

TOWN OF MANHATTAN
Regular Meeting
January 10, 2019
MINUTES

Mayor Glen Clements called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:05 P.M. Present were Council Members Gregg Dietz, Steve Gonzalez, Greg Schack, and Dan Ryan. Also present were Police Chief Dennis Hengel, Public Works Employees Steve Kurk and Ben Johnson and Clerk/Treasurer Pam Humphrey. Five members of the public were also present.

PUBLIC COMMENTS:

David Andrus, Park Manager at Missouri Headwaters State Park: He told the Council about Senate Bill 70, which will remove Missouri Headwaters off of the Primitive Parks Act. This will allow them to improving services at the park such as adding electricity to some of the campground spaces. They would like to do some increased management actions, do some additional planning, and improve services for visitors. He asked to be placed on the next agenda to have the Town provide a Letter of Support as they go through the legislative process. He gave a history of the Primitive Parks Act. It came about in 1998 because state residents didn't want to pay a day use fee to use some of the state parks. 15 state parks were then listed as primitive parks, where residents are not required to pay a day use fee. In 2005, a law was passed to have state license plate fees include a \$6 fee for residents to visit all 55 state parks for free.

Nancy Clark, 6324 Pleasant Street: She stated that Amerimont has a 2000 SF office space available for lease by their office. It is a very nice office, but asked everyone to pass on the information.

Steel Anderson, Edward Jones Office: He introduced himself and asked people to stop in and have a coffee at his now office in Manhattan.

RESOLUTION NO 19-001 – TIGER LAND DESIGNATION AND SIGNAGE:

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to approve Resolution No. 19-001, as resolution of the Town Council of the Town of Manhattan to name the school access road Tiger Lane and provide for signage on the road.

MAYORS REPORT:

- Public works has been trimming trees around town.
- The Vac Truck is back in service.
- WWTP – lab results after the new equipment install are back in compliance.

CONSENT AGENDA:

Motion- Schack; Second- Ryan; Vote- Unanimous: Motion passed to approve the Consent Agenda.

Approval of Minutes: Regular Meeting minutes from December 13, 2018.

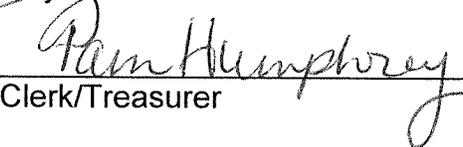
Claims: Dated 12/14/18 – 01/10/19 totaling \$319,216.52.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
February 14, 2019
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 Clements was excused. Also present were Town Attorney Jane Mersen, Police Chief Dennis Hengel, Public Works Employee Steve Kurk, and Clerk/Treasurer Pam Humphrey. Four members of the public were also present.

PUBLIC COMMENTS:

None

RESOLUTION NO. 19-002: SUPPORT REMOVAL OF HEADWATERS STATE PARK FROM PRIMITIVE PARKS LIST:

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Resolution No. 19-002, as resolution of the Town Council of the Town of Manhattan supporting the removal of Headwaters State Park from the Primitive Parks list in the Primitive Parks Act in section 23-1-116, MCA.

Dave Andrus the Headwaters State Park manager offered to answer questions. He explained the SB70 bill in the Senate. He explained the reason for the Primitive Parks Act and how the Headwaters Park got put in that group. It limited what could be done to improve the parks. Now vehicle licensing fees give MT residents access to state parks. The Primitive Parks act is no longer really effective. He has asked the Council for support in removing Headwaters from the list of primitive parks

RESOLUTION NO. 19-003: SALE OF TOWN LOTS ON S 4TH ST:

Motion- Dietz; Second- Ryan; Vote – Unanimous: Motion passed to approve Resolution No. 19-003, a resolution of the Town Council of the Town of Manhattan accepting offer for the sale of the Town owned lots located on S 4th St, Manhattan Orig Plat, S10, T01N, R03E, Block 5, Lots 10-B and 11-B, Amnd Plat C-48-G.

BOARD APPOINTMENTS

Park Board – Summers, Mayor appointment with Council approval

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the Mayoral appointment of Elly Summers to the Park Board for a four year term.

City-County Planning Board – Simser, Mayor appointment with Council approval

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the Mayoral appointment of Dan Simser to the Manhattan City-County Planning Board for a two year term.

Wells – Council Appointment

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

CONSENT AGENDA:

Motion- Ryan; Second- Dietz; Vote- Unanimous: Motion passed to approve the Consent Agenda.

Kennel License: Renewal for Bob Uhrich at 710 Jefferson, Renewal for Morgan & Shawna Taylor at 106 N 2nd.

Chicken Coop: Renewal for Joe & Crystal Elrod at 210 S 7th.

Town Business Licenses: Temperature Control, H&H Earthworks, Inc, Antique Store, and J&K Contractors, Inc,

Home Occupation: Darcie Crans - Hairstylist

Approval of Minutes: Regular Meeting minutes from December 13, 2018.

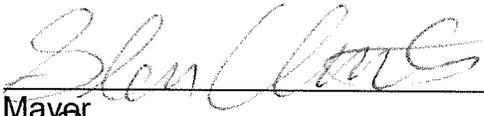
Claims: Dated 12/14/18 – 01/10/19 totaling \$319,216.52.

EXECUTIVE SESSION – PERSONNEL DISCUSSION:

The Council, Clerk/Treasurer, Attorney, and the involved employee via telephone went into a closed Executive Session. The public meeting was re-opened following the Executive Session.

ADJOURN:

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



Mayer



Clerk/Treasurer

TOWN OF MANHATTAN
Regular Meeting
March 14, 2019
MINUTES

Mayor Glen Clements 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 Public Works Supervisor Jeff McAllister, Public Works employee Steve Kurk, Police Officer Daryl Rogers, Town Planner Randy Carpenter and Clerk/Treasurer Pam Humphrey. Four members of the public were also present.

PUBLIC COMMENTS:

Nancy Clark, 6423 Pleasant St: She stated that came to the meeting as Chamber representative. She asked for feedback and suggestions from the Council for the Chamber to help promote business in Manhattan.

Steve Kurk, Public Works: He let the Council know that he is retiring soon and this is his last meeting. He thanked the Council and said how much he has enjoyed working for the Town.

Jeff McAllister, Public Works Supervisor: He let the council know that Steve has been a great asset for the Town. Steve has really helped Public Works make progress and move forward. He thanked Steve for all he has done for the Public Works Department and the Town as a whole.

GROWTH POLICY DISCUSSION:

Motion- Gonzalez, Second- Ryan: Vote- Unanimous: Motion amended and passed to move forward with the growth policy grant for \$30,000 from the state with a match of \$10,000 from the Town.

Motion- Gonzalez, Second- Schack : Motion to move forward with applying for a grant for a Growth Policy

Tom Wells, Vice-President of Planning Board: He introduced himself and the Town Planner to the Council.

Randy Carpenter, Town Planner: He stated that the Planning Board has been discussing updating the Growth Policy. He talked about the reason for a growth policy and what it is used for. He talked about the ways to implement the plan once it is in place for the community. They would look at regional and local trends. The growth policy is based on the issues and what the community and council wants to see in reference to growth. The Planning Board has been discussing the Dept of Commerce grant program for growth policy development. The Town would have to match 25% of the total cost. The Planning Board would have two options for updating the Town's growth policy. One would be to update the current policy. The other would be to totally redo the plan. It would cost approximately \$5000 to update the current plan internally, or spend \$10,000 for a \$40,000 new plan.

Tom Wells: He stated that a new growth policy is a way for the Town to have a plan for growth instead of reacting to growth. There would be a lot of Public Comment involved.

The Council and presenters discussed the way the process happens and how to reach the public. Funding the Town’s portion was also discussed.

MAYOR’S REPORT:

- Criminal Justice Coordinating Council meets quarterly and needs a representative from Manhattan for the next term. The appointment will be on next month’s agenda.
- Public Works is monitoring the possible flooding situation and is ready for meeting the needs that may arise. They have a flood watch program in place and are following it.
- Two of the Public Works guys have passed some of their Water Operator tests. He congratulated Ben and Wayne for the work they are putting in to pass their tests.
- He thanked Steve Kurk for his contributions to Public Works over the past few years.
- The sewer plant operators took their operator tests two weeks ago and should be hearing the results soon.

The Council and Mayor discussed some of the new regulations that will be coming from the DEQ for the sewer permit.

CONSENT AGENDA:

Motion- Schack; Second- Dietz; Vote- Unanimous: Motion passed to approve the Consent Agenda.

Chicken Coop: Renewal for Jay and Kelli Stanley at 210 Valley St., Renewal for Tonya Andrews and Gordon Carpenter at 507 W. Gallatin Ave.

Town Business Licenses: Queen O’Hearts Ranch, LLC, K III Construction, A-Ward Custom Installations, and Poppy and Spruce Salon.

Approval of Minutes: Regular Meeting minutes from February 14, 2019 and Executive Session minutes from February 14, 2019.

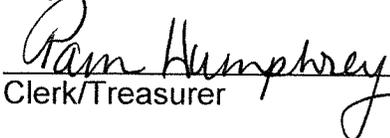
Claims: Dated 02/15/18 – 03/14/19 totaling \$ 134,452.01

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
April 11, 2019
MINUTES**

Mayor Glen Clements 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, WWTP Engineer Robert Seamons, and Clerk/Treasurer Pam Humphrey. Four members of the public were also present.

PUBLIC COMMENTS:

Dave Hebner, 6617 W Dry Creek Rd: He invited the Council and audience to the Manhattan School Foundation Dinner, April 26, 2019. He handed out some information regarding the dinner.

SEWER TRANSMISSION PROJECT:

Kyle Scarr and Alex Edwards, TD&H: Alex introduced himself. He has been working on the project. Bid openings were today. Six bids were received. The low bid was from COP construction for \$1,369,363.00. DEQ reviews led to some increased design costs from when the PER was done. Field surveys found a water line directly over the sewer line. A five-foot deviation was given by DEQ for the water line replacement. They added some alternates for alley drainage. Construction is very busy in the Valley. The bids were competitive but still higher than the original estimate. They are drafting a recommendation for the bid award to the Council. Bond council will then look at rate increases and publication requirements.

Kyle added that the original budget was about \$300,000 less than the bids came in. They will have to look at user numbers and Churchill increased capacity to see if a rate increase is needed. They will have to remove more asbestos pipe than was originally thought.

Questions were asked about dewatering as the project goes on.

CRIMINAL JUSTICE COORDINATING COUNCIL APPOINTMENT

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to appoint Mayor Glen Clements to the CJCC.

WWTP PER UPDATE:

Robert Seamons, Plant Engineer: He updated the Council about the PER for the expansion of the plant. TD&H is doing the PER. The DEQ permit came in and the PER can now move forward for submission to the grant application and submittals in spring of 2020. It could take 5-7 years for this project to be finished. Some public hearings will be held to inform the public about the project. The DEQ limits are very stringent and unchanging. The removal efficiency has to get better and better over time to treat increased amounts of sewer. They are looking at different possible scenarios. Planning

for growth is a key element to deciding what to do. Churchill will be sharing in the cost of the PER as per the Interlocal Agreement.

BIOSOLIDS PROJECT:

Motion- Schack; Second- Gonzalez; Vote- 3 for, Ryan voted nay: Motion passed to approve the professional services agreement with Stahly for the biosolids project.

Robert Seamons, Plant Engineer: He explained that the treated product at the plant is called biosolids. This project would involve mechanically drying the sludge and then hauling it away. This is to make sure that the plant is in compliance with Federal regulations. This project is a known issue and is in the budget for this year. This may be a standalone project or to go into the expansion project scope. The scope is initially to obtain preliminary design and get DEQ approval as well as a cost estimate.

ORDINANCE NO. 19-001: UNCLAIMED PROPERTY:

First Reading

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to accept the First Reading of Ordinance No. 19-001 and set the Second Reading and Public Hearing for the May 9, 2019 meeting.

MAYOR'S REPORT:

- Amsterdam/Churchill has requested an additional 20,000 gal per day.
- He was approached by the Senior Center asking if we could lower their rent. He looked at what the fair market value of properties should be. He let the Council know that he has raised the current tenant's rent. He asked the Council for input on the Senior Center portion.

CONSENT AGENDA:

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the Consent Agenda.

Kennel License: Gregg & Joni Dietz, Renewal at 121 N 8th.

Town Business Licenses: Reliable Plumbing & Heating, Summit Builders, Inc., Do-Rite Carpentry, and The Continuity Group LLC.

Approval of Minutes: Regular Meeting minutes from March 14, 2019

Claims: Dated 03/15/18 – 04/11/19 totaling \$ 208,092.96.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
April 29, 2019
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. Also present were Town Engineers Kyle Scarr and Alex Edwards and Clerk/Treasurer Pam Humphrey. Thirteen members of the public were also present.

PUBLIC COMMENTS:

None

RESOLUTION NO. 19-005: RESOLUTION OF INTENTION TO INCREASE RATES AND CHARGES FOR THE USERS OF THE TOWN'S WASTEWATER SYSTEM:

Motion- Ryan; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Resolution No. 19-005, a resolution of intention of the Town of Manhattan to increase rates and charges for the users of the Town's Wastewater System.

Kyle Scarr, TD&H: He gave a background of the project, which started in 2016 when the PER was done. System capacity, aging and failing infrastructure, and public health and safety concerns were the reason for the PER. A TSEP grant was awarded to the Town for the project. The competitive bids were analyzed and the amount of rate increase was determined. The increase anticipated by the PER was \$2.92 per month. The Bond council's recommendation is \$2.85 per month. Health and safety were large parts of getting grants for this project. They are still finding other problem areas that the Public Works department will be trying to fix before they get to the point of needing replaced. The transmission project will help to curb the inflow and infiltration problem and will lessen the flow to the treatment plant.

The Clerk read the Resolution.

Robert Barksdale, 105 N 4th St: He asked if this has already been decided. He asked if this would be voted on by the citizens. He asked if someone could explain why the rates are so high. He asked if maps of the plans could be posted somewhere.

Frank Larrabaster, N 4th St: He asked if Churchill is charged the same rates. He stated that there is a rumor that this increase is to expand the plant, when it is actually the transmission lines. He suggested more information be published.

Ginny Francis, 207 Pine St: She asked what the current rates are. Humphrey explained the current rates.

Council and audience discussed the project and reason for it. What the money is used for and how much is needed to be kept in reserve were also discussed.

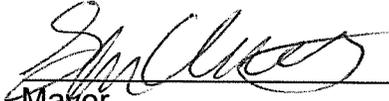
Chris Szabo, 201 S Broadway: He asked about where the lines will be replaced. He stated that it should be fixed now rather than later.

Katie Power, 512 W Gallatin: She asked what percentage of the lines will be fixed this time.

Stacy Ballard, 417 W Railroad Ave: She asked when the plant will need to be expanded. She asked if the developers would be playing for the expansion. Impact fees and the status of the treatment plant were discussed. The plant is currently at just over 50% capacity. Fixing the infiltration issues with the old lines will decrease the amount of treatment capacity being used. Treatment expansion for the newly issued DEQ permit was also discussed.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
May 9, 2019
MINUTES**

Mayor Glen Clements 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. Greg Schack was excused. Also present were Town Engineer Kyle Scarr, WWTP Engineer Robert Seamons, and Clerk/Treasurer Pam Humphrey. Six members of the public were also present.

PUBLIC COMMENTS:

Paul Jones, 216 N 5th: He stated that he is the Chamber President. A Chamber board member will be attending the Council meeting each month. He asked the Council to let them know if they can be of any assistance.

**ORDINANCE NO. 19-001: UNCLAIMED PERSONAL PROPERTY – 2nd Reading
Public Hearing**

None

Discussion/Decision

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve Ordinance No. 19-001, an Ordinance of the Town Council of the Town of Manhattan, Montana amending Title 5, Chapter 1, Article 8 of the Manhattan Town Code pertaining to unclaimed personal property.

RESOLUTION NO. 19-004: AMENDING FEE SCHEDULES

Public Hearing

Bill Luehrs, Pioneer Crossing: He asked if impact fees were included in the fee schedule. *They are not.*

Discussion/Decision

Motion- Gonzalez; Second- Ryan; Vote- Unanimous: Motion passed to approve Resolution No. 19-004, a resolution of the Town Council of the Town of Manhattan, Montana amending the fee schedules for the following: Subdivision review fees, zoning request fees, zoning change fees, board of adjustment hearing fees, conditional use permit fees, annexation fees, removal or vacation of land fees, other general subdivision review fees, and administrative fees for processing building permits, home occupation permits and sign review applications.

The Clerk stated that the fees have not been updates since 2004. The proposed fees match the Gallatin County fees currently in place.

CHURCHILL REQUEST TO INCREASE RESERVE AMOUNT:

A letter has been received from the Amsterdam/Churchill District. Their engineers have given them some advice on the amount of the capacity they should request. They are requesting an additional 20,000 gallons per day.

Kyle Scarr, Town Engineer: He stated that there should be capacity at the plant. The transmission lines will need to be looked at in terms of the amount that they will send at one time.

Robert Seamons, Plant Engineer: He suggested waiting until the studies have been done on the expansion of the plant to meet DEQ requirements. In the fall, Amsterdam/Churchill does exceed their current cap drastically because of flood irrigation infiltration. He would like to see a solution to that problem before an agreement is signed.

Council discussed that all issues will need to be addressed.

A meeting will be scheduled for the Mayor, Sewer Commissioner, town engineer and town attorney.

PLANNING AND GROWTH SUMMARY MEMORANDUM:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to use the growth rate of 3.5% for the PER.

Kyle Scarr, Town Engineer: They will be asking the Council to take action on the growth rate for the PER they are working on for the new DEQ regulations. TD&H has done some research on the current growth rate and Capital Improvement Plan. They met with Robert and Glen to decide the growth rate for the PER. He summarized the memo for the council and audience.

Robert Seamons, Plant Engineer: He stated that from the planning phase to approval, design, financing, and construction will take 7-10 years. Some options are available once the growth rate is decided upon, such as phasing, etc. He is concerned with the surface water discharge permit and meeting the limitations on nitrogen. This study will help to plan for the amount of growth that will actually be possible in the area.

WASTEWATER TREATMENT PLANT PER UPDATE:

Kyle Scarr, Town Engineer: He stated that they will use the new approved growth rate. Different disposal options at the plant are being researched. They have been talking to the Pioneer Crossing engineer regarding infiltration options for recharge. He explained the type of water rights that the Town currently has and possibly modifying that. They would like to keep the option to discharge to the ditch also. Land application is another option they are exploring.

They currently almost have the first 2 chapters of the PER drafted. He will let the Council know when they are ready for review.

PARK BOARD APPOINTMENTS:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the Mayoral appointments of Christian Szabo and Crystal Elrod to the Park Board.

MAYOR'S REPORT:

- He and Jeff went to the Perks board meeting. They asked the Town to notify the adjacent land owners of the conditions for ditch care and maintenance. They also asked the Town to assist with taking down bushes and trees. The Town does not

have the authority to enter property, but would agree to help the residents remove the debris from the ditch.

CONSENT AGENDA:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the Consent Agenda.

Chicken Coop: Renewal for Katie Powner, 512 W. Gallatin

Town Business Licenses: Vulcan Metal Works, Shed Horn Designs Construction, and First Class Concrete Construction LLC.

Approval of Minutes: Regular Meeting minutes from April 11, 2019 and Special Meeting Minutes from April 29, 2019.

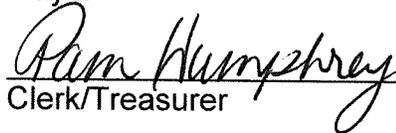
Claims: Dated 04/12/18 – 05/9/19 totaling \$ 166,902.48.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
May 20, 2019
MINUTES**

Mayor Glen Clements called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:10 P.M. Present were Council Members Steve Gonzalez, Dan Ryan, and Greg Schack (present via phone, then in person). Gregg Dietz was excused. Also present were Town Engineers Kyle Scarr and Alex Edwards, and Clerk/Treasurer Pam Humphrey. Three members of the public were also present.

PUBLIC COMMENTS:

None

RESOLUTION NO. 19-006: SET SEWER RATE

Public Hearing

Vern Albertson, 105 N Broadway: He stated that he is concerned, and agrees that the lines in town do need to be replaced and repaired as needed. He asked if everyone is paying their fair share, including Churchill, the Rider's trailer court, and apartment buildings. He asked if the impact fees being charged to new buildings is high enough to cover costs.

Stephen Simpkins, 211 Valley: He asked where the project is taking place.

Robin Chambers, 315 S 1st: She asked what size meter she might have in her house. She asked how many pipelines would be replaced.

Written comment from Joel Donaldson III in opposition to the rate increase.

Discussion/Decision

Motion- Ryan; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Resolution No. 19-006, a resolution of the Town of Manhattan, Montana, providing for increased rates and charges for the users of the Town's wastewater system.

Council discussed the timeline for the project, especially in the alley in the downtown area. A schedule will be provided by the contractor once the project is awarded. Businesses will be contacted in advance, at least seven days. The condition of the lines is an important factor in getting the project done. The increase in the base rate is as minimal as possible.

Alex Edwards, TD&H: He stated that the only other line that will need to be replaced is about 300 feet of water main that lies directly over the top of the old sewer main.

NOTICE OF AWARD:

Motion- Schack; Second- Gonzalez; Vote- Unanimous: Motion passed to allow the Mayor to sign the Notice of Award.

Alex Edwards, TD&H: They would like to send the notice of award to the contractor, then sign an agreement at the Council meeting in June. Then the notice to proceed will come after that.

NOTICE TO PROCEED:

Motion- Schack; Second- Gonzalez; Vote- Unanimous: Motion passed to table the Notice to Proceed until the June Council meeting.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
June 13, 2019
MINUTES**

Mayor Glen Clements 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. Greg Schack was excused. Also present were Public Works Supervisor Jeff McAllister, Police Chief Dennis Hengel, Town Engineer Kyle Scarr, and Clerk/Treasurer Pam Humphrey. Ten members of the public were also present.

PUBLIC COMMENTS:

None

NORTHERN ROCKY MOUNTAIN ECONOMIC DEVELOPMENT DISTRICT:

The representatives were not present.

PUBLIC SAFETY MILL LEVY REQUEST – CHIEF HENGEL:

Dennis Hengel, Chief of Police: He requested that the Council consider a public safety mill levy. He has two issues, equipment and payroll. Currently, the equipment budget is not adequate to supply everything that they need. Some equipment that the police department has now personally belongs to Chief Hengel. He presented the estimated amount of money a 5 mill levy would generate, as well as the tax increase it would cost homeowners. Money not spent in a year would be put into a CIP fund for vehicle purchases. Second, the officer pay is behind other agencies in the Valley. He would also like to get a 5 mill levy for salary. He explained the issues with the current salary situation and training officers to have them leave within a few years. He feels it is important to maintain and retain good officers.

He will type up a resolution for approval at the next meeting to get the mill levy on the ballot for the upcoming election in November. He asked the Council for input on whether to ask for 5 or 10 mills.

The main equipment needs are rifles and a speed trailer. Recurring costs are a concern also. He feels that the department has many critical needs.

Budget restrictions and the current situation were discussed. The Council discussed having two mill levies for five mills or one mill levy for ten mills. Council encouraged the Chief to write the resolutions for next meeting.

Bill Luehrs reminded the Council that when Pioneer Crossing Phase II gets final plat, they will be paying a substantial service fee to the police department.

SEWER REHAB PROJECT CONTRACT AGREEMENT:

Motion- Gonzalez; Second- Ryan; Vote- Unanimous: Motion passed to authorize the Mayor to sign the Manhattan Sewer Rehabilitation Contract agreement.

Kyle Scarr, Town Engineer: He reminded the council and audience what the project is and the history of the process. All of the agencies have reviewed the contract and it is in

order. The bids are higher, but the rate increase was lower than projected in the project PER.

WASTEWATER TREATMENT PLANT PER UPDATE:

Kyle Scarr, Town Engineer. He stated that since the last update, they have met with the Pioneer Crossing design team in relation to the water rights situation. They are looking at different discharge options, such as land application, infiltration beds, and discharge to river. They are scheduling a follow up meeting with the Town's and Pioneer Crossing's water lawyers. They will also be meeting with DEQ regarding the treatment plant and the discharge permit, as well as some water rights issues. They are looking at multiple treatment options to meet the new regulations of the discharge permit. Efficiency of the existing plant operations are being reviewed.

RESOLUTION NO. 19-008: BOND RESOLUTION

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Resolution No. 19-008, a resolution relating to the issuance by the Town of Manhattan of its \$1,183,000 wastewater system revenue bonds (DNRC Water Pollution Control State Revolving Loan Program), consisting of a \$153,000 subordinate lien taxable series 2019A bond and a \$1,030,000 series 2019B bond; authorizing the issuance and fixing the terms and conditions thereof and clarifying that the requirements for reserves, net revenues, issuance of additional bonds and rate covenants for the Town's \$1,125,000 Wastewater System Revenue Bond (Coal Severance Tax Loan Program) series 2011 and the Town's \$3,775,000 Wastewater System Refunding Revenue Bond (DNRC Water Pollution Control State Revolving Loan Program) series 2013 are the same requirements as for the series 2019B bond.

ROAD CLOSURES:

Mayor Clements stated that he put the item on the agenda to discuss having a road closure permit similar to area cities. He has discussed this with TD&H and they will help come up with a permit for road encroachments.

Kyle has a draft based on Bozeman's permit. He will send it to the Town Attorney and the Council members for input.

Bill Kurren, HOA president at Gallatin River Ranch: He expressed that they are concerned and disappointed with the process that happened with the current closure. The detour is 1.9 miles and takes 5-7 minutes to get through. It has been going on for six weeks and they were told that it would take about a month. The lack of communication was a concern of his. He feels that the detour is excessively long and out of the way. They are also concerned with what the condition of the road will be when the construction is finished.

Laura Schutter: She asked if they do the permit process to be aware of where the detour is going to be. A flagger would have been a great idea also.

The Mayor assured both speakers that their concerns are the reasons that the Town will be formulating the permits. Hopefully in the future, this type of process can be handled better and more issues will be covered. The current project will have a final walkthrough before final approval is granted.

VANGELDER BOUNDARY REALIGNMENT:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the boundary realignment for the VanGelder property located at Block 25, Lots 1 and 2, OP.

CENTENNIAL VILLAGE PHASE II PRELIMINARY PLAT EXTENSION:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the Preliminary Plat Extension of Centennial Village Phase II for a period of one year.

TOWN BEAUTIFICATION:

Betsy Mancuso, Chamber Representative: She stated that Steel Anderson could not be here this month, but will be here at the July meeting.

GARBAGE CONTRACT DISCUSSION:

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to use L&L Site Services for the Town's garbage needs.

The current contract with Republic Services is expiring, so a new one needs to be renewed. Republic Services would require a 3-year contract, L&L does not require a contract. Mayor Clements presented the quotes from each company.

SET SPECIAL BUDGET MEETING FOR DEPARTMENT REQUEST:

Special meeting for department heads to address the Council was set for June 20, 2019 at 7 pm.

MAYOR'S REPORT:

- He stated that public works has a new employee, Craig Christensen. He is a mechanic and an excellent worker. He is helping the Public Works department save a lot of money in maintenance and repair.
- He updated the Council with what the Public works department has been doing.
- A lot of water is being used currently. Conservation is important. There was discussion about reviewing the water rates and eliminating the reduced rate in the summer. Jeff McAllister, Public Works Supervisor added that the pumps are having a hard time keeping the tank filled. Fire flow is also a concern. Water system capacity was discussed.

Councilman Ryan stated that 90% of the adult gophers are gone, the young ones are the ones that are being seen. He will be working on them more this week.

CONSENT AGENDA:

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the Consent Agenda.

Town Business Licenses: CS Structures, Infrared Solutions, LLC, Credence Home Care, and Capital Roofing LLC.

Approval of Minutes: Regular Meeting minutes from May 9, 2019 and Special Meeting Minutes from May 20, 2019.

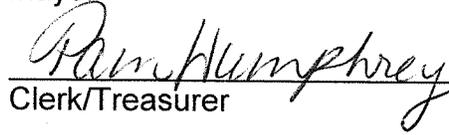
Claims: Dated 05/10/19 – 06/13/19 totaling \$ 165,399.72.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
June 20, 2019
MINUTES**

Mayor Glen Clements 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 Public Works Supervisor Jeff McAllister, Police Chief Dennis Hengel, Library Assistant Director Trudy Dundas, Plant Engineer Robert Seamons, and Clerk/Treasurer Pam Humphrey. Zero members of the public were present.

PUBLIC COMMENTS:

None

BOARD APPOINTMENTS – BOARD OF ADJUSTMENT:

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to approve the Mayoral appointments of Eleanor Mest, Dave Rowell and Tim Buchanan to the Board of Adjustment for 3 year terms.

BUILDING DEPARTMENT:

No new information or requests.

LIBRARY:

Trudy Dundas, Library Assistant Director: She presented the proposed budget. She updated the Council on the changes that have occurred since the school expansion project. She presented pictures of the new soft seating, display shelving unit and media drop box that were added last year. There is now a separate entrance for the public, as well as a restroom. She explained her line item costs. They are getting more from the County, but less from the State. She informed the Council about the current status of the Director position for the Public Library.

FIRE DEPARTMENT:

Chief Ulmen was unable to attend. He would like to mirror the Town portion of the budget to the County portion. He will provide the County portion budget before the Council meets for a budget workshop.

PARK DEPARTMENT:

Jeff McAllister, Public Works Supervisor: He presented some of the park budget items. He explained some of the new things they would like to try for gopher control. Gregg Dietz related that the Park Board had some budget requests. He listed the ideas that the Park Board would like to see. The trails were discussed and possible ways to preserve or fix them. A BMX track is something that the Park Board would like to pursue. The gazebo in Taylor Park is starting to deteriorate and will need to be addressed soon also.

POLICE DEPARTMENT:

Dennis Hengel, Chief of Police: He informed the Council that the police department recently received a Mason Moore Foundation grant for a taser and a glock pistol. He presented his budget requests. He went over the different line items of the budget and explained his reasons for his requests. He also listed several items that are large and small ticket items for the future that he would like to save for.

WASTEWATER TREATMENT PLANT:

Robert Seamons, WWTP Engineer. He presented the projected operating and capital improvement budget requests. He explained the reasons for the increases in budgeted amount. He explained any new items and the reasons for the new items. He explained the upcoming engineering projects that will be happening in the coming year. Some items rolled over from the last fiscal year.

PUBLIC WORKS:

Jeff McAllister, Public Works Supervisor. He stated that Public Works needs several things that are critical to their operation. The increased population is increasing the need for the things that they maintain. He explained some of the requests and the reasons for the requests. They are running out of room to store materials and equipment. He proposed saving for several Capital Improvement Items. He asked the Council for ideas for staying competitive with wages.

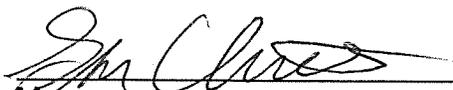
TOWN OFFICE:

Pam Humphrey, Clerk/Treasurer: She stated that the Town Office had no new budget requests. She did request a promotion for the Assistant Clerk/Treasurer to Deputy Clerk/Treasurer as her duties and responsibilities are increasing. She has also committed to attending and graduating from the Municipal Clerks, Treasurers, and Finance Officers Institute.

Budget Workshop was tentatively scheduled for July 18, at 7:00 pm

ADJOURN:

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



Mayor



Clerk/Treasurer

TOWN OF MANHATTAN
Regular Meeting
July 11, 2019
MINUTES

Mayor Glen Clements 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 Town Attorney Jane Mersen, Town Engineer Kyle Scarr, Fire Chief Mike Ulmen, Police Chief Dennis Hengel, and Clerk/Treasurer Pam Humphrey. Eighteen members of the public were also present.

PUBLIC COMMENTS:

Kyle Scarr, Town Engineer: He stated that the Transmission Project will be starting on Monday. They will provide maps and a schedule for the website.

Mayor Clements announced that Birch Stone Townhouses will not be on the agenda. They will be rescheduled for an upcoming agenda. Several people left the meeting.

NORTHERN ROCKY MOUNTAIN ECONOMIC DEVELOPMENT DISTRICT:

Lisa Ledoux, Program Director NRMEDD: She presented a packet with the MOU draft agreement with the Town and some information about the NRMEDD. She explained what the NRMEDD is and who is involved. She outlined the objectives of the organization. Members pay based on the size of the community. She described some of the things that the District offers to member communities. She asked the Council to consider continued membership with the NRMEDD.

DNRC APPLICATION – PIONEER CROSSING:

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve signing and submittal of the two applications to the DNRC to modify the mitigation and change the water right permit.

Bill Luehrs, Pioneer Crossing: He asked the Council to direct the Mayor to sign the DNRC application for the Pioneer Crossing well. He introduced the people that have been helping them with this process: Breeann Johnson, Water Attorney with Western Roots Law, Mace Mangold, WGM Group of hydrogeologists and engineering consultants, Kerri Strasheim, DNRC manager of the Bozeman Office, Patrick Byorth, Trout Unlimited Director of Water Project and District 2 Water Commissioner for FWP, Bill Shenk, Fish, Wildlife and Parks Attorney, and Meg Casey, Trout Unlimited Attorney. He reminded the Council and audience that the Town obtained a provisional permit to appropriate water for the Pioneer Crossing Well in 2010. It contained conditions that the Town has been unable to meet. He stated that they are proposing to modify certain points of the permit conditions in such a way that the mitigation plan is equivalent to the required mitigation. They are proposing to change the purpose of the existing water right from irrigation to mitigation, and to leave this water in the Gallatin River. The entities that have been helping them are in support of what they are trying to accomplish. They are confident that this will result in a positive water rights resolution for the Town. The well

went into service September 29, 2004 and has not been turned on since. He summarized the changes to the conditions and how they plan to accomplish them. They propose using the effluent from the Town's Wastewater Facility be discharged into the old lagoon and percolating into the ground from there. They delivered their documents and summary to the Town in early June. They disagree with the Town's water attorney on the period that the effluent can serve as mitigation.

Breeann Johnson, Water Attorney: She presented a revised mitigation plan summary. They need to submit an application and then see how the DNRC responds to what they are proposing. The permit has conditions that have to be met before the well can be put into use. The water rights were transferred to the Town. Pioneer Crossing is seeking final plat for the 2nd phase. They qualify to use exempt wells, but do not desire to go that route. Instead they would like to move the applications forward with the DNRC. They brought together a team of people that represent many involved entities as well as professionals in specific areas. She summarized the application and what they are asking the DNRC to consider to change the conditions on the permit. They also want to want to change the Baker ditch irrigation water right to mitigation. They want to leave it in the river. Conditions on the well permit were harder to meet and they have asked the DNRC to modify the conditions and they will still meet the technical requirements.

Kerri Strasheim, DNRC: She stated that they have discussed the mitigation. It is conceptually a good idea. It does have to be inside the period of use. The specifics haven't been discussed in detail.

Bill Schenk, attorney for FWP: He stated that he has been involved for a long time. He stated that the effort that has been made in this instance is the closest to precisely the kind of thing that they want to see. It may not be perfectly replacing the water at the right time. They are hoping to see more of this in the future where everyone is involved, mainly developers and municipalities that work together to keep the water in the streams. He stated that they are here to endorse the consideration of these applications.

Patrick Byorth, director of the Water Project with Trout Unlimited: He stated that this is a complicated situation with many different facets. Trout Unlimited is involved because they were being asked to sacrifice water rights for the growth. They are trying to find a way to make it work. Treated wastewater is used in other places for this same reason. It could balance out the equities. They are here to support the idea.

Jane Mersen, Town Attorney: She reminded everyone that she the Town's water attorney and is not averse to this process, but there are two issues that need to be resolved. Those are the number of days and the volume of water. She would not advise the Mayor to sign the application until the volume of water is confirmed.

Kyle Scarr, Town Engineer: He stated that another potential issue is that the base case for the effluent is a surface water right. There is some complexity with a surface/ground water discharge. They don't know what the new DEQ permit will require yet.

The volume of water was discussed as well as the period of discharge. There was some disagreement about the numbers that should be used in the application.

Patrick Byorth, Trout Unlimited: He explained how subordination of Murphy Rights is handled. There are a lot of legal questions that subordination creates. He stated that this proposal is a much faster and less confusing option. He stated that the numbers

seem very close and could be dealt with down the road. They would prefer to see improved habitat vs. diminishing it.

Bill Schenk, FWP: He stated that they would like to see the effort to get things as close as possible. They have to decide if they would consider if the project results in minor differences in the timing of the return and the depletion to the river. They then may consider a waiver of consent. Mitigation may have to be viewed more broadly.

Kerri Strasheim, DNRC: She outlined the timeline on an application of this type. It takes 180 days for them to review and send a deficiency letter. Then the Town has 90 days to respond and meet with them to get the application to correct and complete. Then the DNRC does a criteria analysis, looking at several different areas. They have 120 days after correct and complete to make a decision.

Council discussed how long this process has been in the works. They indicated that they wanted to get something moving forward. They discussed what would happen if the numbers in the application cannot be met.

PIONEER CROSSING FINAL PLAT DISCUSSION

Bill Luehrs, Pioneer Crossing: He stated that they have presented the final plat application. They have completed all of the required conditions except backfill for the landscape on Nixon Gulch Road, irrigation in common areas along Nixon, and put in lighting system. They will have to do an improvements agreement. They will go to the Planning Board next week, then to the Council next month. The application has the exempt wells. They will not execute the wells until a lot is sold and someone wants to build on it. Bill explained the process if someone has an exempt well and then has to change over to the Town system. They are putting in an egress/ingress road back to the well area for maintenance. He asked the Council to schedule a special meeting for the final plat approval.

Brent Miller, Gaston Engineering: He stated that the final walkthrough has been done. They are going to the Planning Board next week. Then they will have a punch list to complete.

Tom Langel, Amerimont: He made a comment about the Nixon Gulch Road. He asked if when construction is finished, will the road be as good as it was before construction started.

Bill Luerhs: He stated that they have discussed with the Public Works Supervisor about waiting until next summer to settle parts of the road. The road is under warranty, and they will ask the contractor to come back and fix it after the road has settled. They are planning to restripe the correct center of the road.

TOWN BEAUTIFICATION

Nancy Clark, Chamber Rep: She stated that the chamber is looking into benches and flower containers. They are getting prices and then will come to the city with the information.

PRESUMPTIVE OCCUPATIONAL DISEASE WORK COMP COVERAGE FOR FIREFIGHTERS:

The State Legislature has enacted a Bill that requires Work Comp companies to provide coverage for certain cancers in firefighters. The Bill does not apply to Volunteer Firefighters. The Town has obtained a quote for covering the volunteer firefighters. Fire Chief Mike Ulmen asked the Council to consider the additional coverage for the volunteer firefighters. The Council will look at the quote and the Fire Department budget at their Budget Workshop on July 18, 2019.

RESOLUTION NO. 19-007: MAIL ELECTION

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to adopt Resolution No. 19-007, a resolution of the Manhattan Town Council notifying the Gallatin County Election Administrator of the Town's desire to conduct the 2019 city General Election by mail ballot in accordance with Section 13-19-202, MCA.

RESOLUTION NO. 19-009: FISCAL 18-19 BUDGET AMENDMENT

Public Hearing

None

Discussion/Decision

Motion- Schack; Second- Gonzalez; Vote- Unanimous: Motion passed to adopt Resolution No. 19-009, a resolution of the Town council of the Town of Manhattan, Montana amending the Fiscal 2018-19 Budget to allow for appropriations and funding.

RESOLUTION NO. 19-010: PUBLIC SAFETY MILL LEVY

Motion- Dietz; Second- Schack; Vote- Unanimous: Motion passed to adopt Resolution No. 19-010, a resolution of the Manhattan Town Council to place a Town Municipal Services levy for Public Safety on a mail out ballot during the General Election.

Dennis Hengel, Chief of Police: He presented his resolution to improve the wages for the Town's police officers. He compared the current wages to what Belgrade officers make. He feels it will help to retain officers.

BOUNDARY RE-ALIGNMENT: 402 FABRICK, LF LIMITED

Motion- Gonzalez; Second- Dietz; Vote- Unanimous: Motion passed to approve the boundary re-alignment at 402 Fabrick, owned by LF Limited.

PRELIMINARY BUDGET 2019-2020

Budget available for public inspection at Town Office on July 12, 2019.

Motion- Schack; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the preliminary budget for fiscal year 2019-2020.

MAYOR'S REPORT:

None

CONSENT AGENDA:

Motion- Ryan; Second- Schack; Vote- Unanimous: Motion passed to approve the Consent Agenda.

Town Business Licenses: Aurora Plumbing & Mechanical, Inc, FHG Construction, Inc. and Lite Electric, Inc.

Approval of Minutes: Regular Meeting minutes from June 13 and Special Meeting Minutes from June 20, 2019.

Claims: Dated 06/14/19 – 07/11/19 totaling \$ 361,052.08.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Budget Workshop
July 18, 2019
MINUTES**

Mayor Glen Clements 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. Also present was Clerk/Treasurer Pam Humphrey. No members of the public were also present.

DISCUSSION OF DEPARTMENTAL BUDGET REQUESTS:

The Council reviewed and discussed the budget requests made by the individual departments. They made recommendations on what should be included in the budget, what should be eliminated, what should be changed, and what they would like to see more information on.



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
July 25, 2019
MINUTES**

Mayor Glen Clements 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 Town Attorney Jane Mersen, Town Planner Randy Carpenter and Clerk/Treasurer Pam Humphrey. Bill Leuhrs, Marilee Anderson, and Brent Miller were also present.

PUBLIC COMMENTS:

None

PIONEER CROSSING PHASE IIB FINAL PLAT:

Motion- Schack; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the Final Plat for Pioneer Crossing Phase IIB.

Bill Leuhrs, Developer, Pioneer Crossing: He thanked the Council for scheduling the special meeting. They are excited to get Phase II going. It is 59 home sites. There is a high demand for home sites in Manhattan currently. They have worked with the Town Engineer, Planner and Attorney to put the final plat application together for approval.

Randy Carpenter, Town Planner: He stated that the Town Engineer has signed off on all of the improvements that are complete. There will be an improvements agreement with financial guarantee for the ones that are not complete. They agree that the preliminary plat conditions have been met.

Jane Mersen, Town Attorney: She stated that the applicant's use of interim wells is in the application. It has been approved by the Town Engineer and the DEQ. Town Code requires that wells be taken off line and capped when hooked to the public water supply. They are required to follow all of the Town regulations for watering days also.

The applicant has done a subdivision improvements agreement that is supported with a letter of credit from the bank. She has reviewed them and they meet all of their requirements. Their plat meets all of the requirements as far as listing the waivers of right to protest the SIDs.

ADJOURN:

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



Mayor



Clerk/Treasurer

TOWN OF MANHATTAN
Regular Meeting
August 8, 2019
MINUTES

Mayor Glen Clements called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:10 P.M. Present were Council Members Gregg Dietz, Steve Gonzalez, Greg Schack and Dan Ryan. Also present were Town Engineer Kyle Scarr, Town Planner Randy Carpenter, Public Works Supervisor Jeff McAllister, and Clerk/Treasurer Pam Humphrey. Twelve members of the public were also present.

PUBLIC COMMENTS:

None

BIRCH STONE TOWNHOUSE PRELIMINARY PLAT:

Pam Champion, Developer: She stated that they want to develop a 55 and older community. It backs up to Hamilton Village. The residents are not commuters and would benefit the community by shopping and living here. The lots are zoned R-3. They want to develop the project as townhouses so that they can be individually owned. She showed the Council the layout and parking provided for each unit. They propose to extend Eliza Drive down to Wooden Shoe Lane with the driveways off of Eliza Dr. The HOA will take care of all snow removal and maintenance of common areas. They will request a reciprocal easement for emergency access to Hamilton village. She showed the landscape plan. They proposed private wells until the city has adequate water, then they will hook up to the city. There is adequate sewer once the sewer transmission project is finished.

Brent Miller, Gaston Engineering: He added that they will be getting an approve MOU with the weed district. They may not be able to make the multi-use path wider, they would like to match the size of the existing path. The wells will be shared and will have to be approved by DEQ and the Town Engineer.

Randy Carpenter, Town Planner: He summarized the staff report. The density would be 6.69 units/acre which is within the Farmstead's 8 units/acre maximum allowed. An environmental assessment is not needed because it is within the Town of Manhattan. It meets the subdivision criteria. He read the requirements and how they were met. Staff recommends approval with conditions. The conditions are the use of exempt wells until the Town can provide water, no wastewater flow until the current transmission project is finished, acquire reciprocal road easement on Eliza Dr from the Hamilton Village HOA, no parking on Eliza drive with signage, provide park, trail and open space maintenance, provide road maintenance and snow removal, construct asphalt path, and all designs must be approved by the Town Engineer.

Kyle Scarr, Town Engineer: The development is asking for deviations from the Town Standards for roads, but it is a PUD, so some deviations are allowed. Exempt wells would resolve the water issues for now. The new sewer mains will provide the capacity needed to move the sewage to the plant. The plant has capacity. They will need to

work out the details of the private roads in Hamilton Village for an easement to use Eliza Drive.

Public Hearing

Joan Thompson, 5B Sedora Dr: She has spoken with the Hamilton Village residents. They are very supportive of this development. They support townhouses vs condos. She doesn't see a problem with the use of Eliza Drive and sharing it between the two developments. She feels it will benefit the community and be an advantage to the senior citizens of the community.

Gary Stoner, A Eliza Drive: He spoke in favor of the development. He commented that snow removal to the side of the road is not sufficient. He suggested that the builders consider removing the snow and putting it somewhere other than to the sides of the road to avoid flooding. Hamilton village only allows 5 units to be rented. He encouraged the developer to put something similar in their by-laws.

Elly Summers, 223 S 5th: She asked why don't they buy water rights instead of paying to drill and abandon wells. There was some council and audience discussion on water rights and purchasing them.

Discussion/Decision

Motion- Schack; Second- Dietz; Vote- Unanimous: Motion passed to approve the preliminary plat application for Birch Stone Townhouses with the conditions outlined in the staff report.

Council discussed the placement of fire hydrants and fire department approval. They discussed the status of the Farmstead well, as being for fire flow only, not domestic use. Parking enforcement on Eliza Drive was discussed as well as making sure the covenants include following all Town Codes.

TREATMENT PLANT PER UPDATE:

Kyle Scarr, Town Engineer: He stated that the draft permit is out and they are trying to see what upgrades need to be made to the Town's processes. They have been analyzing the existing systems flows and loading.

Currently the town meets requirements, the new permit has new phosphorus and nitrate limits. They are looking at several different ways to get to the levels needed.

They are about 1/3 of the way through the PER process. Currently, the plant is at approximately 50% of capacity.

The new permit requirements are being discussed with the DEQ, and they are being lenient with putting the permit in place officially.

Bill Leuhrs asked if the RIB that they are planning to use would help with the phosphorus limits. Kyle Scarr indicated that it would.

BOUNDARY RE-ALIGNMENT – 206 AND 210 N BROADWAY:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the boundary re-alignment for 206 N Broadway.

Randy Carpenter, Town Planner: He summarized the request and the reasons for it. The applicant currently owns two residences that are located on a total of four separate tracts of record. He would like to aggregate the lots to reduce the number of lots to two

and to realign the common boundary line between the resulting lots where the residences are located.

RESOLUTION NO. 19-011 – DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM:

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Resolution No. 19-011, a resolution of the Town Council of the Town of Manhattan requesting distribution of Bridge and Road Safety and Accountability Program Funds.

NRMEDD MOU:

Motion- Ryan; Second- Dietz; Vote- Unanimous: Motion passed to approve the Memorandum of Understanding with the Northern Rocky Mountain Economic Development District.

PUBLIC NUISANCE – 214 W MAIN ST:

Three written complaints were received by the Town Office regarding the condition of the lot. The owner's representative has responded to a letter asking them to clean up the lots. They have stated that the lot would be mowed and the sucker trees cut by the Wednesday before the Potato Festival (August 14, 2019).

The Council asked the Clerk to write another letter directing them to also put up some sort of barrier to keep people from falling in the hole on the property.

MAYOR'S REPORT:

- Public Works has had several state and federal inspections and has done very well.
- They have been busy also with the sewer transmission project.
- Water samples are being done and going well.

Bill Leuhrs added that the Pioneer Well works. A sensor that senses the depth seems to be the problem. It can be turned on to help with fire flow if the pressure drops in the system.

CONSENT AGENDA:

Motion- Dietz; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the Consent Agenda.

Town Business Licenses: Fastenal Company

Approval of Minutes: Regular Meeting minutes from July 12, 2019, Budget Workshop minutes from July 18, 2019, and Special Meeting Minutes from July 25, 2019.

Claims: Dated 07/12/19 – 08/08/19 totaling \$ 357,064.00.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Special Meeting
August 22, 2019
MINUTES**

Mayor Glen Clements called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:10 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. 19-012: FISCAL BUDGET 2019-2020:

Public Hearing

None

Discussion/Decision

Motion- Schack; Second- Dietz; Vote- Unanimous: Motion passed to approve Resolution No. 19-012, a resolution of the Town Council of the Town of Manhattan, Montana adopting a budget for the Town of Manhattan for the Fiscal Year 2019-2020.

RESOLUTION NO. 19-013: LIGHT MAINTENANCE DISTRICT 2019-2020:

Public Hearing

None

Discussion/Decision

Motion- Ryan; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Resolution No. 19-013, 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 2019-20 which is a continuation of the present method of assessment.

RESOLUTION NO. 19-014: STREET MAINTENANCE DISTRICT 2019-2020:

Public Hearing

None

Discussion/Decision

Motion- Gonzalez; Second- Schack; Vote- Unanimous: Motion passed to approve Resolution No. 19-014, a resolution of the Town Council of the Town of Manhattan, Montana providing for the assessment of street maintenance district costs for the Fiscal Year 2019-20 pursuant to §7-12-4425, MCA which is a continuation of the present method of assessment.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
September 12, 2019
MINUTES**

Mayor Glen Clements 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 Town Engineer Kyle Scarr, and Clerk/Treasurer Pam Humphrey. Seven members of the public were also present.

PUBLIC COMMENTS:

None

TAYLOR PARK MURAL CONTEST AWARD:

Sarah Simser, Rotary Club Representative: she gave the history of the mural contest that is sponsored by the Town and the Rotary Club. This is the 5th contest. The winner this year was Shayna Sybesma. She painted a tiger mural on one of the dugouts. Sarah presented Shayna with a certificate and prize for her mural.

RIDER COURT SEWER AGREEMENT – LANGUAGE CHANGE:

Motion- Schack; Second- Gonzalez; Vote- Unanimous: Motion passed to approve the request for a language change in the Sewer Agreement.

The Riders have requested a change in the wording of the agreement, changing one of the family owned properties to a rental site.

ENGINEERING UPDATES:

Kyle Scarr, Town Engineer: He gave an update of their process on the Treatment Plant upgrade PER. They will have it ready for council review in the near future. He outlined what is left to do. Some of the alternatives will depend on the outcome of the water application recently submitted for the Pioneer Crossing well. It is their goal to have the PER ready by the end of the year, along with the alternatives and cost estimates.

MAYOR'S REPORT:

- Public works bought a mini-excavator and will be getting a trailer.
- Knife River donated a concrete culvert for the park. Also donated were some wood chips and some large tires.
- Pioneer Crossing well will need some work. They will have to pull the pump to determine what repairs will be necessary.
- Sewer transmission project should be done by Oct 11, 2019.

CONSENT AGENDA:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the Consent Agenda.

Home Occupation: Holly Hamblin for an in home daycare.

Town Business Licenses: Itsie Bitsie Daycare, Black Dog Veterinary Services, Mitchell Mechanical, Benjamin Heating & Cooling, and Curtis Enterprises.

Approval of Minutes: Regular Meeting minutes from August 8, 2019 and Special Meeting Minutes from August 22, 2019.

Claims: Dated 08/09/19 – 09/12/19 totaling \$ 490,450.83.

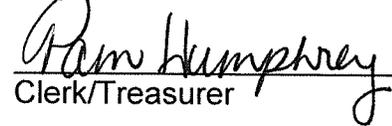
Deitz – the Park employees are worried about the shape of the park gazebo. Council discussed some possible options for the roof and the structure as a whole.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
October 10, 2019
MINUTES**

Mayor Glen Clements 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 Town Engineers Kyle Scarr and Alex Edwards, Public Works Supervisor Jeff McAllister, and Clerk/Treasurer Pam Humphrey. Four members of the public were also present.

PUBLIC COMMENTS:

Brenton Melton, Manhattan Chamber member. He stated that he was there to represent the Manhattan Chamber of Commerce and stay up on what is happening in town.

ENGINEERING UPDATES:

Alex Edwards, TD&H: He gave an update of the sewer transmission project. The contractor is on schedule. They still need to install the water main across Broadway. Then, there is some road work to do when that is finished. The alleys will be paved to drain the water away from the buildings. The project was funded by TSEP grant and SRF loans. A change order was issued for a bore extension by the irrigation canal and by the railroad where a fiber optic line was in place. Utility line locates were also in the change order. There will be more utility crossings added in the next pay request. They don't see a lot of additional change orders coming. He feels that the contractor is doing a good job staying on schedule. The contingency amount should cover the change order.

Council asked the engineer to clarify some of the issues that came up and the process for dealing with things that are different from the bid.

Kyle Scarr, TD&H: He gave an update on the WFR PER progress. They have been meeting with the Town representatives and water rights and issues agencies. The goal is to figure out the best and most cost effective process to treat the wastewater to meet new DEQ discharge requirements. They have narrowed down the options that they will be presenting. He explained the options and what would be the most cost efficient as well as provides the required treatment. They are leaning toward a combination of treatment types in a phased process. First phase would be to get the groundwater discharge set up and in place. The second phase would be to upgrade the plant for future flow with the surface water discharge permit. There would be two separate projects that would qualify for different grant cycles. No matter which option is chosen, they would recommend that the Town still keep their surface water permit in place. The current permit with the DEQ has not been finalized by the DEQ. They plan to send a letter to DEQ to outline the treatment goals. Hopefully, the DEQ will respond favorably to the letter and treatment goals.

MAYOR'S REPORT:

None

Jeff McAllister, Public Works Supervisor. He gave the Council an update on what Public Works has been doing. They have installed a playground by ball fields, thanks to some donations from businesses. They have finished up their GIS program with curb stops, sewer manholes, hydrants, etc. Elly Summers passed her water tests recently. He thanked the Council for supporting the department. The Council discussed the condition of the Park Gazebo and some options for repairing it. They also discussed developing the bike area in the park.

Bill Luehrs, Pioneer Crossing: They have pulled the well pump and the motor is testing okay. They will be testing the cable and putting it back together. The VFD panel is fixed, but waiting for a new depth sensor.

Councilman Ryan: He stated that he is getting calls about enforcing the 72 hr parking and junk vehicle ordinances. The Mayor will speak to the Police Chief.

CONSENT AGENDA:

Motion- Dietz; Second- Ryan; Vote- Unanimous: Motion passed to approve the Consent Agenda.

Town Business Licenses: Tight Lines Custom Painting LLC and Sickler Residential Roofing.

Approval of Minutes: Regular Meeting minutes from September 12, 2019.

Claims: Dated 09/13/19 – 10/10/19 totaling \$ 530,732.52.

ADJOURN:

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



Mayor



Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
November 14, 2019
MINUTES**

Mayor Glen Clements 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 Town Engineer Kyle Scarr, Public Works Supervisor Jeff McAllister, and Deputy Clerk/Treasurer Tonya Owens. Five members of the public were present.

PUBLIC COMMENTS:

None

ENGINEERING UPDATES:

Kyle Scarr, TD & H: He gave a PER update. There has been a plant alternative design meeting. He explained that he has not received a discharge permit for ground water or surface water. TD & H will design the plant around reasonable limits and present the document to DEQ. TD & H will present the Chapter IV Alternative Analysis for the PER to the Town in two parts: the discharge by December 2019 and the treatment by February 2020. Kyle explained that the project would go out for bid no earlier than 2022. He also gave a sewer project update. The only work remaining on the project is resurfacing at 4th Street and the alley. He stated that the project was successful.

MAYOR'S REPORT:

Mayor Clements stated that the pump at the Pioneer Crossing well was sent away to get tested because it was not working properly.

Bill Leurhs, Pioneer Crossing: He explained that the pump will not need to be downsized and that it will be compatible with the new water tower system.

The Mayor congratulated Callie Hamilton and Betsy Mancuso on the Town Council election as well as Chief Hengel on the successful mill levy for the Police Department staff.

CONSENT AGENDA:

Motion-Dietz; Second-Gonzalez; Vote-Unanimous: Motion passed to approve the Consent Agenda.

Town Business Licenses: Hymark Construction, TCD Management, All Seasons Cleaning, The Loft

Approval of Minutes: Regular Meeting minutes from October 10, 2019.

Claims: Dated 10/11/19 – 11/08/19 totaling \$ 359,010.24.

Dietz stated that Bridger Steel donated steel for the Taylor Park Gazebo roofing project. They have not donated the steel for the shop addition as of yet. The president of the Park Board will be drafting a letter for the BMX project.

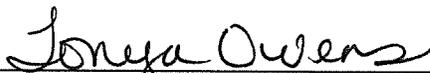
Ryan asked if there was a response from Chief Hengel about parking campers and utility trailers on the streets. Mayor Clements stated that he has not heard from Chief Hengel about the issue. Gonzalez suggested sending the violators letters. Mayor Clements and Ryan decided that they would talk to Chief Hengel about the parking.

ADJOURN:

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



Mayor



Deputy Clerk/Treasurer

**TOWN OF MANHATTAN
Regular Meeting
December 12, 2019
MINUTES**

Mayor Glen Clements 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 Engineers Kyle Scarr and Alex Edwards, Public Works Supervisor Jeff McAllister, Police Chief Dennis Hengel, and Clerk/Treasurer Pam Humphrey. Sixteen members of the public were present.

PUBLIC COMMENTS:

Rocky Hamilton, Police Officer: He thanked the community for voting in the levy for salaries for the police officers. He also asked the Council to have the people contact the police department with parking complaints. He explained how they prioritize calls based on safety related to calls.

Councilman Ryan responded that he brought up the parking. He is concerned with safety and street maintenance. He was trying to draw attention to complaints from voters to him. He would suggest reminding residents about parking regulations.

RESOLUTION NO. 19-015: BUDGET AMENDMENT

Public Hearing

None

Discussion/Decision

Motion- Schack; Second- Gonzalez; Vote- Unanimous: Motion passed to approve Resolution No. 19-015, a resolution of the Town Council of the Town of Manhattan, Montana amending the Fiscal 2019-20 budget to allow for appropriations and funding.

AXA 457 PROPOSAL:

Motion- Gonzalez; Second- Ryan; Vote- Unanimous: Motion passed to allow the employees to explore other options for 457 plans if they choose.

Cory Klumb, Independent Advisor with Primerica: He introduced himself and explained his role. Primerica met with the employees the previous day to talk about changes to the current 457 plan. He addressed some of the issues that the employees face with the current plan. The administration of the current plan is cumbersome. The current plan cannot be changed, it would have to be replaced. They are partnering with AXA to offer a new plan. He described the benefits they could offer to the Town. They base everything on education. He has worked with the Four Corners Water and Sewer District to get a 457 plan.

Cory Davern, AXA Representative: AXA has been around since 1859. They are prepared to make the employees whole for any surrender fees if they switch. Participants bear the costs of the plan, not the Town. He explained how some fee structures work. He explained the services that they offer also.

WFR ENGINEERING UPDATE:

Kyle Scarr, TD & H: He gave a PER update. They are looking at discharge and treatment options. They are closer to deciding on which option they would like to pursue, ground water or surface water or a combination of the two. He explained the difference in the types of permits. The new DEQ permit requirements are becoming significantly more stringent for the discharge permit. A combination of the two permits and the requirements would allow for the plant capacity to stay near what it is now. Growth in the town would necessitate a plant expansion. They are scheduled to give the final draft PER at the end of December. The treatment draft would be more toward the end of January. They could then apply for the funding in the spring of 2020.

For the average annual day, the plant is at approximately 75% capacity, this is hydraulic and treatment capacity together.

SEWER TRANSMISSION PROJECT UPDATE:

Alex Edwards, TD&H: He stated that the construction is complete. November 9th was the official completion date. The final pay application was sent about a week later. There was some negotiation done to come to an agreement. The increased costs are presented as a change order to satisfy the DEQ approval for the SRF loan. The scope of the project did not change, but the cost of some of the components were higher than expected. The final cost for the project was \$1,584,570, which is \$115,207 over contracted amount total. The contractor submitted force account work and reconciled at the end. This is extra costs incurred over the last 3 pay applications. This change order totaled \$88,207 for the final payout. Big items that led to the overage was additional water main, unknown water tie-ins, jack and bore was a high cost item per linear foot, utility conflicts and complications. At total budget, we are \$79,428.60 under budget at the end of the project.

Council discussed the reasons for the changes and how they were handled. The paving in the alley off of S Broadway was discussed.

CHANGE ORDER – SEWER TRANSMISSION PROJECT:

Motion- Gonzalez; Second- Schack; Vote- Unanimous: Motion passed to have the Mayor sign the change order and send it for approval to the funding agency.

RESOLUTION NO. 19-016 – RIGHT OF WAY PERMITS:

Motion- Schack; Second- Ryan; Vote- Unanimous: Motion passed to table the resolution until the January meeting.

VAC CON WATER PUMP REPLACEMENT:

Motion – Gonzalez; Second- Ryan: unanimous to move forward with the purchase of the pump, and do a budget amendment at a future meeting.

Jeff McAllister, Public Works Supervisor; The Vac Truck was bought from the City of Bozeman a few years ago. A rental replacement is \$400/hr. A new truck is \$500,000. The high pressure pump is not working and is not rebuildable. They have to go through the company to get a new pump. Total cost should be around \$17,850. They think that

they can install it in house. He is asking the council to do a budget amendment to approve the purchase of the pump.

Council discussed the use of the truck, the things it can be used to do and the life expectancy of the components.

GALLATIN COUNTY WATER QUALITY DISTRICT BOARD APPOINTMENT:

Motion- Gonzalez; Second- Ryan; Vote- Unanimous: Motion passed to re-appoint Jim Lovell to the GCWQD board.

OATH OF OFFICE:

Mayor Clements administered the Oath of Office to new Councilwomen Callie Hamilton and Betsy Mancuso.

NORTH BROADWAY LEAF PICKUP:

Greg Schack stated the one of his neighbors came to him angry that the town was not picking up leaves on N Broadway. He suggested that the Town put a door hanger on the houses that the Town will not pick up leaves that people rake into the street from their entire yards. Jeff added that if they picked up all of the leaves that people rake out into the street, they would be picking up leaves for months. They will do a better job informing the public what the Town will be picking up. They will try to communicate better with the community and follow the law.

OPEN BIDS FOR CROWN VIC:

The sealed bids for the decommissioned Crown Vic were opened. The high bid was from Adam Lawellen for \$ 757. The bids were as follows:

- \$427 Steve Kutchinsky
- \$350 Larry Robinson
- \$707 Tom Samuel
- \$757 Adam Lawellen

MAYOR'S REPORT:

- He summarized the public works monthly report. They sold the Kubota and sickle bar and will be using that money to buy a brush hog mower.
- He stated that he and Chief Hengel have discussed what can be done. Currently it is a state law that is followed, not a town code. Chief recommended writing a Town specific code. Length of time and distance of move could be addressed. Chief Hengel offered some insights and wanted to come up with a system. He gave some examples of other city codes. He asked the Council to give him some ideas for a Town Code to address the parking issues.

CONSENT AGENDA:

Motion- Schack; Second- Gonzalez; Vote-Unanimous: Motion passed to approve the Consent Agenda.

Town Business Licenses: Shawna Taylor

Approval of Minutes: Regular Meeting minutes from November 14, 2019.

Claims: Dated 11/15/19 – 12/12/19 totaling \$ 200,367.06.

ADJOURN:

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



Mayor



Clerk/Treasurer