the bottom of the door if it were still to open in, which is on an incline. Everyone agreed that due to the fire code which states commercial doors will open out, that there will no longer be a wind draft issue.

Motion passed unanimously.

PUBLIC COMMENTS/CONCERNS

There were no public comments or concerns.

MAYOR & COUNCIL ANNOUNCEMENTS

Ed Tharp congratulated all who were re-elected.

Dennis Nelson echoed Ed's congratulations. He thanked Susan Swimley for attending the Water/Sewer Committee 11/9/2015 and believed her presence helped alleviate potential conflict.

Steven Hamilton thanked Dennis and Jan Nelson for covering for him on election night. He also congratulated Deb Mickelberry, Teri Whitesitt and Ed Tharp on their recent reelection. He highlighted the letter sent by Sgt. Peterson regarding camping at the ponds and passed it on to the Ordinance Committee to come up with a draft. Lastly, he spoke with Century Link today regarding internet at City Hall. We currently have 1.5mbps and we will move to a 12mbps speed for a lower monthly rate. The City Hall bill will decrease an estimated \$30-\$35/month. He reminded everyone that tomorrow is Veteran's Day and the City will have the flags out along Main Street, and that everyone is invited to attend the Veteran's Day program at the School, beginning at 9AM. City Offices will be closed tomorrow.

AGENDA ITEMS FOR NEXT COUNCIL MEETING:

- Possible business license ordinance
- Decision on advertising in a different newspaper?
- Resolution Increasing Water and Sewer Security Deposit
- Acceptance of GIS quote
- Change Order #4 for Smith Contracting on the Wastewater Project

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Chancellor motioned to adjourn this evening. Councilman Nelson seconded the motion. There was no public comment.

Motion passed unanimously. (7:47 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

NOVEMBER 24TH, 2015, The Three Forks City Council met in session in the Council Chambers 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 November 2015.

PRESENT: Mayor Steven B. Hamilton, Council members George Chancellor, Deb Mickelberry, Teri Whitesitt, Sharon Smith, and Ed Tharp. Dennis Nelson was excused. Also present were staff members Crystal Turner and Kelly Smith.

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

GUESTS: Gloria Howland

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing no public comment, Mayor Hamilton introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claim paid due to timeliness on 11/12/2015 in the Amount of \$3,840.00

Approval of Claims per List(s)

Approval of Meeting Minutes of November 10, 2015

Approval of Change Order #4 for Smith Contracting on the Wastewater Project to modify winter shutdown to be 11/13/2015; to resume the contract on 4/18/2016 and to allow contractor to complete certain items during the shutdown period.

Mayor Hamilton asked if anyone wished to pull any consent agenda items. No one wished to pull any items from the consent agenda. There were no comments either.

Councilwoman Smith moved to approve the consent agenda as presented.

Councilman Tharp seconded the motion. There was no public comment.

Motion passed unanimously.

PUBLIC HEARINGS

Resolution Increasing the Water/Sewer Security Deposit Fee

Mayor Hamilton introduced the resolution. This is a proposed increase to cover the minimum water/sewer bill. Currently the deposit amount is \$75.00. The minimum monthly charge is \$83.75, so the deposit does not even cover the minimum bill. The average bill for all customers is \$99.04, hence the recommendation to increase the deposit to be closer to the average charge.

There were no Council or public comments.

Councilman Chancellor made a motion to pass a resolution of the Three Forks City Council increasing the water/sewer security deposit fee to \$100.00. Councilwoman Smith seconded the motion. There were no other comments.

Motion Passed Unanimously.

REPORT OF OFFICERS

City Treasurer Kelly Smith thanked George Chancellor for installing the new windows. They are working great and much appreciated.

City Clerk Crystal Turner reported that Engineering West stopped by to provide a sales pamphlet hoping to be considered when/if the City goes out to bid for engineering services in the future. She also reported that Northwestern Energy's contractor to trim the trees encroaching on their lines in the alleys will begin work the week of November 30th, 2015. They offered to give the wood chips from their trimmings to the City or anyone interested in them. They typically haul/dump the wood chips into Bozeman and if the City or community members could use them that would save the contractor time and money. We suggested he contact Mr. DoBell at the school for use around the playground. Crystal contacted John Hemighaus (a local horticulturist) to see if he would be interested in any wood chips. With the school and Mr. Hemighaus interested in wood chips, Crystal asked Wendell Ewan if we could store them on City ground. He suggested the Rodeo grounds. The Council was agreeable to this. Crystal will inform Northwestern Energy's contractor.

REPORTS OF COUNCIL COMMITTEES

Streets & Alleys Committee - Sharon Smith reported the committee met last week with Wendell to review the sidewalk ordinances and the responsibility of who would maintain/replace those in disrepair. They believe they need to draft something with more "teeth" as many trees around town have buckled sidewalks and most are not A.D.A. accessible.

Teri Whitesitt asked for an update on the newspaper publications and if the City was still considering going to another newspaper for its public

notices. Mayor Hamilton responded that he met with Andy Malby and the following issue came out right on time. He believes the matter of missing deadlines and public notices is behind us. Crystal added that after reading the MCA on publications, the City could not legally change its advertising from the Three Forks Herald to any other paper besides the Bozeman Daily Chronicle. One MCA requirement is that the newspaper in the county must provide the City a circulation notice prior to July 1 annually. Only the Three Forks Herald and the Bozeman Daily Chronicle did this in the past year. She will make it a point to ask all newspapers in Gallatin County to provide the City with its circulation notice every July in the event the City ever has issues again.

Ordinance Committee - Teri Whitesitt asked for an update on the need for signage out by the ponds and near the City parks that would read, "No overnight parking or camping." Mayor Hamilton said he wondered if the committee had directed Susan Swimley to draft an ordinance. Teri said that she had not given any direction to Susan but the Committee does wish to move forward with drafting an ordinance to eliminate camping at the ponds and parks.

Teri also suggested additional signage to be installed along 4th Ave E next to the School where it currently reads, "Drop off and Pickup Only." She has seen numerous vacated cars along this stretch and it causes danger for the kids leaving school and walking in between parked cars to come to their parents' cars. She suggested additional signing that would read, "Do Not Leave Vehicle." One-hour parking is available across the street so if parents want to walk their children in and go talk to staff inside they need to park in the designated areas and keep the flow moving on the drop off/pickup side.

UNFINISHED BUSINESS

Wastewater Project

Ed Tharp updated on the shutdown and what the contractors are working on currently. He knows that the official shut down date was 11/13/2015 but some small items not needing immediate supervision/inspection were approved to be done without Great West's representative onsite: roofs are being installed and other external work.

NEW BUSINESS

Request to close Main Street from 5-8pm on December 4, 2015 (in conjunction with State approval), including use of the last bay of the Fire Hall and allowing burn barrels on Main Street during the Christmas Stroll

Brooke Luegers said this is the same request as last year. She had Wendell Ewan review her permit request, to ensure safety and keep open communications with the City, prior to her submitting it to the State. Wendell approved it, and the State approved it as well. She is still requesting the Council's permission to have Main Street closed for the Stroll. Last year was a huge success with Santa Clause at the Fire Hall so she requested the use of the additional bay again to house Santa and Mrs. Clause. Fire Chief Aune has agreed to the use of the Fire Hall, but she would still appreciate the Council's approval. Lastly, Brooke is requesting on behalf of the Chamber, to allow burn barrels for warmth and ambience. There was a complaint of people throwing plastic in the burn barrels last year and discussion on how to prevent that (language in the Stroll newsletter stating garbage in the burn barrels is prohibited, or placing grates atop the barrels were some of the suggestions).

Councilwoman Whitesitt moved we close the street for the Christmas Stroll on December 4th. Councilman Chancellor seconded the motion. There was no further comment.

Motion Passed Unanimously.

Board Appointment: Three Forks Ambulance Board

Mayor Hamilton read the board appointment memo into the record.

Councilwoman Smith moved to approve that Gayle Ross be appointed to the Three Forks Ambulance Board for another term that expires on September 1, 2018. Councilman Tharp seconded the motion. There was no further comment.

Motion Passed Unanimously.

Acceptance of Stahly Engineering Quote for GIS in the Amount of \$12,500.00

Mayor Hamilton reported the quotes for GIS work for the City. He asked Crystal to explain the quote sheet. Crystal explained that Gaston Engineering, Morrison-Maierle and AES were all requested to provide quotes, but did not due to varying reasons. Stahly and C&H Engineering firms are really the only two quotes to review. Crystal spoke with Mark Chandler of C&H many times to provide information on what we want to map. Although comparative to Stahly's quote they have no experience in the precise data logging we are trying to capture. Stahly Engineering has mapped the Town of Manhattan and worked for lots of small communities around Montana and the program they proposed is what the Public Works department desires. Stahly's quote showed a recurring cost of the ARC GIS software at approximately \$400/year. C&H's quote showed this at \$2,500/year. C&H's quote provided roughly 3 weeks of onsite time to work with City staff to map knowledge that is currently not on any list but only in the operator's head. Stahly's quote provided 4 weeks. The difference in the handheld GIS meter quoted by C&H was between 1-3 meters

of accuracy; Stahly's handheld GIS meter was presented as a free app available on your phone or tablet that provides accuracy within 3 feet. Wendell Ewan is recommending acceptance of Stahly Engineering's quote.

Councilwoman Whitesitt moved to accept Stahly's offer. Councilwoman Smith seconded the motion. There were no public comments. Kelly Smith informed the Council this project would be paid for out of impact fees.

Motion Passed Unanimously.

Proclamation Announcing the Week of December 1-7, 2015 of "Trooper David J. DeLaittre Week"

With great emotion, Mayor Hamilton read the proclamation into the record in its entirety.

Councilwoman Smith moved that we approve this proclamation #2015-03, a proclamation of the City of Three Forks, Gallatin County, Montana Proclaiming the Week of December 1-7, 2015 in Memoriam of MHP Trooper David J. DeLaittre #269. Councilman Chancellor seconded the motion.

Motion Passed Unanimously.

PUBLIC COMMENTS/CONCERNS

Gloria Howland asked about the crumbling or heaved up sidewalks due to trees, whose responsibility it is to maintain. Various voices spoke out that it is the homeowner's responsibility to maintain the sidewalks. There was discussion regarding the ordinance.

MAYOR & COUNCIL ANNOUNCEMENTS

There were no council announcements.

Mayor Hamilton informed the Council that Great West Engineering invited everyone to their open house on December 4th from 4-8pm. He also asked if the Council was content with their committee placements, or if anyone was interested in being on another committee. The Council members all agreed they like the committees they are currently assigned. He stated that Dennis Nelson asked if anyone would be interested in serving as the Council liaison on the Planning & Zoning Board; Dennise is no longer interested in being on that board. Mayor Hamilton also informed the Council that the Family Dollar will hold an open house on December 5th at 8am and all are welcome to attend. Lastly, he read a letter of thanks to Kelly and Crystal into the record from Melissa Steingruber regarding the water main break on Monday the 23rd.

AGENDA ITEMS FOR NEXT COUNCIL MEETING:

- Possible business license ordinance
- Arbor Day Proclamation

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Chancellor "so moved". Councilman Tharp seconded the motion. There was no public comment.

Motion passed unanimously. (7:45 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk

DECEMBER 8TH, 2015, The Three Forks City Council met in session in the Council Chambers 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 December 2015.

PRESENT: Mayor Steven B. Hamilton, Council members George Chancellor, Deb Mickelberry, Sharon Smith, Ed Tharp and Dennis Nelson. Also present were staff members Crystal Turner, Kelly Smith and Street Superintendent Wendell Ewan. (Teri Whitesitt may attend later.)

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

GUESTS: Gloria Howland, Kellie Cahill (Swimley Law), Sgt. Peterson, Michael Tucker (Belgrade News)

PUBLIC COMMENTS/CONCERNS

Mayor Hamilton asked if there were any public comments or concerns. Seeing no public comment, Mayor Hamilton introduced the Consent Agenda.

CONSENT AGENDA

Approval of Claim paid due to timeliness to mail Utility Bills in the Amount of \$164.08

Approval of Claims per List(s)

Approval of Meeting Minutes of November 24, 2015

Mayor Hamilton asked if anyone wished to pull any consent agenda items. No one wished to pull any items from the consent agenda. There were no comments either.

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

Motion passed unanimously (5:0).

PUBLIC HEARINGS

Public Hearing on Ordinance #362-2015 Amending Ordinance #359-2015 Regarding Title 6, Chapter 4A Regarding Dog Licensing Requirements

Mayor Hamilton read the first reading of this ordinance into the record in its entirety.

Councilman Nelson made a motion that we accept the first reading of Ordinance #362-2015 amending Ordinance #359-2015 regarding Title 6, Chapter 4A regarding dog licensing requirements. Councilman Chancellor seconded the motion. There was no further Council discussion or public comment.

Motion passed unanimously (5:0).

Resolution Designating the Percentage Breakdown of Local Option Tax for FY2015/2016

Mayor Hamilton read the resolution into the record in its entirety. Kelly Smith explained that the Budget Committee and Mayor discussed and decided where to place the Local Option Tax - this is just a way to keep track of where that money is allocated. The Council could choose to allocate this money elsewhere if it chooses, or this could be an annual review and allocation to the fund(s) which need it most.

Councilwoman Smith moved that we approve this Resolution #247-2015, a resolution of the City of Three Forks, Montana, designating the percentage breakdown of local option tax for FY2015/2016. Councilwoman Mickelberry seconded the motion. There was no public comment.

Motion passed unanimously.

Resolution Designating the Percentage Breakdown of the State of Montana Entitlement Share for FY2015/2016

Mayor Hamilton read the resolution into the record in its entirety.

There was no Council or public comments.

Kelly Smith reminded the Council that this would be done annually from now on, with the Budget Committee and the Mayor. Discussions of any changes would occur during Budget Committee meetings and then followed up with their recommendation to the Council for approval. Being this is the first year that the City has done this we did not get have the resolution done soon after budget approval, but will in the future.

Councilman Nelson made a motion we accept Resolution #248-2015 designating the percentage breakdown of entitlement shares, as specified on the resolution sheet. Councilman Tharp seconded the motion. There was no public comment.

Motion passed unanimously.

Resolution Changing the Place of the City Council meeting for January 12, 2016

Mayor Hamilton read the resolution into the record in its entirety. He feels that both boards are equal and should have a comfortable seat at a table and not with documents placed on their laps as would most likely occur if the meeting were held at City Hall.

Dennis Nelson asked how the agenda would be set up so that if the Rural Fire Board chose to, they could leave before. Crystal Turner informed the Council that she setup the draft agenda and placed the joint hearing with the Rural Board first, so that after that discussion that hearing could be closed, then the hearing for the City Council could be opened - followed by the Consent Agenda, Regular Agenda and regular format.

Councilman Nelson made a motion that we accept Resolution #249-2015 changing the January 12, 2016 meeting to the Methodist Church Annex.

Councilman Chancellor seconded the motion. There was no public comment.

Motion passed unanimously (5:0).

Resolution Closing City Offices all day on Thursday, December 24, 2015 OR Resolution Closing City Offices half day on Thursday, December 24, 2015

Mayor Hamilton asked for discussion from the Council on their preference for closing the City office. George Chancellor said that he would close all day on Christmas Eve, noting that it won't be a busy day here. Ed Tharp agreed, as well as Denny Nelson, on the record that they were supportive of closing all day on Christmas Eve. Sharon Smith shook her head in agreement. Crystal Turner added that she had not thought of it but should have presented a similar question to the Council and Mayor for New Year's Eve. She wondered if the Council would be supportive of closing at noon. There was discussion regarding the Library's holiday hours. Both clerks did not mind working half days on both Christmas and New Year's eves, but agreed they wouldn't be upset if the Council opted to close the office all day. Dennis asked Wendell Ewan if the public works department would be working. Wendell replied that they would be working on call and rotating to ensure services were met. The Council was supportive of closing all day on both Christmas Eve and New Year's Eve. Crystal said she would edit the resolution and reprint it to reflect adding "all day on New Year's Eve, December 31, 2015."

Councilman Chancellor made a motion to accept Resolution #250-2015 a resolution closing the City departments all day Thursday, December 24th, 2015 and all day Thursday, December 31st, 2015. Councilwoman Smith seconded the motion. There was no public comment.

Motion passed unanimously.

REPORT OF OFFICERS

City Treasurer Kelly Smith reported that the Annual Financial Report (AFR) is complete and we will have copies made to submit to the State, and will have a copy at City Hall if anyone would like to review it.

City Clerk Crystal Turner did not have a report.

Kellie Cahill, on behalf of City Attorney Susan Swimley, provided Mrs. Swimley's report. She distributed the draft business license ordinance. Kellie noted this was not on the agenda tonight for a decision, but she highlighted decisions that will need to be made before the ordinance is placed on an agenda. On page 4, under Section 4, the Council would need to decide whether or not it chooses to require a license for those occupations in which the State does not exempt. She also highlighted on page 4, that the Council would need to decide if it would wish to offer joint licenses. Page 5 under "violation" it is left blank to allow the Council to determine the violation penalty amount. On page 6, the Council will need to determine the cost of a general business license, as well as a special business license. (Section VII.C. will be addressed later, after further constitutional research performed by their office.) On Page 7, Section D - the Council needs to determine if the City wishes to address a fee for any alterations to a business license. Also on page 7, in Section VII.A. (which is mis-numbered and should read Section VIII.A) Kellie left blank because she was unsure if the Council wished to amend its due date for licenses, and renewal dates. There was discussion on changing the renewal date to align with the calendar year or fiscal year. Section VIII.A. [corrected] would implement a renewal late fee. On Page 8, Section X would implement a revocation/suspension process, which the attorneys recommend as thirty (30) days for written notice, then twenty-one (21) for reviewing time.

Mayor Hamilton suggested this be tentatively scheduled for January 12, 2016. Debra Mickelberry would like to have the Ordinance Committee meet and review first, and place this on the January 26, 2016 agenda instead.

Ms. Cahill next distributed a memo regarding the Volunteer Firefighter application packet and the recommendation for entering into a contract with Proforma for background checks.

(Teri Whitesitt arrived at 7:48pm. Hereinafter all motions which pass unanimously will be counted as 6:0.)

Street Superintendent Wendell Ewan reported that Stahly engineering will begin its GIS mapping the week of December 14, 2015. (Kelly Smith informed Wendell we would have our auditors here on site that week, so if Stahly needed our help it may be best to reschedule that.)

Sgt. Peterson reported that the Gallatin County Sheriff's Office was awarded a grant to fund a fourth officer for the west end of Gallatin County. This deputy already lives in the Churchill area so will be able to train and be a responder for this area.

REPORTS OF COUNCIL COMMITTEES

There were no Council Committee reports.

UNFINISHED BUSINESS

Wastewater Project

SRF Draw #9 in the Amount of \$496,575.00

Mayor Hamilton introduced the draw.

Councilwoman Smith moved that we approve for disbursement this Draw #9 in the amount of \$496,575.00. Councilman Tharp seconded the motion. There was no public comment.

Motion passed unanimously.

TSEP Draw #13 in the Amount of \$641.00

Mayor Hamilton introduced the draw.

Councilman Chancellor made a motion to give you [the Mayor] permission to sign off on TSEP draw #13 in the amount of \$641.00. Councilwoman Smith seconded the motion. There was no public comment.

Motion passed unanimously.

NEW BUSINESS

Discussion and Possible Decision Regarding Additional Parking Signs to be Place around the School, Requested by Council at 11/24/2015 Meeting

Kellie Cahill read an excerpt of an email from Susan Swimley dated 12/08/2015 regarding her recommendation to not purchase and post additional signage. Although this is a drop-off and pickup zone only, the possibility of a child not coming out and a parent having to leave the vehicle in search of the child was thoroughly vetted in the Ordinance Committee meetings prior to the adoption of the ordinance.

George Chancellor asked for a clarification of which signs the Council has proposed that do not accurately reflect the ordinance. Crystal Turner replied that that Susan's response is based on what she read in the 11/24/2015 minutes suggesting adding the sign "Do not leave vehicle." The possibility of leaving a vehicle in the drop-off and pickup zone was thoroughly discussed in many Ordinance Committee meetings.

Teri Whitesitt stated that she has not dropped her children off for a few weeks but the last several times she had she was forced to double-park because of empty vehicles in the "loading/unloading zone." Sgt. Peterson replied that he has timed it the last couple weeks and the majority of vehicles are bunched up between 8-8:25, and again between 3:20-3:30. 4th Ave East is packed during these times but it clears out and the rest of the day he has been known to report that "one could land an airplane on 4th or Neal." In his opinion, if a parent is not able to leave the vehicle if their child did not come out as planned he feels it is safer to have them leave the vehicle there than to continuously drive around the block. Driving more around the block creates more traffic. He also brought up that the loading/unloading zone and bus zones should not have any parking or loading whatsoever within twenty-feet of a crosswalk. However, the size of the city blocks does not grant the luxury of this open space although it is required by State law. This school does not have the space to designate an off-street parking area. Teri replied that she understands Sgt. Peterson's point but original intention was to eliminate the safety issue of kids having to weave between parked vehicles. Sgt. Peterson rebutted that the ordinance the City adopted has drastically reduced the parked vehicles and dramatically increased safety from going to an all-day occurrence to a ten-minute chance of occurrence. Sgt. Peterson asked for Dennis Nelson's opinion as a resident adjacent to the school. Dennis replied that he does not agree that additional signage would help - he agrees that the issue is dramatically better now and he thinks that no matter what signs are out there, there will always be violators (just as there are violators of the 15 mph signs on every block). Ed Tharp agreed that the signage is good and the situation is much better than it was previously. Teri Whitesitt stated that her only concern is for the safety of the children. Wendell Ewan suggested the school could send something home to the parents to remind them that 4th Ave E is a drop off and pick up only. Sharon Smith said she thinks the current signage is good and is workable, as Sgt. Peterson stated. Teri added that she likes Wendell's suggestion and will contact Mr. DoBell and see if he could send something home, post it on the school website and Facebook page. No further action was taken.

Kelly Smith asked if the Mayor wished to order signs saying "No camping or overnight parking" for the Zuelke property which Sgt. Peterson asked about in his memo read at the November 10, 2015 meeting, since both Sgt. Peterson and Wendell Ewan are here tonight. There was detailed discussion about people that access that trail system from this private property - the property owner has always allowed the public to park here and access the trails but there have been campers and transients staying on the property and not accessing the trails at all. The property owner will allow the City to post signs stating "No overnight camping." Kellie Cahill questioned if the City was granted an easement from the property

owner to access the trials here, and suggested that an agreement be drafted between the City and the property owner in order to legally post signs on the property. She and Sgt. Peterson will work on an easement and agreement, in conjunction with Fish, Wildlife & Parks.

Proclamation Declaring April 29, 2015 Arbor Day

Mayor Hamilton read the proclamation into the record.

Councilman Tharp made a motion to allow the Mayor to sign off on this proclamation [#2015-04]. Councilwoman Smith seconded the motion. There was no public comment.

Motion passed unanimously.

Discussion Regarding Sidewalk Maintenance & Repairs

Kellie Cahill read an excerpt of an email from Susan Swimley dated 12/08/2015 regarding her recommendation on sidewalk repairs and maintenance.

Mayor Hamilton suggested to the Streets & Alleys Committee to first establish something like:

- No need for repair
- Minimal need for repair
- Substantial need for repair
- Yikes!

The next step would be to take inventory.

George Chancellor stated that he had quoted replacement of some of his sidewalks and it was quite costly. How does the City propose to get reimbursed if it takes responsibility of the repair? Dennis Nelson added that there are some sidewalks in town that are heaved because of large trees planted in the boulevard. Many people would say they aren't going to lose their good shade trees to fix sidewalks. George replied that he plans to ramp over the tree roots for his sidewalks - it will not be level but it will no longer have a trip hazard. Kelly Smith reminded the Council that if the sidewalk is too steep it still needs to adhere to ADA standards even over a tree root. Dennis argued that contractors are hired for that and most will not be willing to lose their license by not installing sidewalks to proper codes. Kellie Cahill said this goes back to Mrs. Swimley's email that each property owner has the Constitutional right to be treated fairly, and added that their office will be working on this.

PUBLIC COMMENTS/CONCERNS

There were no other public comments or concerns.

MAYOR & COUNCIL ANNOUNCEMENTS

Dennis Nelson read in the Bozeman Daily Chronicle lately that the City of Bozeman will be addressing the Emerald Ash borer infestation problem that is heading this way [west from the east]. The City of Bozeman is trying to get a jump start to proactively address conservation of the ash trees. He wants to make the community aware of this issue and urges the City to take care of spraying its ash trees.

Mayor Hamilton wished Wendell Ewan a happy birthday tomorrow, December 9, 2015. He does not plan on having a meeting on December 22, but will verify that with the Council as the date approaches. In the event we do not have a meeting, he wished everyone a Merry Christmas and Happy New Year.

AGENDA ITEMS FOR NEXT COUNCIL MEETING:

- Joint Public Hearing with the Three Forks Rural Fire District
- Three Forks Fire Department Quarterly Report
- Headwaters Fairgrounds/Rodeo Board Annual Report
- Second Reading of Ordinance #362-2015

ADJOURNMENT

Mayor Hamilton asked if there was a motion to adjourn. Councilman Nelson "so moved". Councilman Tharp seconded the motion. There was no public comment.

Motion passed unanimously. (8:45 P.M.)

Steven B. Hamilton, Mayor

Crystal Turner, City Clerk