

**TOWN OF MANHATTAN
Regular Meeting
January 14, 2016
MINUTES**

Mayor Dave Rowell called the meeting to order in the Town meeting room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Gregg Dietz, Steve Gonzalez, Dan Ryan, and Greg Schack. Also present were Town Attorney Jane Mersen, Town Engineer Dave Crawford and Clerk/Treasurer Pam Humphrey. Six members of the public were also present.

PUBLIC COMMENTS:

None

OATH OF OFFICE:

Mayor Rowell administered the Oath of Office to newly elected Council members Gregg Dietz and Steve Gonzalez.

COUNCIL APPOINTMENTS:

Motion- Gonzalez; Second- Dietz; Vote- Unanimous: Motion passed to appoint Greg Schack as Council President.

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to keep Gregg Dietz as Park Commissioner, Dan Ryan as Sewer Commissioner, Greg Schack as Water Commissioner and appointing Steve Gonzalez as Street Commissioner.

MANHATTAN ORCHARDS- REQUEST FOR EXEMPT WELLS:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to direct the Town Attorney to prepare an amendment to Ordinance No. 9-3-11 to allow for a shared exempt well system as an interim system as long as the infrastructure is constructed that is necessary to switch over to the Town's system once water is available. Enforcement of the Ordinance will be included in the amendment.

Dave Richards, Manhattan Orchards: He stated that based on the last meeting, he felt that the Council was favorable to allowing them put exempt wells on the 20,000 sf lots, but wanted to get direction from the Town Attorney. That is the issue that they are looking forward to resolving at this meeting.

Doug Chandler, Allied Engineering: He stated that they have met with Dave and Jane. One issue that came up was fire flows. Spacing of fire hydrants is a major issue for them. They would request that they be allowed a different standard, like the state or county standard. They would want one main line with hydrants no further than 1000 feet from any home. He stated that he feels that it is not feasible for them to meet the Town's fire codes because a water supply is not available. He has not talked to the Fire Department.

Jane Mersen, Town Attorney: She stated that if there are going to be changes to the already approved preliminary plat, the developer would need to follow the procedure set out in the Manhattan Code. She outlined that process for applying for changes. Subdivision regulations also require that subdivisions meet all of the requirements of the

fire department.

Dave Crawford, Town Engineer: He stated that the Town has adopted the International Fire Code of 2012. He indicated that he did not think that there is a way to give a variance on code issues. He summarized some of the requirements of the Fire Code. ISO ratings are based on issues that affect homeowner's fire insurance rates.

There was a group discussion on different fire codes in cities and counties.

Mayor Rowell brought the meeting back to the issue at hand, which is the use of exempt wells. This decision will preclude any of the fire flow issues.

Doug Chandler, Allied Engineering: He stated that the issues are tied together. He doesn't think that the current exempt well code is feasible at this time.

Councilman Ryan reminded the developer that the property is annexed, so it should have the same rules as everyone else in the city limits.

Jane Mersen, Town Attorney: She explained the current ordinances. She also explained private water systems, which are a possibility. Allowing exempt wells would have to apply to everyone in town, not just this development. If the council wants to allow exempt wells, there are several ordinances that would need to be changed. Any changes would require two readings and a public hearing. Another option would be to de-annex the north two phases of the development. She stated that she would be concerned with the Town's liability if they allowed the developer to conform to the County Fire Code instead of the Town Fire Code.

Doug Chandler, Allied Engineering: He suggested that if they were to use exempt wells in a public system, they would have to provide a separate system for fire flow. He asked for a modification to the exempt well ordinance to use non-engineered systems with shared exempt wells. They would have the system installed with fire hydrants and stubbed service lines to the homes. Then when water is available, they would hook up to the Town's system. He gave an overview of the history of the subdivision and the preliminary plat. If they cannot have exempt wells, they would like to go back to the preliminary plat that was approved in July 2006 instead of the one they are working off of now. He outlined some of the items in the July preliminary plat. He asked the Council to allow them to use exempt wells and the "rural standard" for fire flows for this preliminary plat. If the Council cannot do that, they would like the Council to amend the 9-3-11 Ordinance and allow them to use a non-engineered system, and change the preliminary plat extension to the July 2006 version. He explained the water right that they are offering for irrigation.

Dave Richards, Manhattan Orchards: He stated that they have a number of considerations that they are looking at. He is spending too much money, and needs to start building in the upcoming season. He asked if the Council would consider changing the approval of the July 2006 preliminary plat instead of this one. He stated that they have been approached by a couple of large developers. They may be looking to de-annex and take action with another venue.

Dave Crawford, Town Engineer: He stated that he is much more comfortable with the second option the developer is proposing, with the exempt wells in the spirit of the current ordinance. It is an interim way to get them going. He asked if the exempt wells would be moved, abandoned, or left in place. What would happen long term to those wells.

Jane Mersen, Town Attorney: She clarified the annexation agreement and what the

requirements the developer would have to meet. She is more in favor of changing the exempt interim well ordinance, but is concerned with how permanent the exempt wells would be.

Bill Luehrs, Pioneer Crossing: He asked if the Town has filed the application for the Change of Use. He was concerned with the impact of additional applications to the DRCR on the current issues.

Jane Mersen, Town Attorney: She has talked with the applicant and Matt Williams about this. There would be no harm in applying for change of use, but not in the Town's name because that is the kiss of death for any application.

Council discussion: The Council was not in favor of just allowing exempt wells in Town. The current exempt well ordinance for interim use would need to be reworded as well as what happens to the wells when the homes are hooked up to the Town system when water is available. Water rights are up to the DNRC. The Town may need to wait until that is ruled upon. Exempt wells for interim use with conditions might be acceptable, but the implications need to be clear. Cross contamination and safety were discussed. There has to be a follow up to make sure it was being done correctly at the time of the connection to the Town system. Impact fee credits were discussed.

RESOLUTION NO. 16-001 – IMPACT FEE AMENDMENT: Set for public hearing

Motion- Dietz; Second– Schack; Vote- Unanimous: Motion passed to set Resolution No. 06-001 for public hearing at the February meeting.

The council discussed the options for fee amendments. The option they most agreed with was approximately 75% of the original fee set by resolution in 2007.

MAYORS REPORT:

- The police addition is almost closed in.
- The water tower is behind schedule. They hope to have it operational in the middle of February. They will wait for good weather for landscaping etc.
- He had directed Jane Mersen to write a letter to Amsterdam/Churchill Sewer District taking a firm stance on the problems that we have had with the connection. Once there is a response, there will be a meeting scheduled with the District.

CONSENT AGENDA:

Motion- Schack; Second- Ryan; Vote- Unanimous: Motion passed to approve the consent agenda.

Town Licenses: Big Sky Gaming LLC, Stagg Enterprises dba Staggwood Homes

Approval of Minutes: Regular Meeting minutes from December 10, 2015 and Special Meeting Minutes from December 16, 2015.

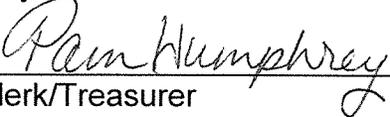
Claims: Dated 12/11/15 – 1/14/16 totaling \$ 338,314.71 including payroll.

ADJOURN:

Motion-Ryan; Second-Schack; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer

TOWN OF MANHATTAN
Regular Meeting
February 11, 2016
MINUTES

Mayor Dave Rowell called the meeting to order in the Town meeting room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Gregg Dietz, Steve Gonzalez, Dan Ryan, and Greg Schack. Also present were Town Planner Ralph Johnson and Clerk/Treasurer Pam Humphrey. Twenty-seven members of the public were also present.

PUBLIC COMMENTS:

None

RESOLUTION NO. 16-001- IMPACT FEE AMENDMENT:

Public Hearing

Bill Luehrs, Developer at Pioneer Crossing: He stated that the development, along with two of their builders, is concerned about an increase because for every \$1000 increase, more people will be driven out of the market. They all compete in a marketplace where there are other alternatives for places to build. Surrounding areas will all have lower impact fees than Manhattan. It will be harder for them to sell lots and develop homes. He explained how they would like to see them phased in over time.

Andrew Brechbuhete, 7050 Bristol Lane, Bozeman: He spoke in opposition. He stated that the draw to Manhattan is the lower cost of construction. The Town may need to raise fees in future, but not now. He asked if there is an amount of lots sold at the current rate that the Council is looking to meet.

Luke Howard, 310 S 15th, Bozeman: He stated that the impact fee increases should be slowly phased in slowly to keep pace with increases in building costs in other places.

Carla Thorning, 1612 W Main, Bozeman: She represents Pioneer Crossing and stated that they are trying to contribute to Manhattan and make it a thriving town with an increase in residents. She indicated that increasing impact fees may have a negative impact on growth in Manhattan.

Joan Thompson, 5b Sedora Dr: She asked how Amsterdam/Churchill impacted the sewer system financially.

Jason DeHaan, 311 N Broadway: He stated that an extra impact fee doesn't affect individual homeowners, but does affect larger project developments.

Darrel DeHaan, Third Prime: He stated that new development overpays because the community is aging. He will have paid over \$300,000 in impact fees to the Town of Manhattan if their projects are approved. He stated that it takes residential growth to drive commercial growth.

Discussion/Decision

Motion- Ryan; Second- Schack; Vote- Unanimous: Motion passed to adopt Resolution No. 16-001, a resolution of the Town Council of the Town of Manhattan, Montana, amending impact fees pursuant to Title 11, Chapter 12 of the Manhattan Municipal Code as stated.

Council discussion included that the intent is to raise impact fees, but not back to where

they originally were. The Town is seeing 4% growth. Original fees were set for 6% growth. This proposal is 2/3 of the originally recommended fees. The fees will still be less than they were 4 years ago. There is no other funding to compensate for growth other than impact fees. Phasing in the impact fee increase was discussed. Impact fees are assessed for the impact the growth has on the community. New homes cause the impact that drives expansion of infrastructure. Impact fees set in 2006 have never been adjusted for the cost of living. Commercial development helps more than residential development. The Council does not want existing customers to bear the cost of the expansions to the infrastructure.

RE-ZONING OF LOTS 21, 22, 31, 32, AND 33 IN THE FARMSTEAD SUBDIVISION:

Ralph Johnson, Town Planner: He described how the Planning Board handled the requests and had individual public hearings for each change. He explained the reason for public hearings on the requests. He stated that the Council could act on all of the lots together, or separately.

Public Hearing

Joan Thompson, 5BSedora, HOA Hamilton Village: She explained the difference between Parkhaven and Hamilton village. They are not objecting to changing the zoning on lots 21 and 22, as long as a fence is put in. She is worried about their liability if someone is hurt on one of the Hamilton Village properties. She stated that for the other lots, there needs to be at least one commercial lot is left next to each side of existing businesses. They have no objection to lot 32 being changed if it is age restricted housing.

Zona Hale, Toston, owner Lot 40: She stated that she bought a lot in December. She was opposed to changing the zoning. She would not have purchased a lot if they knew that zoning may be changing. It will affect the value of her lot. She will have to sell it now if the zoning changes.

Trent Dykman, 15 Culver Pl, EZ Body: He stated that he is concerned with residential coming in. He feels it would be detrimental to his business for residential to come in close to his business. He stated that a clear line needs to be made between residential and commercial. He is concerned that residential complaints against his business could put him out of business.

Jason DeHaan, 311 N Broadway: He handed out a map of potential projects on lots 21, 22, and 31. They are trying to add 31 to be able to use 30 that is currently R3. It is really hard to develop lot 30 without lot 31. They will agree to put in fences around lots 21 and 22, as well as their other projects if needed. They are residents of Manhattan and are trying to do something nice for the town with their developments. All of the requested lots are contiguous to current R-3 lots. He described their current tenants. He defined a PUD. The original plan of the Farmstead had more R-3. They feel that they are meeting the intent of a PUD. He feels that their projects will contribute less traffic than a commercial use. One of their tenants started a business in town, others work in town, so residential does drive commercial.

Darrel DeHaan, 624 Rocking Horse Drive: He asked the Council to consider that they are not putting anything closer to current businesses than was already approved. He reiterated that the Farmstead was meant to be a subdivision and they would like to develop it as such. They will have paid a lot of impact fees in this community if are able

develop their properties. They are investing in the Town and want to be part of the community.

Bob Dellinger, 11 Moreland Ct: He stated that they knew that there was residential by their lot when they bought their lot. The issue for them is not the specific lots, it is that a precedence is being set. Commercial business is needed and there needs to be space for them.

Written comments:

Bob Dellinger and Michael Gallagher, 11 Moreland Ct: Opposed to all of the proposed re-zoning.

David Kimpton, Phoenix, AZ: Opposed to the re-zoning.

John Steele, Manhattan: Opposed to the re-zoning.

Ralph Johnson, Town Planner: He gave the definition and examples of spot zoning. Lots 31 and 32 back up to the linear park, so he would not recommend separating them from the trail with a fence. On lots 21 and 22, fencing should be a requirement of approval if approved. There is currently an adequate amount of light-industrial and residential lots available in the Town. There is a right of way on lot 32 that would need to remain somewhere on the lot. The Council could make lot 32 conditional on age related housing. It would be difficult to justify any residential on the southeast side of Culver Place.

Ron Schmidt, 75 Hitching Post Rd, Bozeman: He asked if the linear trail acts as a buffer.

Discussion/Decision

Gongalez: He stated they may be setting a precedent that may put them into a spot zoning situation on lots 31, 32, and 33. A bad precedent would be set for businesses in the future.

Ryan: He met with Vic at the hardware store, he would like a separation of properties.

Schack: He is concerned with liability of businesses with residential too close.

Dietz: He stated that high density residential does mix well with business. He can see 31 as ok if it is buffered. 32 and 33 don't make as much sense to him.

Council discussed buffers, parking areas and aesthetics of the area.

Lot 21 and 22

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the requested zoning map amendment to designate Lots 21 and 22 as both R-3 and L-1 with conditions. Condition 1: both lots be developed with the same zoning designation. Condition 2: If developed as residential, the developer will provide a 6ft high solid opaque fence between lot 24 and lots 21 and 22.

Lot 31

Motion- Dietz; Second- None: To approve the requested zoning map amendment to designate Lot 31 as R-3. Motion failed - lack of a second

Motion- Ryan, Second- Schack: Vote- Aye-3 (Ryan, Schack, Gonzalez), Nay-1 (Dietz): Motion passed to deny the requested zoning map amendment to designate Lot 31 as R-3.

Poll of Council reasons:

Ryan: It is zoned business, a change would alter what the current business owners proposed.

Schack: It is not in the Town's best interest to change the corridor of business.

Gonzalez: It would set a precedent for future rezoning requests.

Lot 32

Motion- Ryan; Second- Schack; Vote- Unanimous: Motion passed to deny the requested zoning map amendment to designate Lot 32 as R-3 and L-1.

Same stated reasons.

Lot 33

Motion-Schack; Second- Ryan; Vote- Unanimous: Motion passed to deny the requested zoning map amendment to designate Lot 33 as R-3 and L-1.

Same stated reasons.

RIDER COURT:

Bill Rider, Rider Court: He has some questions about annexing. He wanted to clarify what it would mean for them to annex as the draft sewer agreement requires. They have their own water system, roads and farm land.

Ralph Johnson, Town Planner: He indicated what annexation means. It means that the Town can legally provide services to them. It does not change their tax base. They could keep their own water system unless DNRC requires. Existing conditions can stay as they are. Ralph explained non-conforming uses and how they are addressed. State statute limits the agreement to where services are provided outside of the community to 10 years.

Mayor Rowell: He stated that both the Town Attorney and Town Engineer have indicated that the Town should not extend any sewer outside town limits. The applicant will need to annex.

ORDINANCE NO. 16-001, AMENDING 9-3-11 EXEMPT WELLS:

First Reading

Discussion included what to do with the interim exempt wells after hookup to the town system. Council would require the wells to be capped after hookup to the Town system. Set for public hearing and 2nd reading at the March meeting.

ORDINANCE NO. 16-002, KEEPING OF EXOTIC ANIMALS:

First Reading

A few months ago, someone made a request to the Council regarding the keeping of an exotic animal. Exotic animals are not addressed in the current Code, so the Council asked to create an ordinance that refers to exotic animals.

Set for public hearing and 2nd reading at the March meeting.

RESOLUTION NO. 16-002 – LOAN FOR POLICE BUILDING:

Motion- Schack; Second- Dietz; Vote- Unanimous: Motion passed to adopt Resolution No. 16-002, a resolution of the Town Council of the Town of Manhattan, Montana

approving the consolidation of an existing loan for the administration building and the financing of the construction of the police department building and the shared parking lot.

RM PROPERTIES – FIRE DEPARTMENT BUILDING

The Council and rural board will schedule a joint meeting to make a decision. Robin Hubley, RM Properties: She stated that they would like a decision by March 1st because they have some pending lease agreements that they need to address.

ADOPT 2012 INTERNATIONAL ENERGY CODE WITH MONTANA AMENDMENTS:

Motion- Ryan; Second- Schack; Vote- Unanimous: Motions passed to adopt the 2012 International Energy Code with Montana Amendments.

MAYORS REPORT:

- The Town received a \$15,000 TSEP planning grant for sewer improvement planning.
- Water Tower is progressing.
- Public Works is having trouble at the Chlorine station with leaks and breaks. TD&H gave a proposal to analyze the current situation and possible alternatives.
- A man called him to offer some water rights for sale at \$6000/acre foot. He will talk to Matt Williams to see if it is a good deal.
- We have had 2 requests for communication leases on the water tower.

CONSENT AGENDA:

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to approve the consent agenda.

Town Licenses: Aman Construction LLC

Approval of Minutes: Regular Meeting minutes from January 14, 2016.

Claims: Dated 1/15/16 – 2/11/16 totaling \$ 262,306.31 including payroll.

Councilman Dietz: The baseball association would like to put up a 10 x 10 storage building by the batting cages to store supplies and equipment. The mural contest was discussed.

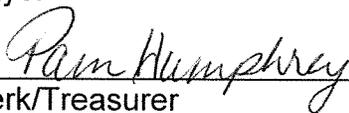
Gopher control and enforcement in the Farmstead was discussed.

ADJOURN:

Motion-Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
Joint Meeting with Rural Fire Board
February 22, 2016
MINUTES**

Rural Fire Board President Robert Yadon called the meeting to order in the Manhattan Fire Station at 7:00 P.M. Present were Rural Board Members Rich Brouwer, Martin Kimm, and Aaron Folkes, Council Members Gregg Dietz, Steve Gonzalez, Dan Ryan, and Greg Schack, along with Mayor Dave Rowell. Also present were Fire Chief Mike Ulmen, Rural Board secretary Audrey Ulmen, and Clerk/Treasurer Pam Humphrey. No members of the public were present.

BUILDING DISCUSSION/DECISION:

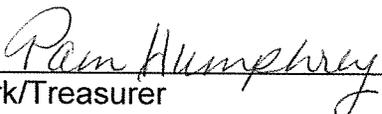
A proposal has been received by the Fire Department to purchase a building owned by RM Properties, for a new Fire Station. Both boards have looked at the proposal, as well as some alternatives. The appraisal of the building was discussed, along with the cost to renovate to the Fire Department's needs. Both boards voiced their concerns with the purchase of the building and also with some of the alternatives. Location and cost are the driving factors in the decision. It was agreed that a structural engineer should take a look at the building before a commitment was made. Cost of new construction was considered, along with possible areas where lots are available. The Rural Board will consult with County Financial Administrator Ed Blackman for possible funding ideas. Martin Kimm will talk with RM Properties to see if there are alternative locations/lots available to the Fire Department and to arrange for a structural engineer to look at the existing building. Pam Humphrey will contact Ralph Johnson to see if there are some architecture students that would be able to look at a new building as a project in their curriculum.

ADJOURN:

Motion- Kimm; Second- Brouwer; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
March 10, 2016
MINUTES**

Mayor Dave Rowell called the meeting to order in the Town meeting room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Gregg Dietz, Steve Gonzalez, Dan Ryan, and Greg Schack. Also present were Town Attorney Jane Mersen, Town Engineer Kyle Scarr, Officer Brain Angulo, and Clerk/Treasurer Pam Humphrey. Thirteen members of the public were also present.

PUBLIC COMMENTS:

Randy Lynch, 415 E Gallatin St: He asked the Council if parking signs could be implemented to prevent truck parking and truck traffic on E Gallatin Ave because someone has been parking a semi in the residential area and letting it run all night.

SEWER PER AND GRANT APPLICATIONS:

Kyle Scarr, TD&H Engineering: He gave an update on the study TD&H has been doing on the sewer system in Town. He asked for public input on the issue. He presented a booklet outlining the problems that they have discovered. The three main problems are the system capacity, aging and failing infrastructure, and public health and safety concerns. He gave an overview of each of the problems. He presented four alternatives to solve the capacity problem with the town's sewer system. He presented two alternatives to the aging and failing infrastructure problem. He presented three alternatives to the public health and safety concerns. He described how other towns have paid for these types of problems. He also presented a timeline when the funding could be procured and when improvements could be made. They will have the report finished within a couple of weeks.

Public Hearing

Brenda Lynch, 415 Gallatin: She asked about the aeration chamber alternative and if it creates fumes that should be of concern.

Tom Langel, Main & Broadway: He asked how many homes could be connected before the sewer lines are at capacity. He asked where the most affected areas are.

Discussion/Decision

Motion- Gonzalez; Second- Ryan; Vote – Unanimous: Motion passed to have TD&H Engineering proceed with the report.

The Council discussed the settling of the lines and how much video still needs to be collected in order to evaluate the system. They discussed the removal of AC pipe. The council agreed that the capacity problem needs to be addressed first and then they would evaluate the other needs according to priority. Infiltration is an issue in town and contributes to the capacity problem. Timing of videoing the lines was discussed. Cleaning of the lines has been happening on a regular basis and will continue to be done.

ORDINANCE NO. 16-001 – AMENDING 9-3-9, 9-3-10, AND 9-3-11(A) ALLOWING INTERIM EXEMPT WELLS, Second Reading:

Doug Chandler, Allied Engineering: He stated that he has reviewed the draft of the ordinance. He indicated that the water rights from the wells when they are put to use would be transferred to the Town. He intends to cap the wells and then use them again for another phase. He stated that he has spoken to the DNRC water rights bureau chief and that she is fine with that plan. He asked the Council to strike the language to permanently cap the wells.

Public Hearing

None

Discussion/Decision

Motion- Ryan; to table the item until there is a response from DNRC. Ryan withdrew the motion.

Motion- Gonzalez; Second- Ryan; Vote- Unanimous: Motion passed to approve Ordinance No. 16-001, and Ordinance of the Town Council of the Town of Manhattan amending the Manhattan Municipal Code to allow for the interim use of exempt wells, amending sections 9-3-9, 9-3-10 and 9-3-11MMC with the addition of inspection by the Public Works Department at the time of disconnection of the wells.

Jane Mersen, Town Attorney: She made the changes that the Council indicated they would like after the first reading.

Council discussed that this is only a temporary fix until the town water is available. They discussed who might be responsible for capping the wells. Inspection and discontinuation of the wells was discussed. Total water rights for the subdivision and the possibility of purchasing water rights was discussed. The Council discussed the well locations.

ORDINANCE NO. 16-002 - KEEPING of EXOTIC ANIMALS, Second Reading:

Jane Mersen, Town Attorney: She stated that a hearing should be considered if someone has a complaint about an exotic animal. She can see some problems with allowing exotic animals.

Public Hearing

None

Discussion/Decision

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to approve Ordinance No. 16-002, and Ordinance of the Town Council of the Town of Manhattan, Montana, providing for the amendment of Title 5, Chapter 4, and adding section 5-4-13 of the Manhattan Town Code authorizing and regulating the keeping of exotic animals within the corporate limits of the Town of Manhattan, Montana with the amendment to add a hearing process for the pet owner if there is a complaint.

Council discussed exotic pets and other pets in general. The permitting process was discussed as well as a hearing for the pet owner if there are complaints from other citizens.

MANHATTAN ORCHARDS PRELIMINARY PLAT EXTENSION (JULY 2006):

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to extend the July 2006 Preliminary Plat of Manhattan Orchards. The Council found that the delay was reasonable in part, due to the recession, water right issues that the developer faced and the difficulty of holding on to the property, which is the same finding from the May 13,

2015 meeting where the Feb 2006 plat was extended.

Doug Chandler, Allied Engineering: He described the preliminary plat that was approved in Feb 2006 that the Council had previously extended. Now they are requesting that the Council extend the July 2006 preliminary plat with the smaller lots (10000 and 120000 sf lots) and no exempt wells. He explained the changes that have been made to make this preliminary plat more feasible.

Jane Mersen, Town Attorney: She asked that the Council base their decision on the same findings for extending the previous extension.

The reason for the previous extension was discussed. Conditions of the original preliminary plat from July 2006 were discussed.

WATER TOWER COMMUNICATION EQUIPMENT.

Tom Langel, Little Apple Technologies: He thanked the Council for their time. He stated that he has up to 30 employees in Manhattan. One of his businesses is Little Apple Technology. They provide internet, web development, and IT assistance. He would like the Town Council to know that he cares about the community. He believes that businesses from other areas will want to put equipment on the water tower. He asked the Council to allow his company to aid in such decision making. He requested that Little Apple Technologies manage and monitor what equipment the tower will be used for. They would like first right of refusal for anyone that would want to use the tower. They manage other towers and do not allow anything that will interfere with other frequencies. They have qualified and knowledgeable employees for this type of work.

The Council asked what his concerns were and how many things could be located on the tower. They asked about fees he would charge. Mr. Langel will provide a proposal for his company's services.

PAVING – PARKING LOT, RR AVE, AND POSSIBLE OTHERS:

Mayor Rowell: He stated that the Admin/Police parking lot will be paved this summer. Railroad Ave and the other streets will be addressed in the upcoming budget year. He will be working with the street commissioner on improvement districts.

MAYORS REPORT:

- The water tower will be filled on Monday night. While it is being filled, all the pumps will be running. Some turbidity is possible in the water. If all goes well, the tank should be in use within a week.
- Public Works is cleaning gutters and vacuuming catch basins
- Fertilizer has been ordered for the park
- He and Robert Seamons met with CTA Architects on a proposed subdivision in Churchill. They will be talking more about capacity in the plant.
- The Police building is proceeding, with sheetrock work starting tomorrow. He has been getting positive feedback from community.
- The Churchill flow has leveled out.

CONSENT AGENDA:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the consent

agenda.

Town Licenses: BBS Contracting, First Quality Painting, Sorensen Jewelers, Briceno Building & Construction, Simonson Construction, One Way Electric, Inc, MD Archer Consulting, and Fast Horse Construction

Chicken Coop Application: Blaise Harned, 321 E Washington Ave.

Approval of Minutes: Regular Meeting minutes from February 11, 2016 and Special Meeting minutes from February 22, 2016.

Claims: Dated 2/12/16 – 3/10/16 totaling \$ 206,768.12 including payroll.

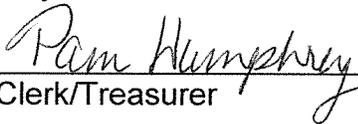
Brenda Lynch, 415 E Gallatin: She asked about truck traffic ordinances and signage to keep trucks off of Gallatin and S 8th.

ADJOURN:

Motion- Schack; Second- Gonzalez; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer

TOWN OF MANHATTAN
Regular Meeting
April 14, 2016
MINUTES

Mayor Dave Rowell called the meeting to order in the Town meeting room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Gregg Dietz, Steve Gonzalez, Dan Ryan, and Greg Schack. Also present were Town Engineer Kyle Scarr, Public Works Supervisor Brian Carey, and Clerk/Treasurer Pam Humphrey. Two members of the public were also present.

PUBLIC COMMENTS:

None

RESOLUTION NO. 16-003-Accept Findings of Environmental Assessment:

Kyle Scarr, TD&H: He stated that went through the required checklist for the environmental assessment and determined that a full Environmental Assessment is not necessary for the project they are proposing.

Public Hearing

None

Discussion/Decision

Motion- Schack; Second- Ryan; Vote- Unanimous: Motion passed to adopt Resolution No. 16-003, a resolution of the Town Council of the Town of Manhattan, Montana accepting the findings of the environmental Assessment and determining that an Environmental Impact Statement is not necessary for the Wastewater System Improvements.

RESOLUTION NO. 16-004-Adopting Final PER for Wastewater System Improvements:

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to adopt Resolution No. 16-004, a resolution of the Town Council of the Town of Manhattan, Montana to adopt the Final Preliminary Engineering Report and accept the recommended funding scenario for Wastewater System Improvements.

Kyle Scarr, TD&H: He presented an amendment to the PER. It is a summary of the proposed project and proposed funding package. He presented a map of the areas of concern that will be addressed in the project. He summarized the contents of the PER and what areas they are looking at improving. Mr. Scarr presented the proposed improvements and described which of the problems they are addressing with the improvements. The costs of the proposed improvements and other alternatives were discussed. He went over possible funding packages and options if all the funding is not received. This project will be presented to the 2017 Legislature. The funding package would not be awarded or available for two years. Construction would not start until mid-2018.

Mayor Rowell read the resolution for the audience. Council discussed which pipes are at capacity and the reasons for them being at capacity. Time frame of the project was discussed. Other options for fixing poorly attached service lines were discussed.

Emergency funding options were discussed and will continue to be pursued.

RESOLUTION NO. 16-005-Authorize submission of TSEP Grant application:

Motion- Ryan; Second- Gonzalez; Vote- Unanimous: Motion passed to adopt Resolution No. 16-005, a resolution of the Town Council of the Town of Manhattan, Montana to authorize submission of a TSEP application.

RESOLUTION NO. 16-006-Authorize submission of DNRC-RRGL Grant application:

Motion- Gonzalez; Second- Dietz; Vote- Unanimous: Motion passed to adopt Resolution No. 16-006, a resolution of the Town Council of the Town of Manhattan, Montana to authorize submission of Department of Natural Resources and Conservation Renewable Resource (DNRC-RRGL) grant application.

LITTLE APPLE TECH – Proposal for Water Tower site management

A proposal was received from Little Apple Technologies to manage any communications on the water tower site. The council reviewed the proposal and discussed the commonality of using a third party to manage a site like the water tower. Some of the fine points of the proposed agreement were discussed. Council was concerned that the manager should involve the Town in some of the decisions on who can use the tower site. Access to a water source was discussed. Expected revenue and time length of the agreement were discussed. The Council agreed that it is important to have a knowledgeable party manage the site. Brian Carey offered to call the FCC and the Bozeman City Manager to get some additional information. The Council would like the Town Attorney to look over the agreement before they make a decision.

MEETING DATE CHANGE FOR MAY AND JUNE 2016:

Motion- Gonzalez; Second- Dietz; Vote- Unanimous: Motion passed to change the meeting date to the second Wednesday for May and June 2016. Dietz has a commitment that will conflict with the May and June meeting dates. The Council agreed to change the date for those two months.

MAYORS REPORT:

- Final walk through on the water tower is tomorrow.
- Public works will be flushing and operating the Pioneer Crossing well. We can use it as a redundant well until we get the problems with the other wells worked out to insure keeping the water tower filled. The shop well and booster pump are both experiencing problems.

CONSENT AGENDA:

Motion- Ryan; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the consent agenda.

Town Licenses: Northwest Heating & Air Conditioning, LLC, Nelson Excavation & Property Maintenance, Inc, The Powder Room, LLC, Manhattan Homes, LLC, Chet

Campbell Construction

Approval of Minutes: Regular Meeting minutes from March 10, 2016.

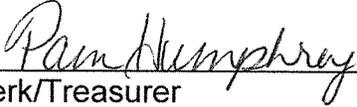
Claims: Dated 3/11/16 – 4/14/16 totaling \$ 359,865.70 including payroll.

ADJOURN:

Motion- Gonzalez; Second- Schack; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
April 26, 2016
MINUTES**

Mayor Dave Rowell called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Steve Gonzalez, Dan Ryan, and Greg Schack. Gregg Dietz was excused. Also present were Town Attorney Jane Mersen, and Clerk/Treasurer Pam Humphrey. Zero members of the public were present.

PUBLIC COMMENTS:

None

CLOSED SESSION (Discussion Regarding Pending Litigation):

Mayor Rowell stated that this portion on the meeting would be closed to discuss a strategy to be followed with respect to pending litigation, as an open meeting would have a detrimental effect on the litigating position of the Town.

DECISION ON PENDING LITIGATION:

No decision was made. The pending litigation was discussed and sent back for negotiation.

ADJOURN:

Motion- Ryan; Second- Schack; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer

TOWN OF MANHATTAN
Regular Meeting
May 11, 2016
MINUTES

Mayor Dave Rowell called the meeting to order in the Town meeting room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Gregg Dietz, Steve Gonzalez, and Dan Ryan. Greg Schack was excused. Also present were Town Planner Ralph Johnson, Police Chief Dennis Hengel, and Clerk/Treasurer Pam Humphrey. Sixteen members of the public were also present.

PUBLIC COMMENTS:

None

CENTENNIAL VILLAGE – Change of Condition:

Clerk read the public hearing notice.

Ralph Johnson, Town Planner: He presented the staff report. He gave the history of the original plat of the subdivision. They have asked to reduce the size of the lots, except at the corners. This would add 8 lots to the total. All of the lots would still be larger than the minimum lot size in the R-3 district. The staff report looked at the consequences of the proposed changes. He described the effect of the change would have on traffic. He relayed that most of the comments at the Planning Board meeting were relative to parking on Farmall Ln. The Home Owners association is responsible for enforcing the no overnight parking on Farmall Ln. Staff recommendation is to approve the change as they are still conforming to the standards for R-3 housing.

Public Hearing

Dennis Hengel, Chief of Police: He asked Ralph to clarify the parking situation problems. He informed the Council that the condition was on the original approval of the subdivision. It would cause a hardship for the police department to enforce a covenant of a subdivision.

Alvin VanderVos, 700 Farmall Ln: He relayed some of the problems that they have had with the subdivision development. He wanted to make some suggestions. He talked about the underground propane tanks creating a safety problem and affecting groundwater. Another thing was that a 90-degree angle was to be made onto Nixon Gulch. He has talked to the ditch company, and they indicated that they will not stand in the way of progress. The school will need to be approached as they were the original protester of the change. Northwest passage needs to be changed because large trucks cannot make the corner. The developer should put a privacy fence up along the edge of the subdivision along the property line with 640 Farmall Ln. He made a suggestion that no parking should be allowed on the north side of Farmall Ln. This would leave more space for the farm machinery that has to pass through there. He also asked for enforcement of dog leash laws out in that area.

Discussion/Decision

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the request for Change of Condition for Centennial Village Subdivision Phase II, to increase the

number of residential lots in Block 21 from 38 lots to 46 lots, with the condition that the intersection of Farmall Lane and Northwest Passage be modified such that the median is eliminated for traffic safety reasons.

Council discussed that the medians at Northwest Passage already creates safety issues. Fire trucks, lumber and concrete trucks cannot make the turn into the proper lane so they need to turn into the furthest lane, which leaves them driving in the wrong direction on the street. Parking on Farmall Lane does not have signage. No parking on the north side of the street would be a possibility. Higher density housing is different than what is happening in other areas of Town. The size of the lots was discussed.

Dennis Hengel, Chief of Police: He stated that parking is a problem on Farmall Lane. He relayed some of the temporary and long term problems in the area. Extra vehicles are a norm in Montana. These extra vehicles are parking overnight where it is not permitted. Construction and utility trailers make it difficult for farm equipment to pass through. A PUD has a Homeowners Association that enforces the parking covenants. He clarified what law enforcement can enforce in the area.

Dennis Foreman, Gaston Engineering: Streets were dedicated to the Town, the Town should be able to enforce traffic laws of the state.

Susan Swimly, attorney for developer: She stated that the Town has the authority to adopt an ordinance for parking, putting up signs, and enforcement.

MANHATTAN ORCHARDS – Potential Final Plat Updates:

Discussion

Ralph Johnson, Town Planner: He presented the request by the developer for some changes to final plat that may be considered not material. He presented the 7 modifications that the developer has requested. He will write a memo of understanding to the developer outlining the changes that are considered not material. Material change was defined as something that alters the intention of the original agreement. He wanted input from the Council on whether the changes should be considered material or not material. He presented the changes one at a time.

- 1) Road alignment changes: He feels this is in better conformance with the growth policy and more effectively meets the current standards. Staff recommends approval. The Council had no objections to the road alignment changes.
- 2) Elimination of alleys: The police chief and fire chief both sent letters of opinion. He explained the developer's rational for the elimination of alleys. His inclination is to approve the elimination of alleys from a planner's perspective. Three of the planning board members did not prefer alleys, one wanted to keep them.
Doug Chandler, Allied Engineering: He presented the maps of the original and proposed changed final plats. Gave reasons for alley elimination.
The Council had no objections to the elimination of alleys.
- 3) Implement a new road section: He had previously explained the rational for the new road section. The Council had not objection to the new road section.
- 4) Changes to park layout: He explained the changes to the park layout. The Council had not objection to the changes to the park layout.
- 5) Temporary use of wells in lieu of city water: He referred to a memo from Attorney Mersen. Johnson stated that he feels that the issues raised by the attorney are

better addressed at a later time. He described some ways that the issue can be addressed when the time comes.

Susan Swimly, Developer Attorney: She stated that the current ordinance allows wells to happen. A mechanism for addressing the interim wells later in the process is needed.

Doug Chandler, Allied Engineering: He stated that he could not get a written letter from the DNRC. The developer will have to apply and then get the answer. Any limits would hinder their ability to move ahead.

The Council had no objection to the temporary use of wells in lieu of city water.

- 6) Revise phasing: He outlined the new proposed phasing. The Council had no objections to revising the phasing.
- 7) Postpone implementation of Nixon gulch Improvements, Railroad Ave sidewalks, extension of Greenspur Road and the bike trail to Yadon Rd, until Phase 3: He explained the rationale of all of the postponements. The Council had no objections to the postponement of the improvements.

TRANSITIONAL ZONING UPDATE:

Ralph Johnson, Town Planner: He updated the Council with the progress on the Council's request for the Planning Board to look at Transitional Zoning. He and the Planning Board have discussed what Transitional Zoning is and what the intent of it is. He brought the Planning Board some recommendations for permitted and conditional uses, along with regulations for Transitional Zoning. The Planning Board then held a public hearing to discuss the idea. The conclusion was that the vast majority of the public in attendance were opposed to the idea. The Planning Board responded that they may not have educated the public well enough. The board decided to have Ralph report to the council and see what direction they should take. The options that they see are: 1. More education, 2. Drop it, or 3. Go forward with the zone description.

Dave Hebner, Planning Board chair: He stated that he feels that more education was necessary. A smaller area should possibly have been considered. He described the process that they went through. He personally feels that this could be an advantage to the Town.

The Growth Policy was discussed, as well as how times and things change.

The Council all requested that the Planning Board move forward with Transitional Zoning, along with more education. Mayor Rowell directed Ralph to have the Planning Board move forward with the Transitional Zoning idea.

TAYLOR BOUNDARY RE-ALIGNMENT:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the Cory and Ashley Taylor boundary re-alignment on lots 8A and 6A of the Amended Plat of Lots 6,7, and 8 of Block 40 of the Original Townsite of Manhattan and Town of Manhattan.

Ralph Johnson, Town Planner: He explained the reason for the re-alignment. The lots will both be in conformance with the R-1 zoning regulations. His recommendation was to approve the boundary re-alignment.

DOG AT LARGE PENALTY:

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to amend the ordinance for Dog at Large fines.

Dennis Hengel, Chief of Police: He presented the current fine structure for dog offenses. He asked the Council to change the fine for Dogs at Large. He asked other communities what they charge for Dog at Large and most are quite a bit less. The police are currently giving lots of warnings. The current fine is \$100. He is proposing a \$25 or \$50 fine for first offense. They would prefer \$25 first offense, \$50 second offense, and \$100 third offense. Time balancing is an issue for the police department. They are responding to more serious crimes than ever before, so they have less time to deal with code compliance. Their main focus is safety of the community.

Council discussion included that the ordinance has to be enforced no matter what the fine is. Different fines for different offenses were discussed. Officer discretion was discussed. The Council would like to see enforcement and officer discretion. The Council and Chief discussed the possibility of getting a code compliance officer.

Bill Leuhrs, Pioneer Crossing: He agreed with the Chief's suggestion. Many people run their dogs in Pioneer Crossing and are causing damage. He would like to see some encouragement to enforcing the leash laws.

VEHICLES IN THE PARK:

Dennis Hengel, Chief of Police: He presented some pictures of the park and some areas of concern where people have been driving in the park. He suggested continuing the pipe fence around the entire perimeter of the park. It would eliminate the problem and protect the sprinkler system.

The council discussed some options for fencing. Other park regulations were discussed.

INTERNATIONAL SWIMMING POOL AND SPA CODE 2015 EDITION:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to adopt the International Swimming Pool and Spa Code 2015 Edition.

MAYORS REPORT:

The Shop Well is being worked on, and should be repaired and running in the near future.

CONSENT AGENDA:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the consent agenda.

Home Occupation: Morgan Gendle, 706 Yellowstone Ave.

Town Licenses: Building Dimensions, Inc., Black Dog Veterinary Services, Halo, North Fork Enterprises, Capital City Dirt Works, Little Apple Daycare, and Comfort Systems of MT.

Approval of Minutes: Regular Meeting minutes from April 14, 2016, Special Meeting minutes from April 26, 2016, and Closed Meeting minutes from April 26, 2016.

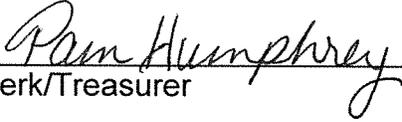
Claims: Dated 4/15/16 - 5/11/16 totaling \$ 129,700.68 including payroll.

ADJOURN:

Motion- Gonzalez; Second- Dietz; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer

TOWN OF MANHATTAN
Regular Meeting
June 8, 2016
MINUTES

Mayor Dave Rowell called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Gregg Dietz, Steve Gonzalez, Greg Schack, and Dan Ryan. Also present were Public Works Supervisor, Brian Carey, Chief of Police Dennis Hengel, Town Attorney Jane Mersen, and Clerk/Treasurer Pam Humphrey. Sixteen members of the public were also present.

PUBLIC COMMENTS:

Ann Tappan-Schmutz, 409 Spruce St: She read a letter that her husband Nick wrote regarding the sewer odor in Manhattan. They have had an issue with the odor in their restaurant. They would like to see something done immediately.

Nick Schmutz, 409 Spruce St: He stated that he has also sent the letter to the County Commission and the State DEQ. He cannot wait until the wastewater system improvements project is implemented. He stated that he is losing customers because of the problem. He feels that the sewer gas is venting into his restaurant. He stated that he will have to check out his options and it will be expensive for everyone involved.

Mayor Rowell offered to inspect the restaurant for possible sewer vent leaks.

The Council, Mayor, and Public Works Supervisor discussed the issue.

Sarah Simser, 110 Cedar: She stated that the Mercantile building has always had the sewer smell since the mid 2000's.

Brian Leland, 528 N Bozeman: He stated that running for the Gallatin County Commission. He introduced himself and gave some of the reasons that he is running for the position.

Dennis Hengel, Chief of Police: He provided the Council with some statistics on what the Police have been dealing with in the past several years, and what they are seeing in relation to the growth in the area.

Sarah Simser, 110 Cedar: She stated that she thought that Town did a fantastic job handling the water crisis and hysteria that came along with it. She thanked the Mayor and Council for choosing to continue to serve the Town after the reprehensible comments that were made on social media. She thanked them for upgrading the system and getting the pump fixed. She encouraged citizens of the Town to spend at least ten times the effort to praise the Town officials for doing a good job than they do tearing them down when something goes wrong.

WATER ISSUES DISCUSSION:

Brian Carey, Public Works Supervisor: He prepared a report regarding public works and all water related issues. He read most of his report to the Council. He summarized the water system upgrades. He summarized the history of the discolored water problem. The Town Crew initially flushed the hydrants in part of town and thought that the problem was dissipating. There was only one call regarding the turbidity on the Friday before Memorial Day weekend. He is juggling a lot of issues just to keep

providing enough water to the Town. One main concern was that the spring line had been turned off for repairs during this time. That repair had to be abandoned and the spring line turned back on to get more fresh water into Town for flushing. Minerals have deposited in the pipes over the last 6-7 decades. The water tower has increased pressure in the system. The south well pump replacement was a necessary upgrade. The amount of water usage this time of year has increased by ten times since the tower went on line in March. All of these things contributed to increasing the turbidity in the pipes. He stated that if he would have known it was going to happen he would have notified the public. He came in on Memorial Day and flushed hydrants. Later that week he worked with the DEQ and took samples. The DEQ is very involved with these types of situations. If a health risk would have been found, the Town would have issued a stop drinking order. They did everything to the specifications of the DEQ. The water has been tested and there were no contaminants found. The water is safe even though it does not smell or taste very good during high turbidity. He plans to get a larger diffuser for flushing lines and that should help even more with the turbidity issue.

He also touched on some of the Chlorine and other water related problems that they have been dealing with. If the Chlorine level added to the spring line gets too high or too low because of dosing issues, the pump at the spring line turns off automatically. He summarized what the water testing and monitoring schedule requirements are for the Town as required by the DEQ. The Town has not had any bacterial violations.

All of the functioning pumps are needed to keep the water tower filled and functioning as needed to provide enough water for this time of year.

Mayor Rowell: He added that the shop well was drilled in 1953 and was permitted for 500 gallons per minute. It had been pumping about 25 gallons per minute. The shop well rebuild was necessary. He had been criticized for not granting every news interview. The news agencies were more of a hindrance than a help during the issue. He commended the 3.5 person Public Works Crew for handling the situation as well as they did.

Councilman Gonzalez: He stated that people are skeptical, so the Town needs to notify people in the town when there is problem, and needs to learn from this going forward.

Sara Clary, 306 Hemlock: She asked about the Chlorine system issues. She also asked when the water will be tested for lead. She stated that she is grateful for the efforts of the Town Crew. She appreciates that the Town did publish a notice about possible turbidity when the water tower went online in March.

PRE-APPLICATION DISCUSSION-CTA ARCHITECTS:

Eric Garberg, CTA Engineer: He introduced a 60 lot proposed development that CTA Group is wanting to put in the Churchill area. He gave a history of the project. Churchill does not have the sewer capacity reserved to serve their development. CTA must work with the Churchill sewer district and the Manhattan Town Council to see if they can add 24,000 gallons per day to Churchill's flow. They would like to be selling lots by next year at this time. They are willing to contribute up to \$250,000 to connect to the Town system. They would like to come to a solution for the plan within the next couple of months. He doubts that Churchill will be willing to open up the agreement just for their development.

Mayor Rowell: He indicated that the Town engineers, WWTP engineer and himself have met with the developer. They suggested that the developer go to Churchill first to see if the interlocal agreement can be reopened and renegotiated to increase the reserved amount of flow.

Brian Carey, Public Works Supervisor: He added that they are putting a lot of time into handling sludge and grease at the plant. Four times more sludge is coming to the plant since Churchill has been added.

EMERGENCY MANAGEMENT PLAN:

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to approve the Emergency Management Plan for Gallatin County.

Patrick Lonergan, DES Coordinator for Gallatin County: The plan is reviewed, updated, and approved every 5 years. He highlighted the parts of the plan that were changed since the last update. He explained what was in the plan and how it identifies the roles that individuals and agencies play during an emergency. Tools and resources that are available are defined in the plan. He described the state requirements for emergency management plans. The Town of Manhattan has recently agreed to participate in the Hazard Mitigation Plan for the County. Participating jurisdictions are eligible for grant programs in the case of an emergency. He talked about the mass notification system that will be started on July 1, 2016.

FARMSTEAD ZONE CHANGE:

Motion- Ryan; Second- Dietz; Vote- Unanimous: Motion passed to approve the settlement agreement and set the zone change for a public hearing. The public hearing was set for the July 14th meeting.

ORDINANCE NO. 16-003 – Dog a large fees:

First Reading

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to set the ordinance for second reading and public hearing at the July 14 meeting.

Councilman Ryan: He asked about adding a public service aspect to the penalty.

Jane Mersen, Town Attorney: She stated that she did not see a clear path to impose that type of penalty. Generally, Manhattan cannot access the Gallatin County probation office. She stated she was here when the original ordinances were drafted. At the time, the Town was of the opinion that the fines needed to be high to deter people from letting dogs run at large. She stated that lowering the fines may not achieve the desired effect of keeping dogs from running at large.

Dennis Hengel, Chief of Police: He stated that the officers care about the people of the community and do not feel comfortable about issuing a \$100 citation for a dog at large, as that may put people into a hardship situation. He also wants to get the fine more in line with the other fines in the dog section of the Code.

RESOLUTION NO. 16-007 – Intent to sell old Town Hall building:

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to approve Resolution No. 16-007, a resolution of the Town Council of the Town of Manhattan,

Montana acknowledging the intent to sell the Town Hall building located at 120 W Main, Manhattan Original Plat, S10, T01 N, R03 E, Block 20, Lot 4A.

RESOLUTION NO. 16-008 – Approve and adopt the MMIA Employment Benefits Program Agreement:

Motion- Schack; Second- Ryan; Vote- Unanimous: Motion passed to approve Resolution No. 16-008, a resolution of the Town Council of the Town of Manhattan, Montana approving and adopting the Montana Municipal Interlocal Authority Employee Benefits Program Agreement.

SAFETY POLICY AMENDMENTS:

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to accept the Town of Manhattan Safety Policy with the revisions presented.

PLANNING BOARD APPOINTMENT:

Council Appointment

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to appoint Austin Owens to the Manhattan City-County Planning Board.

WATER TOWER COMMUNICATIONS DISCUSSION:

Councilman Gonzalez: He state that he has spoken to some other municipalities as well as the 911 dispatch person. They all told him that the Town should be able to manage the water tower communications itself. He was advised by other entities not to agree to the terms of the proposed agreement. All additions have to have intermodal study done to make sure the new equipment does not interfere with other equipment. Belgrade is renegotiating contracts now. They advised him to require that vendors take down as well as put up equipment. The other municipalities are willing to share information with the Town and just ask for the same in return. Gonzalez will arrange for an informational meeting with Margene Penny with Gallatin County 911. Council discussed different options, insurance, and possible resources.

SET SPECIAL MEETING DATE FOR DEPARTMENT BUDGET REQUESTS:

Meeting scheduled for June 20, 2016 at 7:00 pm

MAYORS REPORT:

None

CONSENT AGENDA:

Motion- Schack; Second- Dietz; Vote- Unanimous: Motion passed to approve the consent agenda.

Town Licenses: Saddle Peak Construction & Remodeling, Vinger Excavating, L & L Site Service, Inc.

Kennel License: Morgan and Shawna Taylor

Approval of Minutes: Regular Meeting minutes from May 11, 2016.

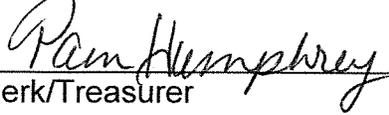
Claims: Dated 5/12/16 - 6/08/16 totaling \$ 281,768.06 including payroll.

ADJOURN:

Motion- Gonzalez; Second- Dietz; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
June 20, 2016
MINUTES**

Mayor Dave Rowell called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Gregg Dietz, Steve Gonzalez, Greg Schack, and Dan Ryan. Also present was Clerk/Treasurer Pam Humphrey. Zero members of the public were also present.

PUBLIC COMMENTS:

None

PAYROLL:

Motion- Dietz; Second- Schack; Vote – Unanimous: Motion passed to move forward with the preliminary budget for payroll.

Motion- Gonzalez; Second- Dietz; Vote- Unanimous: Motion passed to pay 50% of the additional premium that the flexible benefits allowance does not cover for employees and dependents, with the additional amount not included in the PERS, Unemployment, and Work Comp bases.

FIRE DEPARTMENT:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to try to add \$25,000 from the General Fund to the Fire Department.

Mike Ulmen, Fire Chief: He asked to reinstate the old original budget, with some money coming from the general fund. He asked to have \$25,000 from the General Fund for the Fire Department in addition to the milled Fire Department budget. They would like to pay off Tender 2-9 and possibly build a new fire station.

LIBRARY:

Motion- Schack; Second- Dietz; Vote- Unanimous to move forward with the preliminary library budget.

Trudy Dundas, Librarian: She presented the proposed Library budget. She updated the Council on what they have done over the past year. She is asking for \$2500 more than last year. She would like to start a capital reserve this year. She highlighted the increases that they are expecting and the reasons for the increases.

POLICE DEPARTMENT:

Motion- Ryan; Second-Gonzalez; Vote- Unanimous: Motion passed to move forward with the preliminary police department budget.

Dennis Hengel, Chief of Police: He presented his proposed budget for 16-17. He highlighted the changes for the upcoming year. He explained any increases that he is asking for. He explained the repairs and supplies that they are anticipating. He identified the capital projects that he would like to fund.

WWTP:

Motion- Ryan; Second- Gonzalez; Vote- Unanimous: Motion passed to move forward with the preliminary WWTP budget with additions for the use of the Vac Truck.

Robert Seamons, Engineer at WWTP: He updated the Council on the function of the plant. He explained the structure of the sewer fund, how it is funded and what it pays for. He explained the proposed budget for the plant.

Council asked questions and clarified some of the requests.

PUBLIC WORKS:

Brian Carey, Public Works Supervisor: He recapped what the public works department has completed in the last fiscal year. He went through all of the projects that they would like to accomplish in the coming year. He then identified the cost of all of the projects.

PARK:

Gregg Dietz: He discussed some of the ideas that they have. They would like to start a fund for play equipment. Gopher control was discussed. Mural design was requested and park employee needs were discussed. Possible addition of part time employee was discussed. Fertilizer and weed control were discussed.

BUILDING:

Dave Rowell, Building Official: He would like to move to half time in the building department. He will be doing inspections and taking calls in the afternoons.

TOWN OFFICE:

Pam Humphrey, Clerk/Treasurer: City Court will stay the same with clerk salary increase. She would like to move the Assistant Clerk/Treasurer to full time.

The July Council meeting will be moved from July 14th to Wednesday July 13th.

ADJOURN:

Motion- Schack; Second- Gonzalez; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer

TOWN OF MANHATTAN
Regular Meeting
July 13, 2016
MINUTES

Mayor Dave Rowell called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Steve Gonzalez, Greg Schack, and Dan Ryan. Gregg Dietz was excused. Also present were Town Attorney Jane Mersen, Town Planner Ralph Johnson, and Clerk/Treasurer Pam Humphrey. Twenty-one members of the public were also present.

PUBLIC COMMENTS:

None

FARMSTEAD ZONE AMENDMENT:

Clerk/Treasurer read the public hearing notice.

Jane Mersen, Town Attorney: She gave the history of the settlement agreement. It is in relation to a lawsuit filed by RM Properties and Nest Egg Properties stemming from the Council's denial of a zone change request. The settlement agreement was discussed and approved at the June Town Council meeting. Another public hearing is required to hear public comment on the proposed zone change. Finding must be based on facts, not opinions. She read each finding in the settlement agreement, which are the required findings according to Montana Law. Ralph Johnson, Town Planner validated each of the findings.

Public Hearing

Joan Thompson, 5B Sedora Dr: She asked if the agreement was between the Town and the developer or if it was a financial settlement agreement. She asked if they could request any restrictions to the rezoning, such as fencing.

Written comment was read from Zona Hale in opposition to the rezoning.

Discussion/Decision

Motion- Gonzalez; Second- Ryan; Vote- Unanimous: Motion passed to approve the findings and the zone change of lots 31 and 32 to R-3 and lot 33 to R-3/L-1.

The Council discussed the process and the only option is to approve the zone change. They are still concerned about the precedence that is being set. They want to treat everyone the same.

ORDINANCE NO. 16-003 – Dog at Large Penalty:

Clerk/Treasurer read the public hearing notice

Public Hearing

None

Discussion/Decision

Motion- Ryan; Second- Schack; Vote- Unanimous: Motion passed to approve Ordinance No. 16-003, an ordinance of the Town Council of the Town of Manhattan amending the Manhattan Municipal Code Title 5, Chapter 4 to change the penalties for dog at large.

RESOLUTION NO. 16-009 – Sewer Budget Amendment:

Clerk/Treasurer read the public hearing notice.

Pam Humphrey, Clerk/Treasurer: Sewer expenses were higher than expected for the fiscal year 2015-16. There was a PER done for the sewer transmission project to apply for a TSEP grant. Sewer transmission and treatment also overspent the budget during the fiscal year. The expenditures will be offset by revenue from the Amsterdam/Churchill connection fees. The amendment will also allow the Town to add revenue from TSEP and RRGL grants that were received for the sewer PER. The amendment total is \$61,000.

Public Hearing

Brian Carey, Public Works Supervisor: He stated that the Churchill project was a pretty large shock to the system. He explained the reason for some of the expenses.

Discussion/Decision

Motion- Schack; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Resolution No. 16-009, a resolution of the Town Council of the Town of Manhattan, Montana amending the Fiscal 2015-2016 budget to allow for appropriations and funding.

ATTORNEY CONTRACT:

Motion- Schack; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the proposed Attorney Contract with Jane Mersen
Council asked Jane how the time is accounted for.

SCADA SERVICE AGREEMENT:

Industrial Automation Consulting, Inc

Motion- Ryan; Second- Schack; Vote- Unanimous: Motion passed to approve the Scada service agreement with Industrial Automation Consulting, Inc.

Chuck Wambeke, Industrial Automation: He asked the Council what questions they had regarding the agreement. He presented some printed information about the services that they provide for the Scada system. He explained how the system works. He covered what the services agreement covers to maintain. He explained the fees associated with the system that the Town has installed. There is no backup in place at this time for data system/power outages. Prices may be adjusted for inflation.

Council discussion included what part of the system the Town owns. Alarms and monitoring were discussed. The service agreement was not disclosed at the time of the water tower project. Data charges are included in the charge per mode. They asked the Public Works Supervisor for his input on the system.

WATER TOWER COMMUNICATIONS:

Margene Penny, Radio Communications Manager Gallatin County 911: She introduced herself and what her role in the County as related to radio communications. She works with Bozeman to place radio antennas on one of their water tanks. She described how radio communications work and her experience with using towers for radio communication. She summarized some best practices suggestions:

1. Good documentation – Site Lease application, Lease Contract with 3-5% increase per year. Bozeman suggested that the Town not cede control of the facility, liability insurance should be required with the city listed as an additional insured, damage should be covered by the contractor, the Town should have an approved, engineered structure to attach to-no welding allowed, use magnetic mounts,
2. Security – enclosed and locked fence
3. Have a documented process for access and maintenance
4. FCC rules must be followed, applications can't interfere with each other
5. Backup and redundancy requirements

COUNCIL EMAIL ADDRESSES:

The council discussed creating Town business related email addresses for each of them instead of using their personal accounts.

2016-2017 PRELIMINARY BUDGET:

Motion- Ryan; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the 2016-2017 preliminary budget to allow for revenue and expenditure postings beginning July 1, 2016.

Clerk/Treasurer Pam Humphrey presented the preliminary budget to the Council. She explained the expenditure sheets for the different departments.

LIBRARY BOARD APPOINTMENT:

Mayor Appointment with Council approval

Motion- Schack; Second- Ryan; Vote- Unanimous: Motion passed to approve the Mayoral appointment of Christine DeHaan to the Library Board for a 4 year term.

RESOLUTION NO. 16-010-Mayoral authority to sign sale documents:

Motion- Ryan; Second- Schack; Vote- Unanimous: Motion passed to approve Resolution No. 16-010, a resolution of the Town Council of the Town of Manhattan, Montana authorizing the Mayor to be the designated representative for signature on property for sale owned by the Town of Manhattan, Montana.

MAYORS REPORT:

- He is considering having a special meeting to discuss some sewer and water issues that may arise this fiscal year.
- Public Works is going to fence the lagoon with a locking gate. People are using it for a dump site for junk and not dumping in the burning pile. People are dumping concrete and garbage instead of burnable wood waste. There will be a sign on the gate to contact the Town Office for brush dumping.

CONSENT AGENDA:

Motion- Gonzalez; Second- Ryan; Vote- Unanimous: Motion passed to approve the consent agenda.

Town Licenses: Jenkins Construction, Hometown Heating & Cooling, Inc, Salon Phoenix, Southwestern Advantage-Sanita, Manhattan Rock-n-bead, and Premier Air LLC

Approval of Minutes: Regular Meeting minutes from June 8, 2016 and Special Meeting minutes from June 20, 2016.

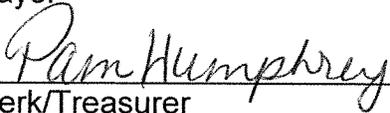
Claims: Dated 6/09/16 - 7/13/16 totaling \$ 278,869.17 including payroll.

ADJOURN:

Schack; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
August 11, 2016
MINUTES**

Mayor Dave Rowell called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Gregg Dietz and Dan Ryan. Greg Schack was excused. Also present were Chief of Police Dennis Hengel, Public Works Supervisor Brian Carey, WWTP Operator Randy Lynch, and Clerk/Treasurer Pam Humphrey. Three members of the public were also present.

PUBLIC COMMENTS:

Dennis Hengel, Chief of Police: He presented the Council with their monthly report. He reported that Christine Keltner, Administrative Assistant, had a <4% error rate on the crime reporting to the state, so they were awarded \$3000 for equipment and training supplies. He gave an overview of the monthly report.

RESOLUTION NO. 16-011: Fiscal Budget 2016-2017

Clerk/Treasurer read the public hearing notice.

Public Hearing

No public comment.

Discussion/Decision

There was not a quorum present, so a vote could not be taken.

Discussion included that the value of a mill did not increase very much this fiscal year. Additional water expenditures were discussed. Council and employees discussed the general fund, taxing authority, personnel, and equipment needs. Options to cut costs were discussed. Encouraging economic development was suggested.

Mayor Rowell stated that he is disappointed with the Chamber of Commerce. It seems that many citizens and business owners have a narrow vision. More needs to be done to increase businesses in Manhattan.

RESOLUTION NO. 16-012: Light Maintenance District

Clerk/Treasurer read the public hearing notice

Public Hearing

No public comment

Discussion/Decision

There was not a quorum present, so a vote could not be taken.

RESOLUTION NO. 16-013: Street Maintenance District:

Clerk/Treasurer read the public hearing notice.

Public Hearing

No Public Comment

Discussion/Decision

There was not a quorum present, so a vote could not be taken.

PLANNING BOARD MEMORANDUM OF UNDERSTANDING WITH GALLATIN COUNTY:

No quorum present

COUNCIL MEETING SCHEDULE:

Councilman Dietz has asked to move the September and October meetings to the 2nd Wednesday of the month. Next council meeting will be September 14, 2016.

MAYORS REPORT:

- The police building will be done next week.

CONSENT AGENDA:

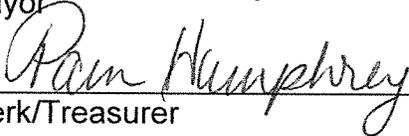
No quorum present.

ADJOURN:

Mayor Rowell adjourned the meeting.

Mayor

Clerk/Treasurer



**TOWN OF MANHATTAN
Special Meeting
August 24, 2016
MINUTES**

Mayor Dave Rowell called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Gregg Dietz, Steve Gonzalez, Greg Schack, and Dan Ryan. Also present was Clerk/Treasurer Pam Humphrey. No members of the public were present.

PUBLIC COMMENTS:

None

RESOLUTION NO. 16-011: Fiscal Budget 2016-2017:

Motion- Schack; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Resolution No. 16-011, a resolution of the Town Council of the Town of Manhattan, Montana adopting a budget for the Town of Manhattan for the Fiscal Year 2016-2017. There was a discussion about wages, matrixes, and mayoral work hours.

RESOLUTION NO. 16-012: Light Maintenance District:

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Resolution No. 16-012, a resolution of the Town Council of the Town of Manhattan, Montana providing for the assessment of maintenance costs for the Street Lighting Maintenance District for Fiscal Year 2016-2017, which is a continuation of the present method of assessment.

RESOLUTION NO. 16-013: Street Maintenance District:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve Resolution No. 16-013, a resolution of the Town Council of the Town of Manhattan providing for the assessment of Street Maintenance District costs for the Fiscal Year 2016-2017 pursuant to §7-12-4425, MCA, which is a continuation of the present method of assessment.

PLANNING BOARD MEMORANDUM OF UNDERSTANDING WITH GALLATIN COUNTY:

Motion- Gonzalez; Second- Dietz; Vote- Unanimous: Motion passed to approve the Memorandum of Understanding between the Town of Manhattan and Gallatin County.

CONSENT AGENDA:

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to approve the consent agenda.

Town Licenses: Carroll Custom Landscapes LLC

Approval of Minutes: Regular Meeting minutes from July 14, 2016.

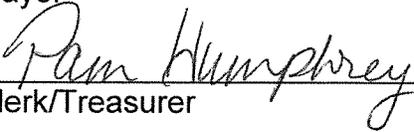
Claims: Dated 7/14/16 - 8/11/16 totaling \$ 214,467.87 including payroll.

ADJOURN:

Motion- Ryan; Second- Dietz; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
September 14, 2016
MINUTES**

Council President Greg Schack called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Gregg Dietz, Steve Gonzalez, and Dan Ryan. Mayor Rowell was sick. Also present were Public Works Supervisor Brian Carey and Clerk/Treasurer Pam Humphrey. Seven members of the public were present.

PUBLIC COMMENTS:

Dave Hebner, 6617 W Dry Creek Rd: He stated that there is a meeting at the Town Library on September 17th at 10 am to review the school construction project. It will be an update of the progress they have made so far.

PIONEER CROSSING PARK PROPOSAL:

Public Hearing

Clerk/Treasurer Humphrey read the public hearing notice.

William Luehrs, Pioneer Crossing: He presented the proposal to the Council and public. He summarized the major features of the park. He presented some photos of the progress up to date. He answered some questions from the Council. They plan to add a weather shelter with an ADA compliant picnic bench.

Dave Hebner, Planning Board President: He stated that the Planning Board was in favor of the proposal.

Discussion/Decision

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the Pioneer Crossing Park proposal and design.

Councilman Ryan was concerned if the exempt well for irrigation was going to be allowed by the DNRC.

Councilman Gonzalez asked about the recommendations from the Park Board.

GALLATIN LOCAL WATER QUALITY DISTRICT BOARD APPOINTMENT:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to re-appoint Jim Lovell as the Town of Manhattan At-Large Representative on the Gallatin Local Water Quality District Board.

L & L SITE SERVICES:

Lance Johnson, L & L Site Services: He stated that Republic Services is the only company authorized to haul garbage in the valley. He has been hauling construction waste for the past 10 years. He has now diversified to give more opportunity for his employees. The PSC has approved his permit to haul garbage. He gave an overview of how the rates change with competition. He has a Town of Manhattan business license and has some Manhattan customers. Republic Services has asked him to pull out of Town because they have a contract with the Town of Manhattan.

Council discussed the current contract with Republic Services. Council advised Mr. Johnson to have his attorney speak with the Town Attorney.

Council asked to have the Town Attorney look into the current contract with Republic Services and give them an opinion on what the contract states, and if it can bind the Town citizens to a certain company.

DUST CONTROL:

Tony Drypolcher, S 3rd St: He has made a request of the Town to do periodic application of Magnesium Chloride to control the dust in his neighborhood. He is making the request for quality of life and health issues. He has spoken to Street Commissioner Gonzalez. He got a petition signed by the neighbors on his block, for a total of 10 residents. He asked the Council to re-prioritize funds to apply the chemical in the next fiscal year. He got quotes from 2 companies that do the application (\$1/ft). He is willing to do some cost sharing with the Town for dust control. He offered to help with the education.

Public works personnel indicated that they cannot grade the gravel roads after an application of the dust control chemicals. They need to have it properly graded prior to application. Newer chemicals do not corrode the manhole covers as bad as the old type. Cost sharing was discussed. Dust control or paving would both require cost sharing. The more roads that are done, the more the companies would work with the prices.

Council discussed having an informational segment at the Town Council Meeting in February to try to involve as many affected residents as possible.

SIGNS ALONG RAILROAD AVENUE:

Motion- Ryan; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the stop signs on the streets approaching Railroad Avenue.

Railroad Avenue has recently been paved. People are driving faster on the road. Public Works will be posting 25 mph signs on Railroad Ave with a suggested 15 mph warning curve at the east end. They would also like to put stop signs on the streets approaching Railroad Avenue from the north.

MAYOR'S REPORT:

Council President Schack reminded everyone that there is a Transitional Zoning Open House on Wednesday, September 21 at 7:00 PM at the Planning Board meeting to educate and inform the citizens about Transitional Zoning.

He also let the Council know that the Town Website is being redone to make it easier to update and maintain.

CONSENT AGENDA:

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the consent agenda.

Town Licenses: Quality Gutters, LLC

Approval of Minutes: Regular Meeting minutes from August 11, 2016 and Special Meeting minutes from August 24, 2016.

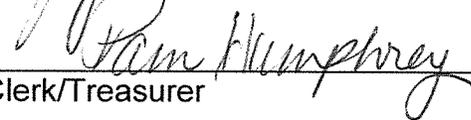
Claims: Dated 8/12/16 - 9/14/16 totaling \$ 223,969.34 including payroll.

ADJOURN:

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to adjourn the meeting.



Council President



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
October 12, 2016
MINUTES**

Mayor Dave Rowell called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:06 P.M. Present were Council Members Gregg Dietz, Steve Gonzalez, and Greg Schack, and Dan Ryan. Also present were Chief of Police Dennis Hengel, and Clerk/Treasurer Pam Humphrey. Ten members of the public were present.

PUBLIC COMMENTS:

Dennis Hengel, Chief of Police: He stated that Manhattan has excellent residents. He related a major tragedy of a suicide in Town. He recognized Carol and Buck Buchanan for their help in the incident both on behalf of the victim and his family. He presented a certification of appreciation to Carol.

COUNTY COMMISSIONER PRESENTATION ON THE PROPOSED LAW AND JUSTICE CENTER:

County Commissioner Joe Skinner, County Administrator Jim Doar, Undersheriff Dan Springer, and County Attorney Marty Lambert were presented information on the proposed joint Law and Justice Center.

Joe Skinner, County Commissioner: He introduced the project and the history of the Law and Justice Center. It has been a joint facility since the 1990's. The City of Bozeman went out on their own and tried to open the Rouse Justice Center. The citizens voiced that they want the city and county to work together. A committee was formed to explore the options. The committee looked at several options, and came together on the current project plan. The project includes a joint sheriff and city police building and a separate court building. Once the new buildings are in use, the old building could be demolished. He summarized the reasoning for the size of the buildings. The design will have a space to add on in the future. The shared space will save both city and county residents money for construction and maintenance of the buildings, as well as operations. He touched on the need for the project.

Dan Springer, Undersheriff: He presented the public safety aspects of the project. He related the project to the affect it would have on the Town of Manhattan. He described how public safety would be improved compared to the current arrangement. Evidence security is currently inadequate and potentially at risk. Court and law enforcement records must also be stored. Safe storage of the records would be greatly improved.

Marty Lambert, County Attorney: He spoke about the amount of crimes against persons that occur in Gallatin County. He talked about Haven, Victim Services, and Guardian Ad Litem. Some problems are created in the current court house. There is anxiety and safety concerns for victims in the current building. The County Attorney, City Prosecutor, and the Guardian Ad Litem program, Haven Domestic Violence Program, and Victim Services will all be together on the same floor in the new building. He reiterated that collaboration will save all taxpayers more money.

Joe Skinner, County Commissioner: He stated that the project will cost \$68.3 million. The county share is 70% and the City of Bozeman share is 30%. The county will bond for the whole amount. The city will go out for a mill levy to pay for their portion of the bond. He presented the cost for Bozeman and county residents. County residents would pay \$20.33 for \$100,000 taxable value. Both the mill levy and the county bond will need to pass for the project to move forward. He stated that if it doesn't pass, it will come up again in a few years and will cost a lot more at that time.

Dan Springer, Undersheriff: He answered questions from the Council and talked about agency assists that occur between the Sheriff's office and the Manhattan Police Department.

Marty Lambert, County Attorney: He asked for a "yes" vote for the project on behalf of Friends of Law and Justice.

Mayor Rowell thanked the committee for coming and presenting this important project. He encouraged them to keep presenting it to groups around the county.

Dave Hebner, 6617 West Dry Creek Rd: He questioned the price \$400/sf that was published in the paper and if any frills can be cut. He also asked about the shared spaces and what would happen if it doesn't pass. He asked for an estimate to retrofit the current building.

Jim Doar, County Administrator: The actual numbers for construction are \$289/sf for the court building and \$272/sf for law enforcement building. The total with the contingencies included is \$389/sf. Value engineering may bring the costs down.

If the project passes it would be finished in a total of 22 months and be complete in 2019.

Anyone with questions is encouraged to call the County Commissioners' office.

MAYOR'S REPORT:

He stated that Essential Construction relates to any kind of construction for public safety. They need to be assured that the building will stand and be operational in the event of an earthquake or other disaster.

- The Chlorine project has been started, the manhole has been set, piping underground is almost finished, parts are coming or are here to finish the building.
- He got an email from Jane relating to the Pioneer Crossing well. She got an email that suggested a possible resolution. It proposed maybe giving the town a 10 year window to come up with a mitigation plan. Matt Williams will write some letters to the agencies to see if this is a possible solution, what is needed, timelines, etc.
- Public Works crew is doing an alley cleaning project. The goal is to get every alley in town cleaned of junk, overhanging brush, etc. The alley is a public right of way, not personal property of adjacent property owners.

CONSENT AGENDA:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the consent agenda.

Town Licenses: K-Designers

Approval of Minutes: Regular Meeting minutes from September 14, 2016.

Claims: Dated 9/14/16 - 10/12/16 totaling \$ 175,443.90 including payroll.

ADJOURN:

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
November 10, 2016
MINUTES**

Mayor Dave Rowell called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Gregg Dietz, Steve Gonzalez, and Greg Schack. Also present was Clerk/Treasurer Pam Humphrey. One member of the public was present.

PUBLIC COMMENTS:

None

BUILDING LEASE AT 120 W MAIN:

Ted Beasley: He is a gunsmith and worked for the former gun shop in town. An opportunity to work with Blackhawk has come up as well as business investors to help him start a retail gun shop with gunsmithing. There are a few buildings in town that he could possibly use for this type of business. The rent is very high in some of the other buildings. He needs an affordable monthly rent. He is interested in leasing the Town's building at 120 W Main with an option to buy after one year. They would like to open the store by the beginning of 2017. He brought his business plan for the Council to review if they chose. He feels he could afford a lease of \$1500 per month.

Mayor Rowell indicated that there a builder that is looking for an office and showroom that has also approached him about renting the building. Another idea is to see if the senior center can procure some grants to retrofit the building and move the senior center there.

Council discussed the different possibilities. They indicated that they are not interested in long term leases. The Mayor will talk again with the Senior Center representative by next week. They will give Mr. Beasley an answer by November 18th.

MAYOR'S REPORT:

- The Chlorine House project is proceeding as planned. It should be back online by the middle of December.
- The building department has had 6 permits for new houses for November. All are started, 2 more may come in soon.
- Alley cleanup is almost finished.
- There is a condition on the Pioneer Well, Jane has indicated that it is close to being resolved. It would allow for 10 years of use and require an infiltration gallery to be put in after that 10 year period. Other legislation is coming that may change the permitting process also.
- Rider Court has asked for a meeting with the Town Officials to figure out the connection agreement.

CONSENT AGENDA:

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the consent agenda.

Approval of Minutes: Regular Meeting minutes from October 12, 2016.

Claims: Dated 10/13/16 - 11/10/16 totaling \$ 147,527.67 including payroll.

ADJOURN:

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
December 8, 2016
MINUTES**

Mayor Dave Rowell called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:00 P.M. Present were Council Members Steve Gonzalez, Dan Ryan, and Greg Schack. Also present was Clerk/Treasurer Pam Humphrey. Four members of the public were present.

PUBLIC COMMENTS:

None

SZABO CONDITIONAL USE PERMIT:

Public Hearing

None

Discussion/Decision

Motion- Schack, Second- Gonzalez; Vote – Unanimous: Motion passed to approve the Conditional Use Permit for Christian Szabo at 201 S Broadway for an accessory dwelling unit in the back yard.

HARLOW'S SCHOOL BUS SERVICE, INC. SIGN APPLICATION

Public Hearing

None

Discussion/Decision

Motion- Gonzalez; Second- Ryan; Vote- Unanimous: Motion passed to approve the sign application for Harlow's Bus Service, Inc., with the deviation from the sign ordinance in the zoning district.

MAYOR'S REPORT:

- CI project is almost finished. The building is finished and the equipment is ready to be installed.

The Council discussed several ongoing issues, including Rider Court sewer connection, Pioneer Crossing well, upcoming meeting issues, and Planning Board items.

CONSENT AGENDA:

Motion- Schack; Second- Ryan; Vote- Unanimous: Motion passed to approve the consent agenda.

Kennel Licenses: Bob Uhrich, 710 Jefferson

Business Licenses: Schafer Construction, Inc., Egbert Electric & Plumbing, Inc., MAG Construction, Northwest Concrete Services, American Sheet Metal, Inc., Beacon Marketing, Rangel Construction Services, Montana City Plumbing & Heating, Sierra Custom Homes, and Matt Merry Upholstery, LLC

Approval of Minutes: Regular Meeting minutes from November 11, 2016.

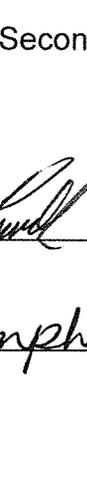
Claims: Dated 11/11/16 - 12/8/16 totaling \$ 131,181.56 including payroll.

ADJOURN:

Motion- Schack; Second- Ryan; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer