

TOWN OF MANHATTAN
Regular Meeting
January 12, 2017
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 was Clerk/Treasurer Pam Humphrey. Twelve members of the public were present.

PUBLIC COMMENTS:

None

TRANSITIONAL ZONING ORDINANCE:

Public Hearing

Eleanor Mest, 317 S Broadway: She spoke in opposition to the change from R-1 to Transitional. She wondered if conditional uses would be a better approach. She asked to take out some of the height exceptions in the ordinance.

April Barnes, 315 S Broadway: She stated that it may not be the right time to make a zoning change. She asked if there is support to change 2 blocks on both sides. She stated that the long term planning was to make the gateway to Town residential. She asked if there is a need and support for the change. She suggested polling the affected property owners on S Broadway. She reminded the Council that the previous change was resisted by the affected owners. She indicated that 4 lots seem to be the major driver in the change.

Denise Gustine, 205 S 4th: She stated that she is not in favor of the change. She lives on the back side of a landscaping business on S Broadway. Disruption is a concern. She stated that she doesn't see the need to change it.

Mike Marburger, 314 S Broadway: He gave a history of when he bought his property. He feels that there is too much traffic on S Broadway to make it a desirable location for new residents with young families. He stated that the proposed zoning offers property owners the ability to have a greater value in their property. Current residents do not have to change anything to live where they do. Overall, he felt the change is a good economic value for the Town.

Ken Fenno, 102 Cottonwood: He stated that he is opposed to the proposed transitional zoning. He said it is not necessary, and he is concerned about empty business spots in Town. He stated that he believes it will decrease property values. He indicated that the first Planning Board was opposed to changing Broadway from residential. He is concerned that the ordinance is very loose and that there are plenty of other places for businesses in Town. He also suggested taking a poll of affected property owners.

Dave Hebner, Planning Board President: He clarified that this public hearing is for the ordinance only, not the map. This designation would be added to the zoning ordinance. He stated that the ordinance is very structured as far as permitted uses.

Lindsay Schack, 302 N Broadway: She stated that it would be important to get input from affected property owners regarding the map. She felt that the height exceptions

are likely cancelled out by other parts of the ordinance. Businesses that are appropriate for Main Street would not be appropriate for transitional zoning and vice versa. Small businesses are growing in the state right now. Tech type businesses are one example of the type of business that could be possible in this zoning. It would allow the home owner to work out of their house. Value and use of homes is increased for these uses. She cannot see a way that the Town would not be able to closely monitor the uses in this zone. She stated that she supports the Transitional Zoning Ordinance.

Tom Wells, 314 N 5th: He stated that he takes a future stance when looking at this ordinance. A lot is changing in the valley and Manhattan itself. More people and businesses are coming to Manhattan. The ordinance provides an opportunity to protect the entrance and keep the residential feel of the area. This could provide an opportunity to have some small businesses in the corridor. He is in favor of the ordinance.

Written comment from *Jade Stokke, 110 W Park:* Opposed

Discussion/Decision

Motion- Schack, Second- Ryan; Vote – Unanimous: Motion passed to approve the amendment to the Manhattan Zoning Ordinance to add Transitional Zoning with a revision on 10-6C-5 to remove exceptions for fire tower, tank, water towers, spires, church steeples, radio and television towers or necessary mechanical appurtenances.

*This is a first reading of the amendment to the Manhattan Zoning Ordinance. A 2nd reading will be held at the February 9, 2017 Council meeting.

Councilman Ryan: He state that the Town needs to be able to govern what it has. Small businesses are ideal. Property values would increase. Rules need to be in place. This is the plan to address the residents' concerns, it is direction.

Mayor Rowell: He is concerned that some of the properties are rentals, and more will probably come. Rental properties tend to degrade in time. This transitional zoning idea came up because it was needed. The Town needs to plan for and control the growth, because we cannot stop it. More homes are being proposed, we need to plan well and prioritize.

Councilman Gonzalez: He stated that in regard to the height exceptions, none of the uses are permitted uses in the ordinance.

Councilman Dietz: He agrees that rentals are becoming more common on that block. He has seen how this zoning works in Bozeman and it seems to work well. There is not a parking issue and the areas stay residential looking. Main street rents are very high. He is in support of the ordinance. This will protect the entrance to keep the area looking residential as well as providing services.

Councilman Schack: He stated that we need to plan for the future and have a plan in place, so there are more opportunities for residents. The Town needs to move forward into the future. He would like to see more blocks on the proposed map. The Ordinance limits what can and cannot be done. An increase in traffic will probably decrease the number of residential homeowners on the street. It could actually improve some of the older homes in the area.

TRANSITIONAL ZONING MAP

Public Hearing

Eleanor Mest, 317 S Broadway: She asked if this rezoning would make more or less rental properties. She asked if increase in property value would increase taxes.

Lindsay Schack, 302 N Broadway: She stated that rentals are permitted in this zoning. It does not increase property taxes as they are now, it would be reassessed at the time of sale of the property. The Planning Board had property owners from these blocks on S Broadway that are in support of Transitional Zoning in the area.

Ken Fenno, 102 Cottonwood: He stated that N Broadway also has a lot of traffic. He suggested seeing how it works in one area before adding more.

Tom Wells, 314 N 5th: He stated that map was huge to start with. The Planning Board decided to scale it down to see how it works.

Discussion/Decision

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve zoning map amendment to add Transitional Zoning as proposed in the map presented.

*This is a first reading of the amendment to the Manhattan Zoning Map. A 2nd reading will be held at the February 9, 2017 Council meeting.

Councilman Schack: He stated that this gives residents in the area the opportunity to work at home and keep their property. He feels that more areas may be appropriate, such as N 5th.

Councilman Ryan: He stated that the Council is trying to help the Town establish a direction for the growth that is happening. They are trying to get that direction under control.

SCHOOL CHOICE WEEK PROCLAMATION:

Mayor Rowell read a proclamation for School Choice Week.

BOARD APPOINTMENTS:

Planning Board

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to reappoint Tom Wells to the Manhattan City-County Planning Board for a 2-year term.

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to approve the Mayoral reappointment of Daniel Simser to the Manhattan City-County Planning Board for a 2-year term.

Board of Adjustment

Motion- Deitz; Second- Ryan; Vote- Unanimous: Motion passed to approve the Mayoral appointment of Diane Letendre to the Manhattan Board of Adjustment for a 3-year term.

MAYOR'S REPORT:

- Dan Ryan and Mayor Rowell met with DNRC representatives regarding water issues. They are still waiting for a letter from the DNRC about what the meeting entailed.
- The CL building is almost finished. Cold slowed down the progress.
- Mayor Rowell met with the engineer of the school project and expressed 2 issues that the Town will have. Those are a secondary exit off of Nixon Gulch and a

looped water line. These were not figured in original planning and budgeting. He will be getting some kind of proposal from the school to help fund the water main.

- Mayor Rowell asked TD&H to apply for a DNRC grant for flood control planning. It is for \$10,000 for control planning south of the interstate.
- The Town's TSEP grant was ranked 14 out of 96 for the sewer line replacement project. Kyle Scarr is doing a written presentation for the committee. The outcome will be announced at end of the legislative session.
- Robert Seamons is going over the budget for an RFQ for plant expansion and new requirements.
- Rider court will be on next month's agenda.

CONSENT AGENDA:

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

Business Licenses: CT Construction, Freguen Roofing, Inc., Avant Building Group

Approval of Minutes: Regular Meeting minutes from December 8, 2016.

Claims: Dated 12/09/16 - 01/12/17 totaling \$ 325,821.44 including payroll.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
February 9, 2017
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 (arrived 7:15), Steve Gonzalez, and Dan Ryan. Greg Schack was excused. Also present was Clerk/Treasurer Pam Humphrey. Nine members of the public were present.

PUBLIC COMMENTS:

None

MAYOR'S REPORT:

- He is concerned with the possibility of flooding. The Town crew is doing what they can to prepare. All of the drains have been opened. Culvert ends have been cleaned. No one is sure what to expect. He priced sand bags today, which are available quickly from Kenyon Noble. In the morning, the town may place an order for 500 bags to be at the shop for emergency. He reminded everyone to sign up for the County Emergency Notification System. Flyers were provided with the system and contact information. A link is also available on the Town of Manhattan website. (townofmanhattan.com).
- The Chlorine house project is 98% finished.
- The Town has been brought more up to date on the school expansion project. He gave some information on the plan for roads and water in the area. The Town Engineer will do a presentation at the school board meeting in the near future. He will be discussing the road easement, water line for more fire hydrants, and annexing the property into the Town. Nixon Gulch Road will need to be widened at the ditch. The Town will work with the school to get the easement. The developers in the area will need to do the work.

DUST CONTROL:

Councilman Gonzalez: He stated that the Council has been considering dust control in certain areas of the town. A citizen has requested dust control and provided some cost estimates to the Town. One other option is possibly paving instead of dust control. He will be meeting with a paver to get an estimate for the cost of paving. Landowners would be asked to contribute to paving or dust control.

Mayor Rowell: He stated that paving in residential areas will have to be done with an SID. The dust control estimate was approximately \$50/lot. Residents would probably have to share in the cost of dust control also. Chip sealing and crack sealing are also concerns for the paved streets in town. The Town will be able to water and grade and gravel streets more than normal because of equipment upgrades and additions.

Councilman Ryan: He asked about Magnesium Chloride causing damage to the sewer manhole covers and water valves. He also asked about the process for approving an SID. He asked if the Town has a way to apply the chemical themselves.

Eli Cuelho, 201 S 3rd: He stated that he is the Director of the Unpaved Road Institute for the United States. There are several products that can be used to control dust. Chemical application will reduce maintenance of the road and reduce particulates into the air. He feels it will save money in the long run to apply the chemical. Proper application of the chemical will reduce the frequency of application. He is against paving, and in favor of using Magnesium Chloride or some other chemical on the unpaved road.

ORDINANCE NO. 17-001: TRANSITIONAL ZONING

2nd Reading

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Ordinance No. 17-001, an Ordinance of the Town Council of the Town of Manhattan amending the Manhattan Municipal Code Zoning Ordinance to add Residential Transitional Zoning District.

ORDINANCE NO. 17-002: TRANSITIONAL ZONING MAP

2nd Reading

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to table the Zoning Map until the March 9, 2017 meeting.

RIDER COURT SEWER AGREEMENT:

Motion- Ryan; Second- Dietz; Vote- Unanimous: Motion passed to approve the Rider Court Sewer Agreement as presented.

Council discussed the average daily flow and the second meter for the irrigation system. The also discussed the effect of the connection on the rest of the system.

Wastewater Treatment Plant operator, Randy Lynch asked when the flow will start. Rider thought that connection may be finished by June 2017.

Bill Rider thanked the Town for the help and cooperation to get this taken care of.

Mayor Rowell has had some requests for volunteers to serve on the Gallatin Valley Land Trust Board, on a trails committee for building and developing trails in the area, and on the Gallatin Local Water Quality Board. Contact the Town Office or Mayor for more information.

CONSENT AGENDA:

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

Business Licenses: Western States Fire Protection, Elite Air Systems, Empire Arms & Ammunition

Approval of Minutes: Regular Meeting minutes from January 12, 2017.

Claims: Dated 01/13/17 - 02/09/17 totaling \$ 117,583.39 including payroll.

ADJOURN:

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

David Powell

Mayor

Pam Humphrey

Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
March 9, 2017
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, Dan Ryan, and Greg Schack. Steve Gonzalez was excused. Also present were Officer Austin Owens and Clerk/Treasurer Pam Humphrey. Five members of the public were present.

PUBLIC COMMENTS:

None

CITIZEN AWARDS:

Officer Austin Owens recognized two individuals, Tom and Keven Everett of Manhattan, who assisted in de-escalating an ongoing Partner Family Member Assault. He had an Outstanding Citizen Award and Challenge coins for each of them. He stated that they helped prevent further harm to the victim.

ORDINANCE NO. 17-002: TRANSITIONAL ZONING MAP- 2nd Reading

Clerk/Treasurer Pam Humphrey read the Public Hearing Notice.

Public Hearing

Nancy Clark, 6324 Pleasant St: She stated that she recently had a customer ask her if there was anywhere in town that he could have a business out of a house. She stated that she appreciates that the Town Council taking a look at the need and keeping with the residential feel of the area.

Molly Baxter, Springhill Rd, owns property on N 5th: She asked how many properties along South Broadway are would be affected. She stated that she was concerned because 20 customers per day would be allowed at 20 businesses. She asked if it is necessary or needed. She stated that she is concerned about the traffic affecting the aesthetics of the town. She is worried about the impact to the Town. She stated that she thought the ordinance would mean more people would come to Manhattan to visit the businesses. She asked about signage in the Transitional Zone. She stated that she understands the need on South Broadway, but not on N 5th St. She stated that she realizes that because Manhattan is growing, more services are needed for the growth for the people of Manhattan.

Council Responses: Manhattan is one of fastest growing Towns in the state. We need to have an ordinance for guidance and direction to control the growth. We already have more traffic coming in to town. They did not think that the small businesses would add as many cars as she was concerned that they would. They discussed the number of rental properties on South Broadway currently. Council explained the reason for transitional zoning and how growth is affecting the Town of Manhattan. Council explained that the small businesses are to provide services for the growing number of people of Manhattan, not to bring people from other places to Manhattan for services.

Allen Wright, 107 N 5th St: He stated that he thinks Transitional Zoning is a great idea. Growth is coming to the Town hard and fast. He does not want to see Broadway get zoned Commercial and becoming a strip mall. He is in favor of controlling the growth to keep the aesthetics and atmosphere of the Town.

Dave Hebner, 6617 Dry Creek Rd: He stated the this has been going for almost two years, people have had ample opportunity to comment, and it is time for the decision to be made. The Planning Board and Council have both held several public hearings on this.

Discussion/Decision

Motion- Schack; Second- Dietz; Vote- Unanimous: Motion passed to approve Ordinance No. 17-002, an ordinance of the Town Council of the Town of Manhattan amending the Manhattan jurisdictional area zoning map to change the designation of Lots 9-16 of Block 4, Lots 1-7, 10B and 11B of Block 5, Lots 1-16 of Block 9, Lots 17-32 of Block 10, Lot 5A of Block 29 and Lot 18 of Block 30 in the Manhattan Original Plat, Town of Manhattan, Gallatin County, Montana, from R-1 Low Density Residential to RT Residential Transitional District.

MAYOR'S REPORT:

None

CONSENT AGENDA:

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

Chicken Coop Application: Joe Elrod, 210 S 7th

Approval of Minutes: Regular Meeting minutes from February 9, 2017.

Claims: Dated 02/10/17 - 03/09/17 totaling \$ 132,069.00 including payroll.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
April 13, 2017
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 absent. Also present were Public Works Superintendent Brian Carey and Clerk/Treasurer Pam Humphrey. Eight members of the public were present.

PUBLIC COMMENTS:

Elly Summers, 223 S 5th St: She read her written request for a crosswalk at the corner of N Broadway and West Railroad Ave. She asked the Town to do a review and see if some money can be budgeted to make this intersection as safe as possible for the children and other pedestrians. She has noticed that the increase in traffic on Nixon Gulch Road has made it dangerous for pedestrians.

Mayor Rowell asked Public Works to look into what can be done at that intersection.

RESOLUTION NO 17-001, POLICY #5: PERSONNEL POLICY REVISION

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Resolution No. 17-001, a resolution of the Town Council of the Town of Manhattan, Montana to revise Policy #5, the Personnel Policy Manual of the Town of Manhattan.

ORDINANCE NO. 17-003: WATER RULES, 1st Reading:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the first reading of Ordinance No. 17-003 and set a public hearing and second reading for the May 11, 2017 meeting.

Town Office and Public Works personnel spend a lot of time and energy printing, posting, and making follow up calls for delinquent water and sewer bills. Most of the people on the delinquent list are renters. The Landlord is currently ultimately responsible for the bill, but this would make them solely responsible for the bill. The Town would no longer bill tenants for water and sewer bills. Most of the people on the delinquent list are renters. If a renter moves out without paying their bill, the Town does not know that they are gone. Landlords can better keep track of their tenants than the Town can.

DUST CONTROL:

Councilman Gonzalez: He gave a background of the issue. It was on the agenda for February and since then he has gotten an estimate for paving.

Council discussion included how to pay for something like paving. For an SID, 51% of the affected property owners are required to agree. The advantages of paving were discussed. Property values would increase with paved streets. Some of the property owners would prefer dust control and some would prefer paving.

Anthony Drypolcher, 208 S 3rd St: He got some quotes last year and was hoping that the Town would be able to negotiate the price of the application with the contractors. He

asked if the Town would handle the contract negotiations and prep work. He would be willing to cost share with the Town to get his street dust controlled.

Public Works indicated that dust control is effective if done correctly and at the right time. The road needs to be graded and rolled prior to the application. Yearly application is required. The Town cannot afford to pay 100% of dust control for every gravel road in Town as well as maintenance and repairs of the paved streets. The Town will cover the costs of preparing the unpaved street sections for application of the dust control chemicals, as well as 50% of the cost of application.

Elly Summers, 223 S 5th St: She asked that if a bond could be passed to pave all of the unpaved streets and do the maintenance on the currently paved streets. The citizens would have to vote on a bond and the Council did not think that would be popular as the School Bond was just approved. She offered to be the representative for her block.

Levi Bloomer suggested trying to get some infrastructure money from the state.

Public Works will get some quotes on dust control using Magnesium Chloride. If any neighborhoods are interested in dust control, they can contact the Town and be given a quote. The neighborhood representatives will be given the amount to set up a cost match in their neighborhood. The Town will grade and roll the street and schedule the dust control once the cost match portion is paid by the residents along that unpaved street.

WATER TOWER LEASE DISCUSSION:

Councilman Gonzalez: He stated that Sprint has approached the Town with a request to put a tower on Town property. They are interested in leasing the water tower for their cell tower. He has spoken to other communities with cell tower leasing agreements. The 911 director also offered some suggestions and advice. Sprint sent a lease proposal to be considered. The contracts that he compared all have a base year lease price and a 5% increase yearly after that. He made some comparisons between the Sprint agreement and the examples that he found from other communities. Some differences are accessibility, grounding, etc.

Nancy Clark, 6324 Pleasant Street: She indicated that the cell tower would be in direct competition with a local service provider. She asked the council to talk with Tom Langel regarding contracts with cell towers as he is an expert in the field. Negotiations should be made to make it worthwhile for the people of the Town. Mayor Rowell stated that he spoke to Tom earlier in the day.

Council discussed the feasibility of administering something like this.

Public Works Supervisor, Brian Carey: He explained that the Sprint representative spoke to him about their process, needs, and maintenance issues. He suggested that the Town request a specific set of criteria from any entities that are interested.

Mayor Rowell asked the council to think about the proposal, come up with questions and concerns and he would meet with Tom Langel within a week.

BUDGET CALENDAR AND DISCUSSION:

Clerk/Treasurer Pam Humphrey presented the Council with the current budget expenditures and revenues through the 3rd quarter of the fiscal year. Departments will

be getting budget information to start their budgeting for the next fiscal year. The tentative budget calendar was also presented.

Levi Bloomer, Gallatin Valley Trails Committee: He reported that there is a public reading for a path between Belgrade and Bozeman at the Grantree on April 18th. The long term vision on the committee is a continuous path from Bozeman to Three Forks. Getting easements and working with the railroad and County are important parts of the process. They are going to pursue more grant opportunities to improve the existing trails.

MAYOR'S REPORT:

- He met with Dave Crawford recently, Dave has applied to a grant for flood control measures. The ditch behind the Conoco was filled in 30-40 years ago. They would like to re-dig the ditch and put in a large pipe. The two culverts under the interstate were abandoned by the ditch company and a letter was issued regarding the abandonment. They would like to seal those culverts, so will pursue another letter from the ditch company. It would be about a 5-year process to get the drainage all aligned to handle flood waters. They will remove the berm from the park in the coming fall. It will be a spillway that goes into the culvert under the Conoco. There is no cooperation from other entities to mitigate possible flood damage. Most people that live in Manhattan did not even know that there was a previous flood 70 some years ago. Yet, somehow it is said that the Town should have taken steps to avoid another one. The Town is still dealing with the repercussions of the flood three years ago. It is difficult to justify using Town funds on something that may or may not ever happen again, but mitigating any further damage is one of the priorities right now.
- The person that owns the property where the former Sailwinds subdivision was may have a new plan for the property.
- The school project has started. The Town would like to get an easement for a road to connect Fulton to Nixon Gulch Road. Manhattan Orchards would do the road to the edge of the school property to Nixon Gulch Road. There is about 400-600 feet that needs an easement. The School Board so far is refusing to put in a road or offer the easement. He gave a history of how the project has progressed so far. The school is creating a liability issue if the road is not completed. One entrance and one exit is not a safe idea. This is a very serious matter to him, the Fire Chief, and the State Fire Marshall. He gave some examples of serious situations that could happen. The easement is also needed to loop the water line for adequate fire flow to the school.
- Manhattan Orchards is requesting some additional items. The school road easement issue is holding up their project.
- Lightning protection is needed for the water tower.
- He asked the Council and audience to come up with ideas for a new town logo.
- The Pioneer Crossing well is still in the process with DNRC.

Councilman Dietz: He stated that the school may want to use the park softball field if the high school adds girls' softball as a sport until one can be built at the school.

CONSENT AGENDA:

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

Town Business Licenses: Big Sky Professional Pilot Services, LLC, C & C Contractors, LLC, Tillo Plumbing, Inc., Flying Fur Custom Meats, Pro Hand Services, Mountain West Construction, GasWorks, Inc., Dick Anderson Construction, Inc., and VP Builders LLP.

Approval of Minutes: Regular Meeting minutes from March 9, 2017.

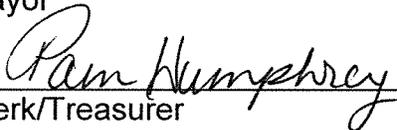
Claims: Dated 03/10/17 - 04/13/17 totaling \$ 147,213.09 including payroll.

ADJOURN:

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



Mayor



Clerk/Treasurer

TOWN OF MANHATTAN
Regular Meeting
May 11, 2017
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. Nine members of the public were present.

PUBLIC COMMENTS:

Dave Hebner, 6617 W Dry Creek Rd: He invited the Council and audience members to join him on May 26 at 7:00 PM at the Senior Center for a meeting of the Manhattan Historical Society (museum).

ORDINANCE NO. 17-003: WATER RULES, 2nd Reading:

Clerk/Treasurer read the public hearing notice.

Public Hearing

None

Discussion/Decision

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Ordinance No. 17-003, an Ordinance of the Town Council of the Town of Manhattan amending the Manhattan Municipal Code to prohibit the Town from billing tenants for water service and holding the property owner solely liable for delinquencies amending sections 9-2-16, 9-3-3, and 9-3-7.

SCOPE OF WORK FOR P.E.R. FOR WATER RECLAMATION FACILITY:

Motion- Gonzalez; Second- Ryan; Vote- Unanimous: Motion passed to approve the scope of work for the PER for the Water Reclamation Facility.

Robert Seamons, WWTP Engineer: He stated they are proposing to use TD&H to create a long range planning document for the wastewater treatment facility. Typically, municipalities do these plans every ten years. It has been more like fifteen years for Manhattan. The document examines population growth, annexation, land use, estimates flows and loads. Then it identifies upgrades and a schedule for upgrades for a facility to maintain capacities. The Town needs to use an independent third party engineering firm to do the evaluation to be eligible for grants and low interest loans. They want to have the document ready for future funding opportunities. They need to identify needs and changes, and evaluate impact fees. There will be a series of public meetings to keep the Council and public informed about what they are finding. Half of the cost has been budgeted this fiscal year, half will be budgeted next year, as well as pursuing planning grants to help defray the cost of the study.

Kyle Scarr, TD&H: He introduced Dustin Met, their wastewater engineer from the Great Falls office. They are pursuing any planning grants, such as RRGL, TSEP, as well as resubmitting for one that was not awarded last year. They are working toward a long range plan. The treatment plant is operating at 50-70% of its capacity now. The Town

will be mandated to plan when it hits 80%. It will be a five to ten-year process until actual work is started.

WATER TOWER LEASE DISCUSSION:

Mayor Rowell stated that he invited Tom Langel to the meeting to discuss possibly helping the Town administer the leasing of the water tower.

Tom Langel, 102 W Main: He stated that typically leases are simple, but that they can be dangerous. He talked about having the grounding of the tower worked into a lease. They lease space on several towers. He looks at a lot of contracts and has experience with the negotiation process. He stated that he knows the market. He stated that they have people that are trained and certified to climb towers. Access should be from the outside because of health and safety issues, perhaps on the railing, not on top. Revenues are possible based on the customers they serve. They have been in this business for 15 years, and most of their employees live in the community. They have continuity, as the government doesn't always have. The compensation he asked for was 30% of the gross. A shorter contract is a possibility. He stated that City review is certainly a good idea. He recognized that they have a tower that is in conflict at this time. He is willing to work with issues that may come up. He feels that 24/7 access is necessary, but can be figured out. Everything on it needs to be engineered before it is attached.

Council discussion included that there is a need for an experienced person to handle the agreements. Continuity is also important. Conflict of interest was discussed. Method of payment was discussed. Frequency interference was discussed.

Mayor Rowell asked if the Council would like to have Jane meet with Tom Langel to work out some management contract issues. The Council agreed to have Jane meet with Tom Langel.

SOFTBALL FIELD AT TAYLOR PARK:

Gregg Dietz: The school board has added wrestling and softball as new school sports. He stated that the school would like to talk to the Town about the possibility of using the Taylor Park softball field. Liability Insurance would be a definite need. He was looking for any possible questions or concerns from the Council. Scheduling was identified as a possible conflict. Parking was discussed. The Council will contact Councilman Dietz with questions and concerns that may come up.

INTERSECTION OF PARK AND VALLEY:

Steve Kurk, Public Works: He stated that he has looked at the intersection. Legally there cannot be a stop or yield at a 90-degree corner if there are no cross streets. The only legal sign that can be used on that intersection is the 90-degree cautionary sign with the cautionary speed like is on Railroad Avenue. He did not find that it was a blind corner, at least until the trees bloom out.

MAYOR'S REPORT:

- The Town Engineer has a plan for future addressing of new streets.

- Pam is locating agreements regarding the properties on Wooden Shoe that are hooked on to the sewer system. All of the properties have signed a waiver of protest of annexation. The engineer, attorney, and mayor all suggest looking at the annexation of that area.
- The Town crew is surveying the town of junked and unlicensed vehicles and abandoned properties. Once the list is compiled, a plan of action will be formulated.
- Manhattan Orchards has started cutting in some streets.
- There will be a meeting with the school tomorrow afternoon regarding the right of way for a road.
- Litigation regarding the flood is ongoing. Dave Crawford has done some drainage studies and there is a plan to re-open the ditch that goes west from the park. A planning grant will be applied for in the upcoming round of grants. The Town has to do what it can to try to do something about the possibility of flooding. It will need to be budgeted into the coming fiscal year.

CONSENT AGENDA:

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

Kennel License: Joni Dietz

Town Business Licenses: Huff Electric LLC, Natural Essentials, Blind Guy Custom Window Coverings, McLane Construction, DK Homes LLC, and BTI Log Home Care.

Approval of Minutes: Regular Meeting minutes from April 13, 2017.

Claims: Dated 04/14/17 - 05/11/17 totaling \$ 138,354.59 including payroll.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
June 08, 2017
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 Chief of Police Dennis Hengel, Officer Austin Owens, Public Works employees Brian Carey, Tom McKenna, Steve Kurk, and Clerk/Treasurer Pam Humphrey. Seven members of the public were present.

Mayor Rowell read a statement regarding the death of Broadwater County Sheriff Deputy Mason Moore. A moment of silence was observed.

PUBLIC COMMENTS:

Tony Drypolcher, 208 S 3rd: He thanked the Council and Town Crew for getting the dust control on his street.

CHIEF HENGEL – LETTER OF COMMENDATION FOR OFFICER OWENS:

Chief of Police Dennis Hengel thanked the Mayor for the moment of silence. He recognized Officer Austin Owens for how he handled a recent incident of criminal mischief at Pioneer Crossing park. Owens was able to mitigate a mutual agreement between all of the involved parties and avoid criminal charges. Hengel presented Owens with a letter of commendation for handling the issue so well.

UPDATE ON SCHOOL ACCESS AND WATER LINE:

Mayor Rowell and Town Attorney Jane Mersen met with school officials regarding a proposed agreement to loop the water line and obtain an easement for a road. The school would like the Town to pay for the water line. The school would like to get the water line done as soon as possible. The estimate is from \$200,000 to \$250,000, including the section for Manhattan Orchards. If an agreement cannot be made with Manhattan Orchards, the Town and School will have to cover that section of the road and water line. The Town Attorney would propose a payback clause, requiring any developer along the line to pay back the Town for their section. Town professionals are in favor of making the agreement with the school district. When the agreement is finalized, a copy will be forwarded to the Council for consideration

BUDGET DISCUSSION:

A work session will be scheduled to discuss upcoming budget issues such as payroll and special projects.

SCHEDULE BUDGET MEETINGS:

Department Head Budget meeting was scheduled for June 15, 2017 at 7:00 pm.

MAYOR'S REPORT:

- Building permits are still going out pretty fast.
- Attorney Jane Mersen is working on the water tower lease information.

Brian Carey mentioned the notification about watering. The SCADA system battery backups only lasted about 2.5 hours during the recent power outage. The ability for the SACAD system to communicate was then limited. No more water was going into the tower. There was only 2-3 hours of water left in the tank

Steve Kurk reported that the new crosswalk was put in n Railroad and N Broadway.

Chief Hengel reported that Officer Hamilton's recovery is on track. He will be back in September or October. Officer Gifford will be back in October from deployment. Quinn Ellingson is working part-time for the Town on Saturdays. Officer Owens has really stepped up during this shortage of manpower.

CONSENT AGENDA:

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

Chicken Coop: Nicole Cramer, 210 S 2nd St.

Kennel License: Karen Darnes, 217 N Broadway.

Town Business Licenses: Dayspring Construction, McKinstry Essention LLC, North Mountain Construction

Approval of Minutes: Regular Meeting minutes from May 11, 2017.

Claims: Dated 05/12/17 - 06/08/17 totaling \$ 121,226.45 including payroll.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
June 15, 2017
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 Librarian Trudy Dundas, Fire Chief Mike Ulmen, Police Chief Dennis Hengel, Public Works Supervisor Brian Carey, Steve Kurk, Tom McKenna, WWTP Engineer Robert Seamons, and Clerk/Treasurer Pam Humphrey. No members of the public were present.

PUBLIC COMMENTS:

None

BUDGET PRESENTATIONS:

Library

Trudy Dundas, Town Librarian: She presented her proposed expenditures and revenues. She is requesting a \$3000 total increase in budget, with \$2000 from the County and \$1000 from the Town. She explained her Capital Reserve fund, where the additional \$3000 will go. She explained potential State and Federal budget cuts. She outlined the goals and accomplishments of the library in current fiscal year.

Fire Department

Mike Ulmen, Fire Chief: He explained that there are no changes to the current budget. He asked for an additional \$15,000 from the General Fund this year. The fire department had an ISO inspection this last year and improved the rating of the department, which will benefit the tax payer in lower home insurance rates. He gave the Council an update on the search for property for a new fire station.

Police Department

Dennis Hengel, Chief of Police: He presented his proposed budget for the next fiscal year. There will be some savings in salary as the 4th officer will not be back until October. He explained the amounts for each expenditure division. He would like to start a savings program for a new patrol car.

Public Works

Brian Carey, Public Works Supervisor: He outlined the major issues facing public works this coming fiscal year. He suggested budgeting more for Street Maintenance. Some water system upgrades may be necessary, including a backup generator for the water tower SCADA system during power outages. He summarized needed items for the street, water, and sewer transmission departments. Mayor Rowell mentioned that chip sealing needs to be done soon.

WWTP

Robert Seamons, WWTP Engineer: He presented the proposed budget for the WWTP. This budget has increased significantly. He summarized the proposed expenditures for the coming year. He outlined the future needs of the plant. He would like to do the modifications to the dewatering containment and possibly defer the engineering services.

Building Department

Dave Rowell, Building Official: An estimate of building expected in 17-18 will be used to set the Building Department budget.

Town Office

Pam Humphrey, Clerk/Treasurer: She stated that all departments will need to budget more for utilities, as all were under-budgeted this year. The Office does not have many new needs. They would like to move to a cloud based backup for the Accounting and Utility Billing program.

Park

Pam Humphrey, Clerk/Treasurer: She proposed a state license plate design for covering expenditures in the park.

Mayor Rowell: He proposed doing some more concrete path in the park to replace the trail.

SET ADDITIONAL BUDGET MEETING SCHEDULE:

Budget workshop was set for June 22, 2017 at 7:00 pm.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
June 22, 2017
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.

PUBLIC COMMENTS:

None

BUDGET WORKSHOP:

The Council discussed the proposed budgets from each department. They identified departmental priorities and needs. They discussed future water and sewer projects. Payroll issues were also discussed. They identified areas where they would like more information from the departments before committing funds to some projects.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
July 13, 2017
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 was Clerk/Treasurer Pam Humphrey. Twenty-one members of the public and Town employees were present.

PUBLIC COMMENTS:

None

RESOLUTION NO. 17-002 – BUDGET AMENDMENT

Public Hearing

None

Discussion/Decision

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to adopt Resolution No. 17-002, A resolution of the Town Council of the Town of Manhattan, Montana amending the Fiscal 2016-17 budget to allow for appropriations and funding.

SPRINT PROPOSAL FOR TEMPORARY COW:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to enter into an agreement with Sprint for the proposal for the temporary COW, with requirements recommended by the Town Planner.

Ed Hickerson, Sprint: He stated the Sprint hires Powder River Development as a consulting firm. Powder River has been communicating with the Town regarding a permanent lease on the water tower for Sprint. This item is a Cell On Wheels, a temporary tower until a permanent installation is permitted on the water tower. It is taking longer to get a final solution than anticipated. They would like to put the COW on the Town owned fire department lot in Centennial Village. A permanent structure is the final goal, whether on the water tower or an approved tower site.

Town Planner Ralph Johnson had reviewed the proposal for the COW and issued a staff report recommending approval of the COW with suggested lease requirements.

Council discussion included the time frame for permanent structure to be installed and the COW to be removed.

Tom Langel, Little Apple: He asked if the Town would be compensated. He stated that there are some unanswered questions to approving a temporary tower. He also asked the height of the tower.

Nancy Clark, Amerimont: She asked what issues Ralph's staff report raised. A copy of the staff report was provided.

Council discussed that this would be a good situation for the Town and the provider.

AMSTERDAM CHURCHILL SEWER DISTRICT BOUNDARY ADJUSTMENT:

Motion- Dietz; Second- Gonzalez; Vote – 2 for, Ryan voted against: Motion passed to approve the Amsterdam Churchill Sewer District Boundary Adjustment

Jim Potts, DOWL Engineering: He stated that two major infiltration problems were repaired two weeks ago. Daily flows have been much better since then.

Councilman Ryan: He stated that in recent months, the flow has been over the allotted amount. Problems, such as infiltration, need to be corrected if this project is added to Churchill's district. He asked if they are collecting impact fees from new houses and how many have been added. He is concerned with the peaks that happen occasionally.

Mayor Rowell: He stated that 75,000 gallons per day is the allowed flow from Amsterdam/Churchill. They have indicated that they can stay within the allotted amount with this boundary adjustment.

Dave Crawford, Town Engineer: He summarized that the inter-local agreement states what must happen if changes happen in the boundary of the Sewer District. They are not changing anything in the agreement other than the boundary of the district. They are not changing the flow. Amsterdam/Churchill Sewer District will still have to follow the agreement.

Robert Seamons, WWTP Engineer: He stated that it is in the best interest of the District to follow the terms of the agreement. It is a serious problem if diversion is necessary because of spikes in flow, the Town would be able to terminate the agreement if they had to.

There was some discussion about what could happen if the Town would end up in violation by DEQ, if they had to divert sewage caused by flows too high for the plant to process coming from Churchill.

Brian Carey asked the District representatives what they do for maintenance to avoid problems. They are starting to camera some of the lines to check on infiltration.

RESOLUTION NO. 17-004 – AUTHORIZATION TO SUBMIT TSEP PLANNING GRANT APPLICATION:

Motion-Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Resolution No. 17-004, a resolution of the Town Council of the Town of Manhattan authorizing the submission of a TSEP Planning Grant Application.

Kyle Scarr, TD&H: He stated that this is an extension of the PER project on the WWTP. This resolution allows us to apply for the TSEP planning grant. They will also be applying for an RRGL planning grant for the PER.

TD&H Engineering will also be providing an update on the Water Reclamation Plant Preliminary Engineering Report

Kyle updated the Council on the studies they have been doing to research the growth and projection of growth in Manhattan. He summarized their findings and relayed them with a map to the Council. He relayed some of the considerations that they took into account when researching the growth projections. They will keep the Council up to date with their findings and ask for the Council's help to identify the true planning area.

Dave Crawford introduced Camille from the Great Falls office. He stated that he would also like to find out from Amsterdam/Churchill what their plans for growth are so that the entities can work together to plan growth appropriately and conscientiously.

FISCAL 2017-2018 PRELIMINARY BUDGET:

Budget available for public inspection at Town Office on July 14, 2017

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the preliminary budget for fiscal 2017-2018.

LIBRARY BOARD APPOINTMENT:

Motion- Deitz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the mayoral appointment of Angela Pitsch to the Library Board for a 5-year term.

MEETING DATE CHANGES:

The September and October regular meeting dates are moved from the second Thursday to the second Wednesday of the month. The new meeting dates for those months are September 13, 2017 and October 11, 2017.

MAYOR RESIGNATION:

Mayor Rowell has submitted his resignation effective July 31, 2017. The council has to appoint an interim Mayor within 30 days. The interim Mayor will serve until the election, at which time a new Mayor will be elected.

RESOLUTION NO. 17-003 – ELECTION BY MAIL BALLOT

Motion- Ryan; Second- Dietz; Vote- Unanimous: Motion passed to approve Resolution No. 17-003, a resolution of the Manhattan Town Council notifying the Gallatin County Election Administrator of the Town's desire to conduct the 2017 City General Election by mail ballot in accordance with Section 13-19-202, MCA.

RESOLUTION NO. 17-005 – AUTHORIZE SIGNER FOR CHECKING ACCOUNT UNTIL MAYOR IS APPOINTED:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve Resolution No. 17-005, a Resolution of the Town council of the Town of Manhattan authorizing the Council President, Greg Schack, to sign checks in the absence of a Mayor until an interim Mayor is appointed.

CONSENT AGENDA:

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

Kennel License: Cassie Cupp, 114 Fabrick St.

Town Business Licenses: Mesa Construction LLC, Uptown Consignments, A.S. Hathaway Construction, Inc., and Bauer-Blanton, LLC

Approval of Minutes: Regular Meeting minutes from June 8, 2017, Special meeting minutes from June 15, 2017 and June 22, 2017.

Claims: Dated 06/09/17 - 07/13/17 totaling \$ 256,092.18 including payroll.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
July 26, 2017
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 and Clerk/Treasurer Pam Humphrey. Four members of the public were present.

PUBLIC COMMENTS:

None

RESOLUTION NO. 17-006 – SCHOOL COST SHARE AND EASEMENT AGREEMENT

Motion- Schack; Second- Ryan; Vote- Unanimous: Motion passed to adopt Resolution No. 17-006, A resolution of the Town Council of the Town of Manhattan adopting an agreement for cost sharing and permanent road easement with the Manhattan School District.

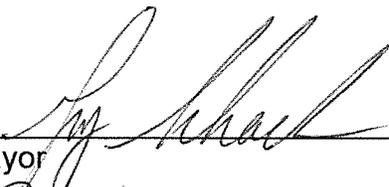
Jane Mersen, Town Attorney: She presented a packet of information with the agreement included. She summarized the points of the agreement regarding the water line installation. The school will construct the water line. The town will pay the school for the Town's portion. The school will grant the Town an easement for an access road in exchange for the cost share agreement on the water line. The road would connect Fulton to Braeburn. Manhattan Orchards will dedicate Braeburn street to the Town when it finishes construction of that street.

Council discussion included any future easements for sewer, which are already in place. They discussed the road easement. Construction costs were discussed.

Karen Hedglin, School Project Architect: She stated that Sime Construction was prequalified for all utility work on the school property improvements in a competitive process. There will not be increased costs for change orders. Dave Crawford has reviewed the plans and approved them.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
July 31, 2017
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. One member of the public was present.

PUBLIC COMMENTS:

None

MAYOR APPOINTMENT:

Motion- Gonzalez; Second- Dietz; Vote- Unanimous: Motion passed to appoint Greg Schack as interim Mayor to finish out Dave Rowell's term, which ends December 31, 2017.

COUNCIL APPOINTMENT:

Motion- Schack; Second- Ryan; Vote- Unanimous: Motion passed to appoint Demian Eichele as interim Councilman to finish out Greg Schack's term, which ends December 31, 2017.

Mayor Rowell administered the Oath of Office to the new appointees.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
August 10, 2017
MINUTES**

Mayor 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 Demian Eichele, Steve Gonzalez, and Dan Ryan. Gregg Dietz was excused. Also present were Town Attorney Jane Mersen and Clerk/Treasurer Pam Humphrey. Eleven members of the public and Town employees were present.

PUBLIC COMMENTS:

Randy Oostema, 411 E Main: He received a letter from Mayor Rowell regarding the vehicles that have accumulated around his business. He stated that it was not his intent to stockpile the vehicles. He plans to use the lot as a parking lot for his customers and vehicles that he is working on. He has hauled away 15 vehicles this week. He has been paying someone to come get the tires, but it is hard to get them picked up. He will continue to work on moving out the vehicles that are there. Council stated that they are looking for action over time. They would like to see him making progress on the cleanup effort. The council asked for a progress report in a couple of months.

**CONDITIONAL USE PERMIT - BRIGGS MODULAR DUPLEX, 116 BRANCH ST:
Public Hearing**

Written comments were read.

Chris Zier, 108 Branch St: He wrote in opposition to the Conditional Use Permit. He is concerned with the site of the duplex, as it is in the middle of the road that was proposed for the subdivision that it sits in. He was also concerned about the parking problems that may arise.

Derral Lynch, 716 W Gallatin Ave: He wrote in opposition to the Conditional Use Permit. He is concerned about the parking and blocking of his driveway. He is also concerned about the access road that is being used at this time. He also wrote that he is concerned about the upkeep of the property.

Discussion/Decision

Motion- Ryan; Second- Gonzalez; Vote- Unanimous: Motion passed to table the decision until the next meeting. A letter will be sent to the applicant with questions. Council discussed the sewer line in the area. Tom McKenna from Public Works has talked to the engineer. He suggested a lift station in the house to allow the sewer to flow because of the elevation and the alignment of the sewer.

*The applicant came in later in the meeting and asked to address the Council.

Motion- Ryan; Second- Gonzalez; Vote- Unanimous: Motion passed to take the agenda item off of the table and address later in the meeting.

RESOLUTION NO. 17-007: FISCAL BUDGET 2017-2018:

Public Hearing

None

Discussion/Decision

Motion- Gonzalez; Second- Ryan; Vote- Unanimous: Motion passed to approve Resolution No. 17-007, a resolution of the Town Council of the Town of Manhattan, Montana adopting a budget for the Town of Manhattan for the Fiscal Year 2017-2018.

RESOLUTION NO. 17-008: STREET LIGHTING MAINTENANCE DISTRICT 2017-2018:

Public Hearing

None

Discussion/Decision

Motion- Gonzalez; Second- Ryan; Vote- Unanimous: Motion passed to approve Resolution No. 17-008, a resolution of the Town Council of the Town of Manhattan providing for the assessment costs for the Street Lighting Maintenance District Fiscal Year 2017-18, which is a continuation of the present method of assessment. Council discussed trying to get a contact at northwestern energy.

RESOLUTION NO. 17-009: STREET MAINTENANCE DISTRICT 2017-2018:

Public Hearing

None

Discussion/Decision

Motion- Eichele; Second- Ryan; Vote- Unanimous: Motion passed to approve Resolution No. 17-009, a resolution of the Town Council of the Town of Manhattan providing for the assessment OF Street Maintenance District costs for the Fiscal Year 2017-18, pursuant to §7-12-4425, MCA which is a continuation of the present method of assessment.

WATER TOWER LEASE ADMINISTRATION:

Motion- Gonzalez; Second- Ryan; Vote- Unanimous: Motion passed to retain the services of the Town Attorney to administer water tower leasing.

Jane Mersen, Town Attorney: She stated that the Council needs to decide who will administer the leases that may come up to lease space on the water tower. The Town has been approached by Little Apple Technologies to administer the leases. Jane and the Mayor met with LAT to discuss the proposal. She has been in contact with the City of Bozeman and received some helpful insights to tower leasing. Farmall LLC has approved the use of the tower site for commercial leasing purposes. She asked the Council to make a motion to decide how leasing of the water tower will be handled. There will be some upfront costs for the Town to administer the leases themselves.

Council discussion included how the other cities and towns administer their tower leases. Steve Gonzalez has spoken to several entities and stated that he feels that the Town should administer their own leases through the Town Attorney.

PRELIMINARY PLAT EXTENSION – PIONEER CROSSING PHASE II:

Motion- Ryan; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the Preliminary Plat Extension until December of 2020 for Pioneer Crossing Phase II based on the findings.

Bill Leuhrs, Pioneer Crossing: He stated that they have sold 75% of Phase I and are looking forward to working on Phase II. The Preliminary Plat was granted in 2004 and expired in 2007. They are requesting that the Council extend the Preliminary Plat for Phase II.

Jane Mersen, Town Attorney: She stated that the Council can extend the Preliminary Plat and will need to make findings of why the plat was expired and had not been extended.

Bill Leuhrs, Pioneer Crossing: He stated that after the completion of Phase I and Final Plat approval, no building permits could be issued because of water issues. The recession hit in 2008 and 2009. No building could take place and the property was taken by the bank. They bought the property in 2014 and have been able to move forward with building, while working with the Town of Manhattan. It has been successful so far. Impact fees have been paid for all new houses in the development. They did not realize that the plat had not been extended. They don't plan to make major changes, other than adding another entrance.

PROPOSED TOWN CODE AMENDMENTS – CHIEF HENGEL:

Dennis Hengel, Chief of Police: He asked to address some suggested amendments to the Town Code. He asked the Council to consider the following issues:

- Compression braking by semi-trucks inside the city limits.
- Long term living in campers on residential property (consider 14 days or permit by Council)
- Open Container Waiver fees for private party (consider \$20 for residents and \$40 for non-residents plus a cleaning deposit)
- Open Container Waiver fees for private alcohol sales (consider a permit through the Council)
- Street Dance permits through the Council instead of the Police Department
- Parking on city streets, alleys, city property (consider city code change to 72 hours)
- No unhitched campers, trailer, boat trailers, etc. on Town streets.

He asked for the council to consider his revisions and give him some feedback.

Council discussed compression braking and some possible resolutions to the problem. Compression mufflers were discussed. Compression brakes are not necessary at speeds lower than 40 miles per hour, so signage could be helpful to alleviate the problem.

WATER BACKFLOW PREVENTER REPLACEMENT – PUBLIC WORKS:

Motion- Eichele; Second- Ryan; Vote- Unanimous: Motion passed to provide backflow preventers for water customers, but have the customer arrange installation with a plumber.

Tom McKenna, Public Works: In the past, the Town has replaced the backflow preventers and the employees have done the work. He feels that there is a liability issue

with Town Employees doing the installations. He would like to still provide the backflow preventer, but have the customer get a plumber to install the backflow preventer.

Pam Humphrey, Clerk/Treasurer: She stated that the backflow preventers that were installed at the time of water meter installation were not adequate for the pressure in town. The spring stretches out and it makes a noise. The backflow preventers that were used were the ones called for by the engineers in the specs for the project. The replacements are a different brand of backflow preventers.

GALLATIN LOCAL WATER QUALITY DISTRICT APPOINTMENT:

Motion- Ryan; Second- Gonzalez; Vote- Unanimous: Motion passed to appoint Demian Eichele to the Gallatin Local Water Quality District Board.

CONDITIONAL USE PERMIT: BRIGGS MODULAR DUPLEX, 116 BRANCH ST:

Motion- Ryan; Second- Gonzalez; Vote- Unanimous; Motion passed to approve the conditional use permit with the condition of an engineered sewer plan presented to the Town.

The Clerk re-read the written comments.

Tom McKenna, Public Works: He stated that he met with their engineer. It would be best to hook into the line on Gallatin, not Branch, but it would be 146 feet from the corner of the lot.

The sewer line and fall required were discussed. Lift stations were discussed. The sewer line in that area of town is very shallow and has frozen in the past. It was insulated this spring, but until winter, it is not known if that will be enough to keep it from freezing. The Planning Board reviewed the application and recommended approval of the Conditional Use Permit.

Adrenna Briggs, Applicant: She explained that the current foundation hole is very close to the street and will be backfilled and re-dug in the correct spot. They plan to move the access road to the north, more toward the middle. Parking will be off the road and around the back. They are planning for small families as tenants. The duplex would have to be moved if the property is further developed.

MAYORS REPORT:

- Public Works is working on hauling asphalt out of the old dump. The Town will just be paying for trucking. There is a place that will take the asphalt for no charge.
- The new brush truck has been purchased. It needs some minor repair work and is still under budget. He has ordered door stickers for the 5 remaining trucks. He will be building wooden sides for the dump bed on the new truck.
- Today there was a curb box replacement done in town.
- The area around school has been cleaned up for the Potato Festival for the school tours of the construction area.
- He asked the Council whether we should hire from within, or advertise outside initially for a new Public Works Supervisor. Council would like to advertise for the supervisor position.
- New part time officer has been hired to cover one day per week.

Councilman Ryan: He stated that someone has discharged gasoline into the sewer system twice over the past couple of weeks. It is a very dangerous situation. Not only is it an explosion hazard, it kills the bacterial process in the plant, which takes 6 months to grow the bacteria back.

CONSENT AGENDA:

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

Town Business Licenses: Graham Enterprises Inc., Kaufmann's Overhead Door & Awning, Inc., Montana School Equipment Co, T&L Painting, Inc., Valley Glass & Windows, Inc., Black Diamond Drywall, HLJ Constructive Services, Inc., Misty Mountain Woodworks, Inc., and Sime Construction.

Approval of Minutes: Regular Meeting minutes from July 13, 2017, Special meeting minutes from July 26, 2017 and July 31, 2017.

Claims: Dated 07/14/17 - 08/10/17 totaling \$ 207,301.46 including payroll.

ADJOURN:

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



Mayor



Clerk/Treasurer

TOWN OF MANHATTAN
Regular Meeting
September 13, 2017
MINUTES

Mayor 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, Demian Eichele, and Steve Gonzalez. Dan Ryan was absent. Also present were Town Attorney Jane Mersen, Town Planner Ralph Johnson and Clerk/Treasurer Pam Humphrey. Seventeen members of the public and Town employees were present.

PUBLIC COMMENTS:

Jeannie Kolste, Secretary of Hamilton Village HOA: She read a letter from Hamilton Village HOA requesting that the Council enforce the noxious weed ordinance. Vacant lots near their homes have piles of dirt, debris, and weeds on them. She and her husband have chopped some of the weeds down. They are concerned by the fire hazard that the weeds and debris may pose.

Dennis Hengel, Chief of Police: He stated that the Town does have a noxious weed ordinance. There are 2 types of weeds, one of which is noxious as determined by the State on Montana, the other is nuisance weeds. He identified which noxious weeds are present in the Farmstead.

Joan Thompson, 5b Sedora Drive: She stated that the lots are owned by various individuals, some by the Farmstead. The weeds are a fire hazard.

Jane Mersen, Town Attorney: She stated that the Farmstead HOA is responsible for common property and individual landowners are responsible for their lots.

Rob Gilmore, Executive Director NREMD: He stated that the former Mayor Dave Rowell was a member of the board. He encouraged the council to appoint a replacement for Dave. Nancy Clark has volunteered to be on the Board. Greg Schack stated that he will work on finding a replacement.

Dave Hebner, 6617 W Dry Creek Rd: He reminded everyone to purchase tickets for the playhouse that the Manhattan School Foundation is raffling off on Sept 22 at the homecoming game. He passed a sheet around for people to look at and sign up for a ticket.

BRIGGS COMMON BOUNDARY LINE RELOCATION:

Motion- Deitz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the Briggs Subdivision Exemption Claim/Common Boundary Line Relocation.

Ralph Johnson, Town Planner: He presented his staff report and outlined the Council's responsibility to review the criteria. He summarized the Staff report. The Planning Board reviewed the application and recommended approval. It is a subdivision exemption claim so the applicant does not have to go through subdivision review.

PROPOSED TOWN CODE AMENDMENTS:

Dennis Hengel, Chief of Police: He presented his list of items to consider for possible amendments from the last Council meeting. He asked for some input from the Council on which ones they would like to pursue. Some of the items on the list were compression braking, long term living in campers, parking on streets, open container waivers with fees, street dance permits, vendor alcohol sales, and unhitched trailers on city streets.

Council discussed some of the issues on the list. The Council directed Jane Mersen to draft an ordinance for compression braking. The Planning Board will make a recommendation on the long term living in campers, as it also involves zoning regulations. They discussed establishing a fee for open container applications.

INFRASTRUCTURE AGREEMENT WITH HOMESTEAD LLC:

Motion- Gonzalez; Second- Dietz; Vote- Unanimous: Motion passed to direct Attorney Mersen to move forward with drafting the final agreement between Homestead LLC and Manhattan Orchards and the Town of Manhattan as far as the off-site infrastructure improvements.

Ralph Johnson, Town Planner: He presented his staff report and drawings. He stated that the developer is looking for direction from the Council with regard to the issues before the applicant moves forward with final plat of the development. He gave a history of the issues that the proposed agreement deals with. This is the preliminary review. The final plat needs to conform to the preliminary plat. The Town Planner, Attorney, Town Engineer, and former Mayor have reviewed the original conditions and made recommendations for modifications. He presented the modifications that are recommended for Town Council consideration. The conditions that recommendations were made on are traffic study requirements, Nixon Gulch Rd upgrades, Railroad Avenue upgrades, easement for development on Yadon Rd, divided entry median, water supply, storage and distribution improvements, water rights, and water line size. If changes conform to the recommendations, a public hearing is not necessary to make the changes. Unless otherwise identified in these recommendations, all Original Conditions for Final Plat dated February 14, 2006 shall be met. Staff seeks direction with regard to incorporating the proposed infrastructure modifications identified in the report into the Manhattan Orchards Subdivision conditions for Final Plat in exchange for the off-site improvements related to the Manhattan School District expansion.

Jane Mersen, Town Attorney: She provided some insight to some of the recommendations. She would like the Council to make a motion for tentative approval so that she can draft an agreement for the off-site infrastructure improvements. This agreement provides for Preliminary Plat changes in exchange for road and water line development costs related to the Manhattan School District expansion.

Council discussed that the changes that have taken place since the original preliminary plat will necessitate some changes. Maintenance of the emergency gravel road was discussed.

CONSENT AGENDA:

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

Town Business Licenses: Seven Pillar Homes, Green Bear Construction, K&E Enterprises, Edward Jones Investments, R&H Homes, Inc, Rocky Mountain Fit, and J&V Restaurant Supply.

Approval of Minutes: Regular Meeting minutes from August 10, 2017.

Claims: Dated 08/11/17 - 09/13/17 totaling \$ 170,900.68 including payroll.

MAYORS REPORT:

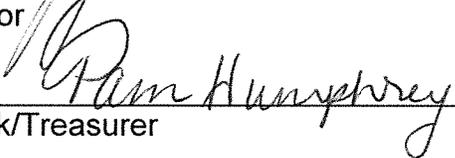
- He summarized the current WWTP repairs and problems.
- WWTP design changes have been proposed to save money and hopefully eliminate similar problems in the future.
- A new Operator has been offered the position. The start date is not yet determined.
- Public Works Supervisor resumes are coming in. Interviews will be held on 9/22/17.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
October 4, 2017
MINUTES**

Mayor 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, Demian Eichele, Steve Gonzalez, and Dan Ryan. Also present was Clerk/Treasurer Pam Humphrey. Three member of the public was present.

PUBLIC COMMENTS:

None

RESOLUTION NO. 17-010 - SUPPORTING APPLICATION TO THE BIG SKY ECONOMIC DEVELOPMENT TRUST FUND PROGRAM ON BEHALF OF BLACKHAWK:

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Resolution No. 17-010, a resolution of the Town Council of the Town of Manhattan supporting an application to the Big Sky Economic Development Trust Fund Program on behalf of Blackhawk, and appointing NRMEDD as the administrative agent.

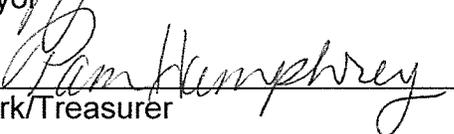
Rob Gilmore, Executive Director NRMEDD: He stated that Blackhawk is taking part in an employee development grant offered by the Big Sky Economic Development Trust Fund. The application needs a sponsor, so they are asking the Town to be the sponsor.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
October 11, 2017
MINUTES**

Mayor 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, Demian Eichele, Steve Gonzalez, and Dan Ryan. Also present was Clerk/Treasurer Pam Humphrey. Fourteen members of the public and Town employees were also present.

PUBLIC COMMENTS:

Eleanor Mest, 317 S Broadway: She asked the Council to have the Planning Board write a Master Plan for trails in the Manhattan area. If there is a master plan, when highways are improved in the area trails may be added.

Glen Clements, 709 Madison: He introduced himself as the write-in candidate for Mayor. He is eager to help Manhattan grow and to help out the Town. He stated that he is excited to learn and will be attending meetings.

CONDITIONAL USE PERMIT FOR DUPLEX AT 212 PINE ST:

Eric Krouss, Applicant, 81 10th St #9, Belgrade: He stated that the units are 3 bed/2 bath, 1500 sf each. He will owner occupy one of the units. He does not plan to allow sub-leases. He doesn't want noisy neighbors either.

Public Comments

Leonard McArthur, 215 Pine St: He stated that he has talked to a lot of neighbors with multi-family housing in their neighborhood. He is glad to hear that it will be owner occupied. His main concern is parking. He questioned if there is actually adequate parking if there are several adults living in a unit. Some leases can restrict the number of adults and how long guests could stay. He asked that the parking issue be addressed. He would oppose the duplex if the parking cannot be addressed.

Peter Rolando, 307 Pine St: He stated that he has the same concerns as Leonard. He is concerned because of the upkeep of some of the other multi-family buildings in the area. He is opposed. He feels that they will lose the character of the neighborhood and sense of security that they have now.

Written Comments

Joe and Laurinda Henderson, 305 Pine St: They are opposed to the Conditional Use Permit.

Discussion/Decision

Motion- Gonzalez; Second- Eichele; Vote- 3 for, Ryan against: Motion passed to approve the Conditional Use Permit to Eric Krouss to construct a duplex at 212 Pine St. Council discussed parking and asked Chief Hengel to describe the parking situation. Council discussed the Planning Board recommendation and the Town Planner's staff report. The parking regulations were discussed in relation to the Town Code. The Planning Board determined that the application had adequate parking. Area landowner's concerns were discussed. Finding of facts must support denial for a CUP to be denied.

Chief Hengel stated that they enforce state law which is 5 days on city streets. High density housing usually has parking on the street unless there is designated off street parking.

WWTP BUDGET FOR REPAIRS/REPLACEMENT:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to replace the Bio-wheel System with a new diffused Aeration System.

Robert Seamons, WWTP Engineer: There have been some equipment failures at the WWTP. They are proposing to swap out the existing equipment with a new aeration system. All of the mechanical equipment will be outside of the tank for easier maintenance. If the new system is approved, it would need to be engineered, submitted to DEQ, and the equipment replaced. The cost of replacing the existing equipment and changing to a new aeration system would be approximately the same. The existing equipment was supposed to last twice as long as it actually did. There is a new discharge permit coming that has new discharge parameters. There will be new requirements on top of either equipment option. Engineering will start tomorrow and will be done by the end of October. A crane will be coming to remove the 1st bio-wheel. Council discussed the options and the life span of each option.

MPORS PRESENTATION:

Chief Hengel: He stated that the Manhattan Police Department is currently on the PERS retirement system which is a 30-year retirement. Most police departments in Montana are on MPORS, which is a 20-year retirement. He introduced Jerry Williams.

Jerry Williams, Montana Police Protective Association: He presented some information to the Council about MPORS and PERS. He described it as cost and benefit information. He explained the differences between the 2 systems. Current employees could choose between the two plans if they are vested. New employees would be required to join MPORS. The Town would be required to become a City. Employees in MPORS do not have to pay social security, but the ones that pay now, would have to keep paying. He suggested that the Town contact the City of Columbus with any questions, as they changed over within the last 2 years.

MAYORS REPORT:

- WWTP plant repairs have been ongoing
- Tom McKenna has moved to the WWTP to train as a new operator.
- Jeff McAllister is the new Public Works Working Supervisor
- Steve Kurk is going to full-time employment
- A new public works employee is starting on October 23rd.

CONSENT AGENDA:

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

Town Business Licenses: Jule's Precision Painting and Kill Construction.

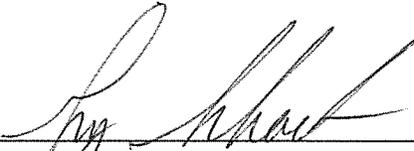
Chicken Coop Application: Renewal for Sarah Simser, 110 Cedar.

Approval of Minutes: Regular Meeting minutes from September 13, 2017.

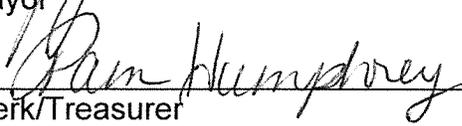
Claims: Dated 09/14/17 - 10/11/17 totaling \$ 167,037.47 including payroll.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
November 9, 2017
MINUTES**

Mayor 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, Demian Eichele, Steve Gonzalez, and Dan Ryan. Also present was Clerk/Treasurer Pam Humphrey. Eight members of the public and Town employees were also present.

PUBLIC COMMENTS:

Dave Hebner, 6617 W Dry Creek Rd: He requested that the Town would plow in front of the Museum when they do the sidewalk at the Senior Center.

CONDITIONAL USE PERMIT FOR ACCESSORY DWELLING AT 208 CEDAR ST:

Clerk Humphrey read the Public Hearing notice.

Craig Bergstedt, Architect: He stated that this is a small home for one of the owners' mother. It is a one bedroom, living room, kitchen, bathroom, and loft. There is an existing garage on the alley and they would like to line up with that setback, which is 10 ft. off the alley.

Public Hearing

Rob Shackelford, 201 Pine St: He asked if the mother-in-law moves out if it can be used as a rental. He asked if it is separate water and sewer.

Jennifer Shackelford, 201 Pine St: She stated that it is zoned single family residential. She stated that she is not against it. She stated that she does not agree with the smaller setback. She stated that she feels it needs to have separate water and sewer.

Discussion/Decision

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the Conditional Use Permit to Jamie and Steve Gordon to construct an accessory dwelling unit at 208 Cedar St. with the conditions set out by the Planning Board: 1) rear setback be set at 10' to align with the existing garage, 2) the garage access point off of the alley be modified so that the vision triangle is clear, and 3) the applicant provide an image from the alley.

Council discussion included whether water and sewer should be separate. The alley setback was discussed. Garage setbacks in general were discussed. The Planning Board recommended approval with conditions.

TITLE CHANGE – TOWN LIBRARIAN:

Motion- Gonzalez; Second- Eichele; Vote- Unanimous: Motion passed to change the title of the Town Librarian to Assistant Director.

Trudy Dundas, Town Librarian: she explained the titles in a public library. The inter-local agreement names the school librarian the director. The Town Librarian title has become outdated. Librarian does not fit her position description anymore. She would like to change her title to Assistant Director.

TREATMENT PLANT MIXER REPAIR:

Motion- Ryan; Second- Dietz; Vote- Unanimous: Motion passed to accept the repair estimate for the mechanical seal impellor rebuild of \$19,308.65 plus shipping.

The spare mixer pump is at the repair shop to be rebuilt. The plant has one of these in operation now, but it is essential to have a spare on hand for breakdowns.

MAYORS REPORT:

- Republic Services has been calling Town Attorney Jane Mersen regarding an issue that the Town is in violation of the contract that was signed without a Council vote with them to force citizens to use their services. Cleanup day was done with L&L Site Services instead of Republic Services.
- Public Works has been sanding, shoveling, and plowing, but some places are still needing attention. The railroad crossing has been built up with snow and ice. The State and railroad have been contacted to take care of the problem. The Town has been ordered to stay out of the State's right of way.
- The treatment plant is back in compliance with the discharge for the DEQ.
- He met with some other townspeople and the Chronicle to discuss problems with the small towns growing or shrinking in the area.

A discussion about public comments vs findings of fact took place. The Council is not able to make decisions based on public comment alone. The facts have to support the Council's decisions.

CONSENT AGENDA:

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

Town Business Licenses: Elyte Woodworks, Macknight Construction, Outlaw Plumbing & Heating, Gallatin Heating & Cooling, Inc., and Homestead & Kompani

Approval of Minutes: Special Meeting minutes from October 4, 2017 and Regular Meeting minutes from October 11, 2017.

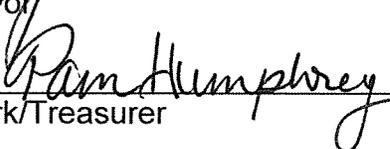
Claims: Dated 10/12/17 - 11/09/17 totaling \$ 127,726.97 including payroll.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
December 14, 2017
MINUTES**

Mayor 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 Demian Eichele, Steve Gonzalez, and Dan Ryan. Gregg Dietz was excused. Also present was Clerk/Treasurer Pam Humphrey. Thirteen members of the public and Town employees were also present.

PUBLIC COMMENTS:

Steve Kurk, Public Works: He introduced Wesley Glenn, the new public works employee. He stated that public works has decided to try to get street sanding done before 8 am. More sidewalks are getting done now. They are trying to increase what they are doing for snow removal.

PUBLIC WORKS REQUEST FOR EXHAUST FANS IN SHOP:

Motion- Ryan; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the purchase and installation of exhaust fans in the shop from the lowest bidder.

Jeff McAllister, Public Works Supervisor: He stated that they have been working in some hazardous conditions in the shop. They weld and have to let the vehicles with air brakes warm up in the shop before they can be moved. They would like to have two exhaust fans installed in the shop. He has obtained three bids on the fans and also a quote from an electrician for installation.

Council discussion included the hazards of working in an enclosed shop with exhaust fumes present. All felt that it is a necessary safety item.

OATHS OF OFFICE:

Newly elected Mayor Glen Clements was sworn in by Interim Mayor Greg Schack. Newly re-elected Councilman Dan Ryan was sworn in by Interim Mayor Greg Schack. Newly re-elected Councilman Greg Schack was sworn in by Clerk/Treasurer Pam Humphrey. All newly elected officials' terms will begin on January 1, 2018.

MAYORS REPORT:

- Public Works is staying on top of snow removal
- New WWTP aeration system has been engineered and has been approved by DEQ

Dan Ryan voiced concerns regarding the weight, or rather lack of weight, of public comments in decisions for planning and zoning issues. He will follow up with Ralph Johnson with his specific concerns.

CONSENT AGENDA:

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

Home Occupation Permit: Kelly W Malcott, 115 S 3rd St, Malcott Custom Carpentry.

Town Business Licenses: Shedhorn Construction, Inc., JR Williams Construction, Inc., DeHaan Construction, Paulson Projects LLC, and Malcott Custom Carpentry.

Approval of Minutes: Regular Meeting minutes from November 9, 2017.

Claims: Dated 11/10/17 - 12/14/17 totaling \$ 257,111.22 including payroll.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
December 26, 2017
MINUTES**

Mayor Greg Schack called the meeting to order by phone in the Town Meeting Room, at 207 S 6th St. at 7:15 P.M. Present were Council Members Gregg Dietz, Demian Eichele, and Dan Ryan. Steve Gonzalez was excused. Also present was Clerk/Treasurer Pam Humphrey. No members of the public were present.

PUBLIC COMMENTS:

None

RESOLUTION NO. 17-011: RESOLUTION TO ENTER INTO A BUY-SELL AGREEMENT ON 120 W MAIN:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve Resolution No. 17-011, a resolution of the Town Council of the Town of Manhattan accepting offer for the sale of the Town Hall building located at 120 West Main, Manhattan, Original Plant, Lot 4A, Block 20, Section 10, Township 1 North, Range 3 East.

Council agreed that it is in the best interest of the Town to sell the old Town Hall and use the proceeds to pay off the loan for the new Town Hall and Police Department.

ADJOURN:

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



Mayor



Clerk/Treasurer