

TOWN OF MANHATTAN
Thursday, February 15, 2024
Regular Meeting
MINUTES

Council President Betsy Mancuso called the meeting to order in the Town Meeting Room at 207 S. 6th St. at 7:00 P.M. Mayor Howells was ill, but was present by Zoom. Present were Council Members Ryan Engbretson, Ryan Miller, and Josh Powell. Also present were Town Attorney Jane Mersen, Town Engineer Kyle Scarr, Town Planner Scott Hazelton, Police Chief Dennis Hengel, WRRF Lead Operator Todd Eyman, and Clerk/Treasurer Pam Humphrey. Twenty-one members of the public were present. One member of the public was present by Zoom.

PUBLIC COMMENTS:

None

MANHATTAN MUSEUM:

Patty Hebner, Museum representative: She described what the museum and Historical Society do. She presented a written history. They are asking the Town Council to take back part of the museum and to help them financially. They have a limited budget. She stated that their monthly income is \$0, other than donations. Expenses are \$800 per year for insurance and \$25 to \$125 per month for Northwestern Energy. They would like to have a stipend for an employee that would be the curator. She asked the Council to consider helping them. She suggested that one Council person serve on their board. She is asking for a partnership. Historical Society owns the building, which it bought from the Town of Manhattan in 1991.

Nancy Clark, 6324 Pleasant St: She stated that she works across the street. She sees that people love the museum. She thought it was reasonable for the Town to help with insurance and power.

Eleanor Mest: She asked if it could be included in the Town's insurance.

The Council discussed whether they were asking the Town to take ownership or pay bills. They asked if the Museum has asked other non-profits for help. They thanked her for the commitment to the community. They asked about the long-term goals of the museum.

AWARD BID FOR WRRF PROJECT – SCHEDULE 1:

Motion- Powell; Second- Miller; Vote- Unanimous: Motion passed to award the bid to Dick Anderson Construction and authorize the Mayor to sign the Notice of Award.

Matt McGee, TD&H: The budget has been updated with Schedule 1 that the funding agencies have accepted. Dick Anderson construction was the low bidder. He gave an overview of the schedule.

The Council discussed rate increases and the type of construction contract.

RESOLUTION NO. 24-005 – APPROVAL OF SRF BOND FOR WRRF PROJECT:

Motion- Engbretson; Second- Powell; Vote- Unanimous: Motion passed to approve Resolution No. 24-005, a resolution relating to the issuance by the Town of Manhattan of its \$4,954,000 Wastewater System Revenue Bonds (DNRC Water Pollution Control State Revolving Loan Program), consisting of a \$750,000 subordinate lien taxable series 2024A bond and a \$4,204,000 series 2024B bond; authorizing the issuance and fixing the terms and conditions thereof.

Nathan Bilyeu, Attorney at Jackson, Murdo, and Grant- Bond Council: He gave a general overview of the resolution. It is authorizing the total project budget. It is for 2 bonds, one of \$750,000 that will be forgiven. The other is \$4,204,000 that will be repaid over 20 years at 2.5%. He explained the forgiveness portion. He explained other sections of the resolution. The Rate Covenant section explains the regulations that must be followed. The Town commits to paying the debt service and has sufficient rates to cover O&M and 110% of the bond payment. The loan is drawn on as costs are incurred. Bond proceeds can only be used for this project. He described the loan paperwork process.

The Council asked about Amsterdam/Churchill's portion of the cost.

ORDINANCE NO. 24-001 - PARKING: Second Reading

Public Hearing

No public comments.

Discussion/Decision

Motion- Miller; Second- Engbretson; Vote- Unanimous: Motion passed to approve Ordinance No. 24.001, an ordinance of the Town Council of the Town of Manhattan, Montana amending Title 6, section 4 of the Manhattan Municipal Code, to prohibit parking on certain streets in Town, to provide a process for enforcing the ordinance and to provide for removal of such vehicles.

The Council discussed what types of vehicles were included.

ORDINANCE NO. 24-002 – URBAN CAMPING: Second Reading

Public Hearing

No public comments.

Discussion/Decision

Motion- Miller; Second- Engbretson; Vote- Unanimous: Motion passed to approve Ordinance No. 24.002, an ordinance of the Town Council of the Town of Manhattan, Montana amending Title 7, Section 12 of the Manhattan Municipal Code, to prohibit camping on right of ways in Town, and to provide for removal of such camps or campers, amended to include fuel container sizes and add propane fuel.

The Council discussed the term "involuntarily homeless", the length of the notice, the distance from public entrances, distance from public parks, waste in public parks, generator fuel storage, sleeping on sidewalks, fines for violations, and abatement of items left on street.

Chief Hengel clarified that tows are done by independent contractors, the fees are incurred by the vehicle owner and paid to the towing company. He recommended 5 gallons for fuel container size.

ORDINANCE NO. 24-003 – UPDATE OFF STREET PARKING: First Reading

Scott Hazelton, Town Planner: He stated that this is a section of the code that clarifies the urban camping session.

The Ordinance was set for second reading and public hearing at the March 14, 2024, meeting.

STAFFORD SUBDIVISION EXEMPTION CLAIM – 2610 YADON RD:

Motion- Powell; Second- Miller; Vote- Unanimous: Motion passed to recommend approval of the Stafford Subdivision Exemption Claim at 2610 Yadon Rd to the Gallatin County Commission.

Scott Hazelton, Town Planner: This is an application for a family transfer within the Town's planning jurisdiction. The Town Council will be making a recommendation to the Gallatin County Commissioners. He clarified the parcel acreage that was referenced by the staff report initially. He recommended a favorable recommendation to the Commissioners.

WEST GALLATIN REGIONAL PLANNING COUNCIL:

Motion- Mancuso; Second- Powell; Vote- unanimous: Motion passed to table the item and get some updated information in March.

Scott Hazelton, Town Planner: He stated that more rural issues would be addressed with Three Fork, Amsterdam/Churchill, Logan, and Manhattan. There would need to be an MOA between the member organizations and the County. Gallatin County could probably draft the MOA instead of him to save costs. The goal is to set up a long term council. His thought process and reason to pursue this would be the value of information from other entities. He feels it is worth pursuing even if he does not do the work.

Mayor Howells- it is unclear about the benefits. Most information could be obtained from public records. How do we recoup the cost of the process.

Council discussion included benefits of collaboration, public information sharing, and giving a voice to our Town.

Alissa Farley, 205 S 5th St: She stated that she is in favor of being part of the group.

PLANNING /BOA CONSOLIDATED BOARD:

Motion- Mancuso; Second- Powell; vote- Unanimous: Motion passed to not consolidate the boards.

Scott Hazelton, Town Planner: The state passed SB130 to allow Towns and Cities to consolidate their land use boards. Currently the Board of Adjustment can overturn the Council's decision. That is an odd procedure. He thinks that the Planning Board and BoA are both very up to date on the Town Code.

The Council discussed that consolidating could take checks and balances out. They suggested changing the order of when variances are handled. They had questions about separation of duties, appeals, and duties of the BoA. There is a need for clarity of the current way the Boards operate.

PLANNERS REPORT:

Scott Hazelton, Town Planner: Next Wednesday at 7 pm is the public engagement for the Planning Jurisdictional Area. He invited everyone to attend.

The Town was awarded a \$20,000 CBDG grant for a zoning code and subdivision regulations update. We have applied for another grant to fund the rest of the project.

POLICE DEPARTMENT UPDATE:

Dennis Hengel, Chief of Police: He stated that they were able to purchase some new body cameras from another agency. The old patrol car is decommissioned and ready to sell.

Officer William Armstrong is leaving the department to move to Arizona.

He commended Sergeant for being able to locate and stop a wrong way driver on the interstate and prevent another accident.

RESOLUTION NO. 24-004 – GOVERNMENT REVIEW ON BALLOT:

Motion- Engbretson; Second- Miller; Vote- Unanimous: Motion passed to approve Resolution No. 24-004, a resolution of the Town Council of the Town of Manhattan, Montana, calling for a election on the question of conducting a local government review and establishing a study commission to do so, amending the budget to \$15,000.

The Council discussed the budget and number of commissioners. The question of doing a study of the form of government will be on the primary ballot. If the voters choose to do a study, the members of the Study Commission will be on the general election ballot.

Alissa Farley, 205 S 5th St: She asked the Council to discuss the number of members.

Joe Mancuso, 115 N 4th: He asked if they chose 5 members, but only got 3, could they just use 3.

REAPPOINTMENT OF GALLATIN CONSERVATION DISTRICT REPRESENTATIVES – BOB LOGAR AND MICHAEL HANSEN:

Motion- Miller; Second- Engbretson; Vote- Unanimous: Motion passed to reappoint Bob Logar and Michael Hansen to the Gallatin Conservation District as Urban Supervisors for three-year terms.

Bob Logar, 95 Bridger Ridge Run: He introduced himself and asked to be reappointed. He gave some information about the Gallatin Conservation District. He gave a history of conservation districts. It was formed to control activities along stream beds in 1949. Now they also do education and outreach in addition to the streambed permits. There are 7 supervisors, with 5 elected and 2 appointed. They are under the umbrella of the DNRC.

IMPACT FEE DISCUSSION:

The Council discussed the study and the timing of adopting new impact fees. They would like to form an advisory committee at the March meeting.

BOARD APPOINTMENT – BOARD OF ADJUSTMENT:

Motion- Mancuso; Second- Powell; Vote- Unanimous: Motion passed to approve the Mayoral appointment of Jennifer Smith to the Board of Adjustment for a 3-year term.

COMMISSIONER’S REPORTS:

Water Commissioner: The water system is running efficiently. The water service line inventory is in process, with a fall deadline. There are possible new PFAS regulations. Manhattan water has been tested with 0 PFAS. Water tank cleaning and repairs will be done in spring by a dive team. The crew inspects the tank with an underwater drone. The three new irrigation wells in Taylor Park are online and operational for park irrigation. The crew will attend the Montana Rural Water Conference in Great Falls to obtain licenses and CECs. They will get to network and see new technologies.

Park Commissioner: There is ice in the rink. The Park Board will do more in the spring. They will address the sprinklers’ timing, etc. in the park.

Street Commissioner: The crew is working on equipment and doing snow removal.

Sewer Commissioner: They will be moving forward with the project as soon as possible. The operator is happy with the contractor. Plant operators are still working through the propylene glycol issue. There will not be a fine from DEQ, as they are satisfied with the Town’s response. The DEQ trainer is willing to come and do some training.

MAYOR’S REPORT:

- He thanked Councilwoman Mancuso for running the meeting.
- The Senior Center is now reopened. Larry Vanover and Steve Hughes are new board members.
- He thanked Bob Logar for helping to apply for the Urban Forestry Grant

CONSENT AGENDA:

Motion- Powell; Second- Engbretson; Vote- Unanimous: Motion passed to approve the Consent Agenda.

Town Licenses: McKinstry Co. LLC, J Morse Builders LLC, and Lyons Excavation Inc.

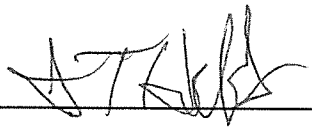
Chicken Coop Application: Matheson and Charles Renick at 316 S 4th St.

Approval of Minutes: Regular Meeting minutes from January 11, 2024.

Claims: Dated 01/12/24 – 02/15/24 totaling \$237,955.80.

ADJOURN:

Motion- Engbretson; Second- Miller; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer