CITY OF HAMILTON
COMMITTEE MINUTES

DATE: January 8, 2013

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Lynette Helgeland, Al Mitchell, Mel Monson, Joe Petrusaitis, Nancy Valk, & Jenny West

MEMBERS ABSENT: None

NOTE TAKER: Jamie Guisinger, Deputy Clerk

STAFF MEMBERS PRESENT: Mayor Jerry Steele
Keith Smith, Public Works Director
Dennis Stranger, Planner/ Special Projects
Terry Cole, Parks & Cemetery Director

Councilor Helgeland opened the meeting at 7:00 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
Minutes from the December 11, 2012 meeting were approved as written.

AGENDA ITEMS

Mausoleum at Riverview Cemetery
Terry Cole submitted packets of information to the Committee of the Whole. He stated there are many types and varieties of mausoleums available so he picked a couple as examples to present. Mr. Cole said he felt the cost to build one or have it shipped in outweighs the benefits of having a mausoleum at this time. He noted the price for a basic mausoleum that holds 37 spaces is between $150,000 and $200,000. Mr. Cole said after talking with a couple different companies, he was informed that mausoleums do not sell as well in rural areas as they do in large cities. Mayor Steele stated building a mausoleum would still be less expensive than purchasing additional acreage. Mr. Cole said it may be hard selling each individual space for enough money in order for the city to recoup their upfront investment with a mausoleum. After further discussion from Committee members about sizes and materials used, the committee determined to keep the item in committee and gather additional information regarding regulations and materials used in the construction of mausoleums.

RECOMMENDATION: Keep in Committee. Discuss during budget work sessions.

Junk and Spring Clean-up
Keith Smith said if the city does a junk clean-up, his recommendation would be to do it in June to avoid confusion with the Spring clean-up in May. The Committee discussed the possibility of putting bins at the post office parking lot again. Mr. Cole and Mr. Smith both voiced concerns about the hassles they had with county residents using the bins and the hardship it caused on those manning the bins by having to turn people away. After consideration, the committee determined to explore the idea of having bins available at the Street Department where the gates could be locked after hours. Mr.

CommitteeoftheWhole20130108
Cole and Mr. Smith said they would check with Bitterroot Disposal to see whether two days in a row or two different Saturdays would work best for them.

**RECOMMENDATION:** Keep in Committee. Talk with street shop and Bitterroot Disposal to determine the best location and times for the junk clean-up days.

**Park & Tree Board Discussion**
Dennis Stranger said there has not been any progress on the Tree Board Ordinance. He posed the question of whether or not the City needed a Park and Tree Board since the Council has taken on the responsibilities of decision making already. He stated there is not a law requiring a Park and Tree Board and between the Parks and Public Works Departments, all the responsibilities are being taken care of. Councilor Valk said she wanted to see the tree inventory accomplished. Mr. Smith stated that has been done and is in the process of being updated by an arborist. Councilor Helgeland said every time the Park Board President asks what the council wants from the board, she could not reply because there was never any direction given from the council. Mr. Stranger stated that is because the council essentially took on the decision making responsibilities of the Park Board in the last ordinance change. Councilor West said the city has a Master Plan that was created by a great deal of public input but was done without the Park Board. She said it seems like if projects arose in the future, they would be better served by ad-hoc committees. Mr. Stranger asked if the committee wanted to get rid of the Park Board. Mr. Cole said the council could reconstitute themselves as the Parks Board and take on the responsibilities in order to keep the grants they have been receiving. Councilor Valk said she would like to see the Council take on the Park Board duties officially. Councilor Helgeland noted there were two professionals that are great sources of information on the current board and asked if they could still be consulted as needed. Mr. Smith said yes and added they already do consult Sylvia McNeal for various projects. Councilor West said she would like to pursue the council becoming the Park Board. Councilor Mitchell said he would like to see the board suspended to help save costs from staff overtime. Councilor Monson said he would like to see the board suspended also. Mr. Stranger said he would figure out the actual legal process that would be required.

**RECOMMENDATION:** Have Mr. Stranger look into the legal process of suspending the Park Board and send it to council for further action.

**NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION**
- Cemetery Fees
- Skate Park – Pint Night January 17th at 4pm at Higher Ground Brewery
- Weed Policy – Nancy Valk will follow-up
- New Gazebo in River Park
- Baseball Contracts

**ADJOURNED** at 8:05 pm
CITY OF HAMILTON
COMMITTEE MINUTES

DATE: January 24, 2012

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Jenny West, Al Mitchell, Lynette Helgeland
Joe Petrusaitis, Mel Monson, Nancy Hendrickson

MEMBERS ABSENT: None

NOTE TAKER: Jamie Guisinger, Deputy Clerk

STAFF MEMBERS PRESENT: Jerry Steele, Mayor
Land Hansen, Building/ Zoning
Dennis Stranger, Planner/ Special Projects
Ryan Oster, Chief of Police
Karen Mahar, City Attorney

Councilor West opened the meeting at 7:00 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES

There were no minutes presented for approval.

AGENDA ITEMS

Medical Marijuana
City Attorney Karen Mahar submitted a handout regarding medical marijuana. The committee read through the memo and the draft ordinance. Ms. Mahar summarized what was discussed at the last meeting and the changes that have been made at the state level since that time. She stated one significant change is that Medical Marijuana will be on the ballot in November because enough signatures were gathered. Ms. Mahar continued to explain what changes were upheld at the state level and noted that the committee would want to take into consideration which regulatory items may be affected if things change at the state level. Councilor Petrusaitis noted that marijuana is still illegal on a federal level no matter what the City or State decides. Ms. Mahar agreed with the comment and explained that the federal government has not said cities or states cannot regulate medical marijuana at this point. The Committee further discussed the issue.

Dennis Stranger stated the direction they received from the Committee at the last meeting was to draft a regulatory ordinance not allowing medical marijuana establishments near schools and churches. Councilor Monson noted if the establishments cannot be within a certain amount of feet from every school and church in town, it will not leave many places for establishments. Mr. Land Hansen stated it would leave some B1 and a lot of B2 zones, which is where the businesses have been located. Councilor Hendrickson said she would like to see a reasonable attempt made to ensure that the real
need and real reason for having the medical marijuana establishments is met but that they prevent illegitimate needs at the same time. Chief Oster asked the Committee to consider the differences between those who are allowed to grow for personal use and caregivers who are allowed to provide for a certain amount of patients as well as actual medical marijuana establishments. The Committee continued to discuss the issue and decided that an emergency moratorium ordinance would be the best option until the modifications to the state laws were determined.

Councilor Monson said they are all very pleased with what was presented by Ms. Mahar and Mr. Stranger, but thought more information and more clarification from the state was needed before drafting an ordinance.

RECOMMENDATION: Keep in Committee. Have Ms. Mahar and Mr. Stranger draft an emergency ordinance. Consider what is to be done with home use and home growers.

**Cell Phone Use While Driving**
Karen Mahar submitted a memo for the committee to review. She outlined the laws that Hamilton currently has that were applicable if an accident were to be caused by driving while using a cell phone. She stated there are current laws that allow officers to ticket drivers who are not driving in a reasonable and prudent manner. She stated if the Council ultimately decided a prohibition was needed, they would need to consider what type of conduct would be prohibited. She noted in some cities it is a secondary offense meaning that someone could not be pulled over for it but they could be ticketed if another offense occurred. She gave an example of the differences between a seat belt offense and an open container offense. Councilor Helgeland asked for Chief Oster’s input from a law enforcement perspective.

Chief Oster stated they are not seeing traffic accidents that cell phone use is a contributing factor in the cause of accidents on a local level. He noted according to the National Highway and Traffic Safety Association’s website, in 2009 there were 5,474 people killed nationwide for distracted driving. He stated 18% of those had cell phone use reported as a contributing factor. Chief Oster said nationally they have just recently started tracking cell phone issues and that there will probably be legislation to require states to pass laws. He said his guess would be that it would be similar to how they implemented the lowering of the blood alcohol content level from .10 to .08.

The Committee further discussed issues they have seen in Hamilton that involved close calls with people driving while on a cell phone. Councilor Helgeland suggested instead of imposing a new law, concentrate on education of the public on the dangers involved with distracted driving. Councilor Monson suggested banning cell phones in school zones. Councilor Mitchell said he would like to see a complete ban while driving but would like to take their time and make sure an ordinance was done correctly.

RECOMMENDATION: Keep in Committee to gather further information on what other cities have done. Review a draft of an ordinance.

**Police Staffing During Tournaments**
Councilor Mitchell said they had their discussion regarding officers working overtime at tournaments at a previous meeting. He stated what has been done in the past is that the school resource officer will work the tournaments whenever possible. He asked the Committee to consider allowing the police department to use other officers when it is not possible.
Chief Oster said typically if the tournament is a class A and Hamilton is involved, they will cover the costs of the tournament but if it is a class B or C, then they charge the school for any overtime that is accumulated.

Councilor West asked if the department was able to staff more officers during tournament times. Chief Oster said sometimes they can but they have been understaffed for various reasons and have not had the number of officers available. He noted they have to consider state laws and union contracts as well when requiring officers to work.

Chief Oster said 99% of the time there is not a problem at the games and Mr. Holland at the school has a good idea of when a problem may occur. He said he needs direction if the City is willing to pick up the tab if overtime does occur. The Committee discussed the issue and concluded it would be a benefit to the community to bring in positive activities. They also noted the amount of money spent was not significant in a given year.

**RECOMMENDATION:** Send to Council to approve the City absorbing the costs for school sponsored tournaments.

**Ward Boundaries**
Karen Mahar said she talked with the County Election Administrator regarding ward boundaries and noted the problem was that there was a growing disparity in populations within ward boundaries. She stated there were some questions from councilors regarding the number of councilors per ward. She stated wards are set by statute with a minimum of 2 and maximum of 4. She said the default in the statute said there will be two councilors per ward but she could find no reason that would prevent from having more than two. Ms. Mahar did note that no other city in the state has more than two and so if the council chose to go that route, they would be in uncharted territory.

The Committee was given two maps containing different suggestions made by councilors and staff on new boundary lines. They reviewed the maps and discussed the differences of each. The committee chose to approve the map that kept the city divided into three wards that most evenly distributed the populations. The map was suggested by Councilors Hendrickson and Helgeland.

**RECOMMENDATION:** Keep in committee to verify map from the County.

**NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION**

-Helgeland asked about implementing a citizen’s award program when teenagers are caught making good choices.

**ADJOURNED** at 8:55 pm.
Councilor West opened the meeting at 7:00 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
Minutes from January 10 were approved as written and January 24, 2012 were approved as amended with the deletion of unnecessary words in the middle of a sentence.

AGENDA ITEMS

Medical Marijuana Draft Moratorium
City Attorney, Karen Mahar, submitted a revised draft ordinance for the Committee to review. She stated the copy in their packet included language that violated a resolution that had been passed regarding not zoning or extending the city’s ordinances outside of the city limits which has now been taken out of the draft. Ms. Mahar and the Committee discussed the newly proposed language. Councilor Helgeland said she was uncomfortable with addressing the issues with registered card holders and asked if the city could be held accountable for contradicting the federal laws. Ms. Mahar stated Judge Malloy of Missoula has written an opinion which does note that even if conduct is legal under the state law, it is still illegal under the federal law. Ms. Mahar said that the intent of the ordinance the city is working toward is to narrow down the locations for the activities the state of Montana has allowed. She said it does not expose the city to liability from the federal government. Ms. Mahar stated after having a conversation with a shop owner, most local marijuana shops are closing down themselves because the risk of federal prosecution outweighs the benefits of operating the business. After further discussion, the Committee asked Ms. Mahar to make minor changes to the proposed draft.

RECOMMENDATION: Send to Council with recommended changes to the proposed draft including removal of language regarding cardholder activities and adding sufficient notice regarding the conflicting laws at the state and federal levels.
Job Descriptions – Public Works & Legal Secretary
Keith Smith said there is a sample of the old job description and the proposed description in the committee packet. He stated in their current collective bargaining agreement, the old job descriptions are not attainable because they were meant for supervisory positions. He said with as small as their shops are, they only have one supervisor, which is the Public Works Foreman. Mr. Smith explained the hierarchy and dynamics of the water, wastewater, and street shops. He said his purpose was to rewrite the job descriptions so they can be attainable by making them Lead positions instead of supervisors. Mayor Steele stated he felt it would be good to have cross training and would consider lead positions if those individuals had certifications in all three of the public works departments. Dennis Stranger stated he thought it was a lot of hierarchy for such a small department. He said it would be about a $2,000 a year increase with no added responsibilities for the proposed job descriptions. He said he thought this was what the longevity pay was designed for. Mr. Smith, Mayor Steele, and the Committee continued to discuss the idea of cross training and whether or not that would be a viable option for the Public Works Department. Mayor Steele said this was not an urgent issue and perhaps it would be best to talk to the union about this. The committee agreed.

A brief discussion was held regarding meeting procedures unrelated to the job descriptions.

Karen Mahar reviewed the position description for the legal secretary. She stated there were minor changes from the previous one to update some of the duties to current terms. The Committee reviewed the proposed changes. Councilor Monson asked about the requirements to crawl. Ms. Mahar stated it was a generic requirement and that word could be removed. She noted another addition was that the person be a notary public since they do not currently have one in the annex building. The Committee discussed the salary. Ms. Mahar said she was looking into the range and was considering starting at $11.50-15.00 per hour. Councilor Monson asked about the wording of the background check requirement. Ms. Mahar said she would double check with Chief Oster on what the requirements were.

RECOMMENDATION: Keep Public Works job descriptions in Committee for further discussion. Move the Legal Secretary job description to council for approval.

Fairgrounds Road Multi-use Path
Dennis Stranger said this was a follow-up on a discussion at the last council meeting. He submitted a spreadsheet outlining the costs of the proposed project and stated the estimates are higher than what the cost will probably end up being. He stated there are some costs that could potentially be done in-house. He explained before the project can move forward, they will need an engineer and will also have to work with the County on a few issues. He stated they will be asking the County to for one year’s worth of their CTEP funds to put toward this project. He asked the Committee for a direction on whether staff should keep moving forward on this project. Mr. Stranger outlined the scope of work for the project which would include construction of an 8 foot concrete sidewalk from North Daly Ave to Kurtz Lane for bike and pedestrian use. He said they are also working toward a temporary path on the North side of the road from Stonegate to Kurtz Lane. Mr. Stranger outlined where the money would come from in the budget including CIP funds and Transportation Impact Fees. The committee discussed the project and concluded it would be a great project to keep moving forward on.

RECOMMENDATION: Have staff continue to move forward with the project.
Historic Preservation Discussion
Dennis Stranger said he had a meeting with Kris Komar who has a lot of ideas about how this historic preservation could go. He said he has read the books about the classic studies of historic downtown Hamilton and noted not every old house in Hamilton has historic significance. He said his opinion is that this should be a community driven initiative and they could start with education workshops about the plusses and minuses of historic preservation. He stated he appreciates Ms. Komar’s enthusiasm and innovative thoughts and thinks if the community decides there is benefit in having the CLG, then they can lead the way. Councilor Helgeland said she thought they lived in a very neat historical town that deserves respect and preservation but agreed that it may not be right for the City to jump into that type of program.

RECOMMENDATION: Allow the community to organize and drive the project rather than have government imposed legislation.

Ward Boundaries
The Committee reviewed the map that was sent back after the County GIS and Clerk and Recorder gave input. Jamie Guisinger stated there were minor changes made to the map to reflect the differences in population between the first proposed map and the new one presented. Councilor West said it meets the need for balanced wards for right now. Councilor Petrusaitis asked why the county took out eight or nine blocks along 6th and 7th Street out of ward 3 and put them in along Pine and Adirondac between 4th and 6th Street. He said if those squares would have been left alone, it would have been a trade-off. Ms. Guisinger said the county made that change based on population locations and that they did not want to hear or take into consideration where people live. The Committee discussed where potential growth could occur in each ward.

RECOMMENDATION: Send the updated map to council for approval.

NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION
- Marcus Street path
- City informational booth at the fair
- Park bench in River Park out of place

ADJOURNED at 8:25 pm.
CITY OF HAMILTON
COMMITTEE MINUTES

DATE: February 28, 2012

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Jenny West, Al Mitchell, Lynette Helgeland, Nancy Hendrickson, Joe Petrusaitis & Mel Monson

MEMBERS ABSENT: None

NOTE TAKER: Jamie Guisinger, Deputy Clerk

STAFF MEMBERS PRESENT: Jerry Steele, Mayor
Dennis Stranger, Planner/ Special Projects
Karen Mahar, City Attorney

Councilor West opened the meeting at 7:02 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
February 15, 2012 minutes were approved with the correction of Councilor Petrusaitis being present.

AGENDA ITEMS

Review of Medical Marijuana Final Draft
The Committee reviewed the draft for the new Medical Marijuana Interim Zoning Ordinance. Councilor Helgeland said she thought it was excellent and noted section seven and nine were very clearly written.

RECOMMENDATION: Send to Council for approval.

Ward Boundaries
The Committee reviewed the memo and attached emails from the Local Government Center, City of Missoula, and the Ravalli County Clerk and Recorder. West said she was glad for the additional information and the timeline looked good. Councilor Petrusaitis agreed and asked that it be forwarded to council.

RECOMMENDATION: Send to Council for approval.

Proposed Changes to 13.08.050 – Payment of Water Use and Base Rate Charges
Craig Shepherd said the proposed changes are to address repercussions for writing an non-sufficient funds (NSF) check. He said they do not currently have language for being able to charge a fee for checks that are returned for payment on water and sewer bills. Mr. Shepherd added on sentence to the
proposed change regarding a second offense of an NSF charge requiring those customers having to pay with cash or credit card from then on.

Councilor West asked how many NSF checks they are receiving. Jackie Marquez said they get about three per month on average which used to be about three per year. She said she had a customer write a bad check recently in order to get their account off the shut-off list.

The Committee discussed the proposal of the fee. Councilor Petrusaitis said they are helping people with their finances by not encouraging them to write bad checks. Councilor Mitchell said several businesses charge the fee. Dennis Stranger said someone can go without paying their bill for three months without a fee, which in this case would be a better option for them instead of bouncing a check. Councilor Monson said he feels bad for the people without money who are already struggling. He said asking for another $30 on top of the bill is asking too much. Ms. Marquez said writing a bad check is against the law. Councilor West said she felt the fee was a good idea. The Committee discussed how much time and actual cost it would be for processing a returned check and chose to reduce the fee to $15 and send it to council for approval.

RECOMMENDATION: Send to Council for approval of a $15 fee with the additional sentence regarding the penalties for the second offense.

Baseball Contracts
Terry Cole said there are two changes that have been recommended by the Mayor which include allowing use of the baseball fields through the special events permit process when the field is not in use by the contracted Hamilton and Red Sox baseball teams. He stated the second recommendation was to have the teams be responsible for the mowing and trimming around the stands and batting cages as well as the field. The committee discussed the proposed changes to the contract and the how the special events permitting process would work. Mr. Cole noted if the city were to have to come back and clean up after either of the teams or those using the fields through a permit, it would cost $25 per hour, per employee. Councilor Helgeland said she felt the changes to the contract seemed fair. The committee briefly discussed the BMX park next to the fields. Mr. Cole said the kids that regularly use that track are out their helping maintain it with the Parks and Cemetery workers. He said there are rarely any problems in that portion of the park.

RECOMMENDATION Send to Council for approval with recommended changes regarding lawn maintenance and use of the field during non practice and game times.

Non-motorized Transportation Plan
Dennis Stranger said there is a summary of costs for the plan in the packet. He said they only received one proposal, from Alta Planning and Design and noted they come recommended from Jeff Key and other references. Mr. Stranger noted Alta Planning is willing to sign the standard form contract from the City. Councilor Petrusaitis asked if they would be holding public workshops. Mr. Stranger said they will get the advertising out however possible to get input from the community since this seems to be an important topic to a lot of people. Councilor Helgeland suggested posting flyers at the park bulletin boards.

RECOMMENDATION: Send to Council for approval of authorization for the Mayor to sign the contract.
NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION
- Canal and drainage into pond at Hieronymus Park
- Fox property riprap project underway
- Parks Plans Playground equipment
- Removed tree in River Park as requested by council

ADJOURNED at 7:50 pm.
Councilor West opened the meeting at 7:00 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
February 28, 2012 minutes were approved as written.

AGENDA ITEMS

Consideration for Parking Permit for Leslie Drake-Robinson
Councilor Mitchell said there have been a lot of permits that have come before the council and have all been denied. Councilor West said the area the request is for, in front of Tamarack Square, is a very busy place for parking. Councilor Helgeland said most cities that do metered parking have two hour time limits and asked what the reasoning was behind the ninety minutes choice originally. Mayor Steele said they were having problems with employees of various businesses parking in all the prime spots which would hinder customers from being able to find parking. He said the idea was to keep a rotation going. Councilor Hendrickson said there are handicapped parking places on all the corners and they are 90 minutes as well. Helgeland said Ms. Drake – Robinson asked about a loading and unloading zone also. Councilor Mitchell said there are other stores on Main Street that cater to children. He stated he did not think it was necessary to set precedence and that parents were able to park and walk their children in to stores to address any safety concerns.

RECOMMENDATION: None. Keep the parking as it is currently.

Agreement with Fish Wildlife & Parks for Land Behind Sapphire Lutheran Homes
Mayor Steele said it is time to renew the Wetland Enhancement Agreement from 2003. Councilor Monson asked who was asking for it. Mayor Steele said some of the residents from Sapphire Lutheran Homes have asked for an updated agreement because the property the agreement affects is near the river behind the homes. He said there is a lot of wildlife use of the property and they would like to see...
it remain that way. Mayor Steele said they have not heard from Fish Wildlife and Parks or the Bitterroot Conservation District but would like to get approval to send a renewal contract to council after speaking with both agencies. The committee discussed the location and ownership of the property. Councilor Mitchell noted they still have a little over a year to renew the contract which will expire in July of 2013.

**RECOMMENDATION:** Send to Council for approval.

**Removal of Trees in Legion Park**

Mitchell said the Mayor keeps referring to the fact that we have been put on notice regarding the trees in Legion Park and asked when and if there were letters available. Mayor Steele said they have discussed it with MMIA who said if they have official documentation, which they do have letters from foresters, that the Council could be subject to double indemnity and each council member could be sued without protection. Councilor Hendrickson said MMIA also told them that if they are making efforts in taking steps to address the problems, that they would be covered. Mayor Steele said those trees are not part of the Parks Plan and are scheduled to come out at some point. He said he felt they could get a better type of tree than a cottonwood because these trees are dropping limbs on a regular basis.

Councillor Helgeland asked if council even needed to vote on this because it was already referenced in the approved Parks Plan. Mayor Steele said Administration has the authority to remove them if they are hazardous but he would like Council support when they come down. He stated the last thing they want is to remove trees that do not need to be removed but said it was a good time for these trees to come down before construction starts in the park. Councilor West asked how the trees would come down. Terry Cole said they would use a company out of Corvallis that has a grinder and would grind the stumps down below grade and replace the top soil so that new trees and vegetation would be able to grow in their place. Mr. Stranger said their goal is to have the park complete in time for the summer events, like Tuesdays at Twelve. Councilor Monson noted in the spring when the cottonwoods fill up with water, it is much harder to cut them down because they are so heavy. Councilor Helgeland said she felt the reason for cutting them down should be about protecting human lives instead of protecting the investment of the new construction in the park.

**RECOMMENDATION:** Send to council to recommend removal of trees in Legion Park.

**Cell Phone Use While Driving**

Councillor Mitchell read portions of the information in the packet regarding what other cities have done to implement a cell phone ordinance. He noted 35 states have laws against cell phone use while driving and eventually Montana will when there becomes a federal law. He said he thought they should have a grace period and that it should be a primary offense. Councilor Mitchell also said there should be an exemption for emergency personnel. He said some concerns have been raised about allowing hands-free devices and thought this should be allowed. Terry Cole asked if this would include texting. Mayor Steele said yes and noted Corvallis just experienced a tragic accident that most likely involved texting. He said they cannot prevent people from doing it in the county but they can try to help discourage it in the city limits. Councilor Helgeland said she would be willing to support a ban on texting but pointed out that there are not as many people in favor of this as council might think. She stated something really needs to be done on a federal level since car manufacturers are installing DVD players in the dash boards. She said she felt they could do a better service by investing the time and money into an education program. Councilor Helgeland said distracted driving is already a law which
would cover cell phone use when an officer sees them using it unsafely. Councilor Monson said kids will just try to hide their texting by dropping it lower in their laps and creating a worse situation.

The committee discussed the issue further and determined to ask staff to draft an ordinance regarding cell phone use while driving that was closely related to the one from Whitefish.

**RECOMMENDATION:** Keep in Committee. Have staff draft an ordinance based on the example from Whitefish including allowing the use of hands free devices and an exemption for emergency personnel.

**NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION**
- Canal south of Hieronymus Pond
- Handicap access issue at RCEDA
- Tree Board
- Small Town Tree Board Retreat
- Junk Clean-up
- Next Council Meeting item- $10,000 commitment to Montana Rail Link
- River Park Trail cost estimates
- Contract with WGM Engineering for Fairgrounds Road
- Extend contract with Peaks to Plains
- Traffic concerns at Bedford and 2nd Street

**ADJOURNED** at 8:10 pm
CITY OF HAMILTON
COMMITTEE MINUTES

DATE: March 27, 2012

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Jenny West, Lynette Helgeland, Nancy Hendrickson, Joe Petrusaitis & Mel Monson

MEMBERS ABSENT: Al Mitchell

NOTE TAKER: Jamie Guisinger, Deputy Clerk

STAFF MEMBERS PRESENT: Jerry Steele, Mayor
terry Cole, Parks & Cemetery Director
Keith Smith, Public Works Director
Dennis Stranger, Planner/ Special Projects

Councilor West opened the meeting at 7:02 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
March 13, 2012 minutes were approved with the addition of Terry Cole to staff members present.

AGENDA ITEMS

River Park Gazebo
Terry Cole said he looked at the gazebo and feels that it is non-mobile at this point. He stated there are eight legs that are put in the ground with cement that would have to be cut. Mr. Cole said he spoke with a moving company that would charge $1,250 and could not guarantee it would not be damaged. He said another option was to look into building a second gazebo in the location they would like to move this one to. The Mayor and committee discussed options for having a new gazebo built including contacting an Eagle Scout or buying a gazebo kit and having the Parks Department assemble it.

RECOMMENDATION: Keep in Committee. See if an Eagle Scout would want to build another one.

River Park Trail Costs
Dennis Stranger said council decided to forgo the repairs and investigate the costs of a crusher fine trail. He said it would cost about $8,000 to add the loop as proposed in the Park Plan. He stated he got an estimate from MR asphalt to do that portion in asphalt, which would be $13,000. Mr. Stranger said Jolene from Peaks Plains has reviewed the trail and came up with the cost estimate for the crusher fines trail. Councilor Helgeland noted the Hieronymus Trail did not work out so well and said she did not think they had the right soils necessary to cost effectively put in a crusher fines trail. Mr. Stranger stated that Donaldson’s refused to let the materials be mixed in their plant as it should have been. Councilor Petrusaitis asked about the trail and the bank stabilization. Councilor Monson said this trail...
is far away from the bank. The Committee passed around the Parks Plan with a map and discussed the location of the trail. Councilor Hendrickson clarified that they were only discussing a new trail and not the existing asphalt trail. The Committee continued to discuss the issue. Councilor Monson asked that the item be moved to council after they receive bids for the crusher fines trail.

**RECOMMENDATION:** Move to council for approval when bids are received.

### WGM Contract for Fairgrounds Road

Dennis Stranger said there is a memo in the packet regarding this item. He stated City Council indicated they would like to keep moving on this project so he has been working with Craig Shepherd to move around some finances in order to make that happen. He stated the cost for engineering services including a preliminary road design, and the sidewalks will be around $68,000. He said approximately $32,000 of that is for construction services during the project and $36,000 is for the designs. He noted the design portion is what he would like to move forward with during this budget year. Mr. Stranger explained he has $25,000 in his budget along with some money left over from the bulb-out project that could be applied. He stated they could also use about $9,000 from impact fees. Mr. Stranger said he would like the Committee to consider moving forward with the project and approving the contract with WGM for the design portion of the services. The Committee discussed the total costs of the project and decided it would be good to move this portion of the project forward.

**RECOMMENDATION:** Send to Council for approval of the contract for engineering services.

### State Street Bulb-outs Contract with RAM Engineering

Dennis Stranger stated Ron Uemura of RAM Engineering submitted a proposal to complete the engineering services for the other two bulb-outs on 3rd and 4th Streets. Mr. Stranger said the proposal is to do both for $6,800. He noted both bulb-outs did not have to be done right now and that the original plan was to do one this year and another one next year. He stated 2nd Street would be the next one to be constructed. He said any money that was budgeted for this project that did not get used would be reallocated for the Fairgrounds Road project. The committee discussed how the current bulb-out was working on 4th Street and the effects it had on the snow plows and street sweepers. Keith Smith said they had to move around them but it was not a problem for them. Mr. Stranger said he will have the engineers consider whether or not there might be a need for one on 5th Street by the middle school.

**RECOMMENDATION:** Move forward with the project to add a bulb-out to 2nd Street at this time.

### Boulevard Parking at 212 Bedford Street

Mayor Steele said the owner of the Bibler apartments has requested that she be allowed to continue parking on the curb cutout area so she does not have to carry her laundry from the road. The Committee discussed the request and determined that they just passed the ordinance for a reason and would like to keep in enforced. Councilor West suggested they could pull into the alley long enough to unload the laundry. Councilor Hendrickson stated there are several places in towns with the cutouts that were once driveways but are now grass and should not be driven on.

**RECOMMENDATION:** Deny the request. Keep the ordinance enforced as it is.

### Traffic Concerns at Bedford and 2nd Street

Councilor Helgeland said at the corner of Bedford and 2nd Street traveling east and west, it is hard to see at the intersection when large trucks park in the end spaces. She stated people have to pull out into the middle of the street before they can see if there are cars coming. She suggested having the end
spaces on both sides of 2nd Street be for compact cars only. Dennis Stranger said they plan to put in bulb-out on the corner according to the park plan. Keith Smith said he can review the Public Works Standards. Dennis Stranger said he would have WGM look at this intersection while they were looking at others around town. The Committee discussed potential temporary solutions such as angled parking and turning it into a 4-way stop.

**RECOMMENDATION:** Have engineers look at traffic concerns and see what they recommend for temporary fixes until the Park Plan is complete.

**NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION**
- Skate Park meeting at 7:00 pm.
- Tuesday at 12:00 pm.

**ADJOURNED** at 7:58 pm
DATE: April 10, 2012

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Jenny West, Al Mitchell, Lynette Helgeland, Nancy Hendrickson, Joe Petrusaitis & Mel Monson

MEMBERS ABSENT: None

NOTE TAKER: Jamie Guisinger, Deputy Clerk

STAFF MEMBERS PRESENT: Jerry Steele, Mayor
Karen Mahar, City Attorney
Dennis Stranger, Planner/ Special Projects

Councilor West opened the meeting at 7:02 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
March 27, 2012 minutes were approved as corrected. Mitchell was not present at the meeting and was quoted making a motion, which should have been Monson.

AGENDA ITEMS

Fox Sewer Reimbursement and Proposed Release
Karen Mahar gave a brief overview of the history of the Fox sewer rebate. She said there had been ongoing discussions about the agreement between Tom Fox and the City that took place in 1983. Ms. Mahar stated the current terms they were offered was to pay Mr. Fox $42,951 which would include retroactive hook-up fees and attorney fees. She stated this fee includes Mr. Fox retroactively transferring the line to the City of Hamilton with an indemnification clause protecting the City from claims from his ex-wife or employees of his company. Mr. Mahar explained the history of the agreement and that they were unable to find many of the documents from that time period. She said Stephanie in the Public Works Department and Ken Bell was both very helpful in finding the documents that were available. She stated felt this was a fair agreement for the city to enter into and that if the City accepted this agreement Mr. Fox would not be able to come back at a later date to request more money. Ms. Mahar said Mr. Fox and his attorneys had engineer, Roger DeHahn put together an estimate based on costs from that time period. She noted the hospital was involved because of an easement they had deed to allow access for the sewer line to be put in. The committee discussed the amount of the settlement offer and determined it would be in the best interest of the City to pay Mr. Fox the amount being proposed. Mr. Stranger asked if this could be paid out of next year’s budget cycle because it was an item that was not currently budgeted for. Ms. Mahar stated that if that was the desire of the committee, she would take the proposal to the hospital to make sure they were in agreement.
RECOMMENDATION: Send to Council to approve the agreement with Mr. Fox in the amount of $42,951 and ask if the check can be issued on or after July 1, 2012.

Job Descriptions – Court Clerks
This item was removed from the agenda for lack of necessity to discuss at this time.

RECOMMENDATION: None.

Cell Phone Use while Driving Ordinance
Mr. Stranger said the proposed ordinance is modeled after the Whitefish cell phone ordinance as requested by the Committee. He stated there were a few minor changes made after review by the City Attorney, City Judge, and Police Chief. The committee reviewed the draft ordinance and agreed it was a good starting point. The Committee discussed whether or not bicycles would also be included and decided to leave the ordinance as it was currently written. Councilor Mitchell noted Whitefish has had 24 tickets issued in the past 6 months.

RECOMMENDATION: Send to council after further review from the City Attorney.

Establish Guidelines for Monetary Donations
Dennis Stranger submitted a handout with the draft policy. He stated he felt it would be appropriate to include this guideline in the finance policy. He said he did some research of what other cities have done and found that most cities allocate funds to projects including beautification projects, community-wide recreation or sporting events, patriotic celebrations, recycling efforts, and historic preservation projects. Mr. Stranger noted the City of Hamilton has typically given money toward those types of projects in the past. The committee discussed giving funds to social service programs and determined that it was in the best interest of the citizens to allow other governmental agencies and programs handle social service issues such as soup kitchens and food vouchers. It was the consensus of the committee that the suggested list from Mr. Stranger gave examples of programs the city would be interested in funding on a case-by-case basis. Councilor Helgeland encouraged the committee to remember there are needs in the community and support them in other ways like donating to food banks and giving to churches. Councilor Hendrickson said she appreciates the time Mr. Stranger took in researching this topic.

RECOMMENDATION: Send to Council with changes to Finance Policy.

Insurance Comparison Discussion
Dennis Stranger stated there was a presentation from Western States Insurance and MMIA sometime last year. He stated at a meeting after both presentations, Council suggested if they are going to consider changing companies they would need to get technical expertise to help compare rates. He asked the committee if they were still interested in pursuing the comparison. Mr. Stranger noted this would not be a simple or inexpensive process. Councilor Petrusaitis said MMIA represents 128 incorporated cities and towns in Montana. He stated they are very specialized in dealing with issues for cities and noted they provide a lot more help than just insurance. He said he appreciates the option of considering other insurance companies but feels it is not worth the expense of the comparison.

Mayor Steele explained that back in the 1980’s there was a pool of insurance companies that covered the city and the county and eventually dropped the city. He said that is when MMIA was formed. Mr. Stranger said he can only speculate on the cost at this time. Councilor Mitchell said he was hoping
they would be able to do an inexpensive cost comparison and be able to keep the money local. Councilor Helgeland said she appreciates Councilor Mitchell’s remarks but feels the city gets much more from MMIA than just the insurance. Mayor Steele said he did not see a pressing need to start the process.

**RECOMMENDATION:** Stay with MMIA.

**NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION**
- Stevensville met with MRL, not use any funds they get for a profit
- Hieronymus Park Canal drainage is not running like it did

**ADJOURNED** at 8:15 pm
Councilor Hendrickson opened the meeting at 6:02 pm. The meeting was held at Hieronymus Park at the Geneva Street Entrance.

COMMENTS FROM PUBLIC
None.

AGENDA ITEMS

Tour of Hieronymus Park and Discussion
The Committee, Park Board Members, and Staff walked through Hieronymus Park from Geneva Street to the end of the pathway at the canal. Councilor Hendrickson stated she would like to see water routed through an existing ditch, through a pipe that runs over the top of the canal and then channeled into park land between the canal and the river. The committee discussed options for getting water to the property including using water rights from the ditch to pump water with canons, and building a new pipe to let water flow from the pond to the designated piece of land. Terry Cole asked what the goal was for the piece of property. The committee discussed it and determined it was to be left in its natural state as per the agreement with the person that donated the land. Councilors Hendrickson and Mitchell continued walking through the park to the area by the river.

RECOMMENDATION: Keep in Committee for discussion of a recommendation.

NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION

ADJOURNED at 6:38 pm
CITY OF HAMILTON
COMMITTEE MINUTES

DATE: May 8, 2012

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Jenny West, Al Mitchell, Lynette Helgeland, Nancy Hendrickson, Joe Petrusaitis & Mel Monson

MEMBERS ABSENT: None

NOTE TAKER: Jamie Guisinger, Deputy Clerk

STAFF MEMBERS PRESENT: Jerry Steele, Mayor
Keith Smith, Public Works Director
Land Hansen, Code Enforcement/ Inspector
Dennis Stranger, Planner/ Special Projects

Councilor West opened the meeting at 7:02 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
Minutes from April 10 and April 24, 2012 were approved as written.

AGENDA ITEMS

Consider Amending HMC 5.16.090 to allow Transient Vendors to Operate Later than 9:00 pm
Vicki Slate stated she presented a case for having transient vendors be allowed to operate later than 9:00pm as it states in the municipal code. She said she and her husband would like to have a hotdog cart available at the corner of Main Street and Second Street in front of Fords. Ms. Slate noted there are not currently any food establishments open after 9:00 pm to cater to the people that are out until 2:00 am. The committee discussed the location and time frame of allowing a business to stay open. Councilor Mitchell stated the economy will dictate whether they would stay open all week long and whether they would stay open until 2am or not. Mr. Stranger said the ordinance would need to be amended. Councilor Helgeland asked what other cities do. Ms. Slate said she spoke with Missoula who also has a 9:00pm curfew for transient vendors but does not enforce it. She said she spoke with a councilperson who said they welcome the business downtown. The committee discussed it further and chose to send the item to council for approval of allowing transient vendors to operate in a timeframe decided on a case by case basis and with it routed to various departments and approved by the Mayor similar to special event permits. Land Hansen asked if they would allow other transient vendors the opportunity to do the same thing. Mayor Steele asked it would be on a case-by-case basis.

RECOMMENDATION: Send to council for approval to allow operation times of transient vendors to be done on a case by case basis. Allow a trial basis.
Public Works Job Descriptions
Keith Smith said there are two grades that are currently unattainable for Public Works employees because they are shop foreman positions. He said the city is not large enough to need shop foremen at this time or any time in the near future. Mr. Smith said they rewrote the job descriptions for grades K and L to make them attainable with requiring substantial knowledge of all three departments. He said for example, it would require someone in the street shop to have meet requirements of having knowledge of the sewer plant and the water plant. He said this would mean that the candidate would need to spend time in those other departments. He stated they will not have to be certified but will have to demonstrate that they are qualified to meet the requirements on the checklists for each department. Mr. Smith said there is at least one person from each of the three shops that expressed interest in pursuing this grade. He noted there are time-in-grade requirements that have to be met prior to getting to this grade, but that if someone has met all the requirements he would like to see them have an opportunity to be promoted. Mayor Steele said this seems to meet his desire to see cross training happen between the three shops. Councilor Mitchell asked if there are training requirements. Mr. Smith said the state requires training to keep licenses and certifications current.

RECOMMENDATION: Send to council for approval of the job descriptions.

Setting Park Board Agenda
Mayor Steele said he would like the Park Board to assist in researching a number of grant opportunities for several projects. He said these include grants for a band shell in Legion Park, a new gazebo at River Park, development of baseball fields and a sports complex, and also for a riverbank stabilization project at River Park. Keith Smith said he would also like to see them round up any groups that are willing to help with planting trees after they are removed this year. Dennis Stranger noted as per the grant received they are required to hold a community outreach and education session regarding trees. He said the Park Board could help set that up and ask Jamie Kirby to come and do a presentation. Councilor Helgeland said they learned at the tree board retreat there are several private grants available. She noted the Park Board has also expressed interest in helping at a fair booth. She said they could have fliers available regarding various projects going on, an informational booklet, copies of the master parks plans, and cans for fireworks donations. Mayor Steele asked the clerk’s office to call and get fair booth pricing.

RECOMMENDATION: Ask Parks Board to research what grants are available for construction of a band shell at Legion Park, a new gazebo at River Park, development of baseball fields, and for a riverbank stabilization project at River Park. Set up a community meeting with Jamie Kirby regarding the Tree Board education and outreach. Have the Clerk’s office find out how much a fair booth will cost.

Update on Dog Park Signage and Ordinance
Mayor Steele said this item has been put on the back burner and lost in the shuffle because several other projects have taken priority. Dennis Stranger said he has written a draft and given it to the City Clerk to review as well as the City Attorney. Councilor Helgeland said they have signs up that prohibit food in the park but there is no way to enforce it because it is not an ordinance. Mayor Steele said the stricter the rules are there, the greater responsibility the city will have to police the area and that is not something they want to have happen. Councilor Helgeland said it was something brought up last November that should be taken care of.

RECOMMENDATION: None. This item was previously sent to City Council.
Review Ordinance regarding Chickens
Mayor Steele said he received an email asking if chickens had to be fenced in. He said there is currently no ordinance addressing this issue. Land Hansen said he only knew of three residences with chickens and that all of them were fenced.

RECOMMENDATION: Keep in committee for further review.

Junk Clean-up
Councilor West asked if they were having a junk clean-up again this year. Keith Smith said they had a substantial problem last year with county residents filling up the dumpsters. He also noted that if they chose to have the clean-up again this year they should consider not having it on Sunday because Bitterroot Disposal is not open. He said the issue is for Bitterroot Disposal because they lose business when county residents are not taking their garbage to the transfer station. The Committee discussed the issue and determined to wait a year and discuss the issue again next year.

RECOMMENDATION: Postpone the junk clean-up for another year. Discuss the item in April 2013.

Fireworks Update
The committee reviewed the information regarding how many donations were received provided by Craig Shepherd. Mayor Steele said he would talk with Steve Bochae to see when their deadline is and what kind of show they could get for less than $10,000. Councilor Mitchell said the council previously decided they did not want to have a show for less but that they would carry the money over from year to year until they had enough to do a proper show. The committee discussed the possibilities of finding donors to fill in the rest. Mayor Steele said he would have the Clerk’s office contact the papers and radio station to help spread the word.

RECOMMENDATION: Have staff contact the newspaper and radio to do announcements that we are $5,000 short.

NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION
None.

ADJOURNED at 8:25 pm
Councilor West opened the meeting at 7:02 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
Minutes from May 8, 2012 were approved as written.

AGENDA ITEMS

Tax Increment Finance District
Julie Foster of the RCEDA thanked the council for the contribution to the program. She submitted a handout describing Stevensville’s recently funded water district with the use of a tax increment finance district. Ms. Foster said the grant for the City of Hamilton expires on June 30th, 2012. She asked the committee if they were interested in continuing with the process of setting up a TIF district. She noted there were issues that needed to be addressed in order for the district to work. Ms. Foster said with Mayor Steele’s approval, she met with Land Hansen and Ken Bell to discuss how to proceed and they came up with ways to address all the issues. She said in regards to water rights, she spoke with Mary Sexton from DNRC who assured her the water right concerns could be addressed and worked through. The Committee discussed which properties would be interested and or included in the proposed district. Ms. Foster showed the locations of the properties on the map and explained that GSK was a possibility of being included if the State would allow them to use the Road as a way to connect the property to the rest of the district. Ms Foster reviewed how the TIF district worked in Stevensville. Councilor Petrusaitis asked if the owners of the property would be required to pay for their own infrastructure. Ms. Foster explained that would be something the council would need to determine at the time that someone presented a development. She stated the Tax Increment Finance District was a separate process. She said it was just a tool to use to reallocate a portion of money received from the taxes of the properties in the district. Ms. Foster explained the district has benefits of drawing new businesses into the area and also gives the City a chance to be proactive in deciding how the land is used in that area. The Committee discussed the issue and determined it would be best to
consult with the Water Attorney for more information regarding the water right issues that would arise.

**RECOMMENDATION:** Keep this in committee. Schedule a presentation with the water attorney.

**Utility Service Warranty Program**
Keith Smith said it has been a while since this item was discussed. He stated he was unable to acquire a lot of information because the regional representative for the Utility Service Program was no longer at the company. He asked the committee if they were still interested in pursuing this program for the citizens of it they would like to wait. Mr. Smith noted no other cities in Montana have endorsed the company as of yet but the National League of Cities and Towns has backed them. The committee discussed the issue and decided not to pursue the utility service warranty program any further.

**RECOMMENDATION:** Table the item indefinitely.

**Farmers Market Permit Fee**
Mayor Steele said they have been discussing ways to fund the fireworks show and thought that perhaps charging a per booth fee to the farmers market would help fund some of the fireworks show. He noted the Farmer’s Market currently pays a one-time fee of $15. He said if they charged a $2 or 3 dollar per booth fee, it would create an income to offset the cost of the fireworks. The Committee discussed the increase in the fee and determined they would need more information from the Farmer’s Market group and how much they are currently charged per booth for the spaces.

**RECOMMENDATION:** Keep in committee and discuss fees. Gather more information on Farmer’s Market and set up a meeting with Laura Craig at a future date.

**Cemetery Price Increase on Veterans Headstones**
Terry Cole explained that the cemetery is reimbursed for government and military headstones. He said they used to reimburse $70 but increased the payment to $100 a year ago. He said the county had not informed the city of this. He said he would like to back bill for headstones placed since the fee increased and also change the policy to allow the higher fee. The Committee discussed the item and decided to proceed with updating the cemetery fee schedule to reflect the fee increase and also pursue back billing for headstones that have been purchased since the new fee was implemented.

**RECOMMENDATION:** Send to council for approval.

**Fair Booth**
Mayor Steele asked the Committee if they were interested in having a booth at the fair this year. After discussion it was decided to move forward with a plan to have a booth and organize topics and flyers to have available.

**RECOMMENDATION:** Reserve a booth and put a plan together.

**Regulation of Uninhibited Wandering Poultry**
Dennis Stranger said proposed Ordinance No. 370 addresses the issues with defining domestic animals and also limiting those animals to the owner’s property. The Committee reviewed the proposed changes
RECOMMENDATION: Send to Council for approval of the updated ordinance.

West Main Street Sewer Connections
Mayor Steele stated an individual on West Main asked if it would be considered for those property owners facing a forced annexation would be allowed to make monthly payments. Mayor Steele said because of the costs associated with filling the septic or destroying it as well as the hookup fees, he would like to consider this as an option. The Committee discussed this proposal. Councilor Monson stated he would like an agreement to be made that if the property were to change owners, the entire balance would be paid in full. The Committee decided to move this to council for further discussion and approval.

RECOMMENDATION: Send to council to approve allowing payment plans for sewer connection fees when annexation is forced.

NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION
-Consider a Fireworks display regardless of donations

ADJOURNED at 8:52 pm
Councilor West opened the meeting at 7:01 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
No minutes were presented for approval.

AGENDA ITEMS

Water and Wastewater Rate Increase
Dennis Stranger stated the rates are going to council but that the impact fees which have been going through the process at the same time needed to be discussed. He outlined Resolution No. 1175.

Councilor Helgeland said if they were discussing impact fees then the item should be postponed until it can be properly advertised. Mr. Stranger said the items were related and the City Clerk said it would not be a problem. He noted they had an advisory committee that met at least four times. He said Dan Harmon was here to make a presentation.

Mr. Harmon said a large part of the efforts was to establish the water and wastewater project that was just passed with Resolution No. 1175 and also the impact fees for transportation, water, sewer, police and fire. Mr. Harmon explained that capital improvement projects like upgrades to water and wastewater facilities are paid through rate increases to existing customers, but also through new customers through impact fees.

Councilor Helgeland said she would like to put off this meeting until the public is adequately noticed for the actual topic of impact fees. Councilor Mitchell said he felt it was ok to continue because no decisions would be made and the items seemed to be related. Mr. Stranger said there will be public hearings held prior to any decisions being made by council. Councilor Petrusaitis asked if there would be advertisement. Mr. Stranger said there are requirements in state statute they have to follow for advertising.
Mr. Harmon said the impact fee calculations are the maximum that the city can charge and that the rates would be going down. He explained how they arrived at each calculation based on industry standards and said there are several differences from the proposed calculations and those in effect from the study in 2007. Mr. Stranger and Mr. Harmon gave an example to council of what the impact fees would be for a single family residential new construction.

Councilor Helgeland said this is great information to have and said it would have been nice to have the Public aware of this presentation. Mr. Stranger said the Impact Fee Advisory Committee has reviewed and recommended approval of the fees and that the salient point was that the rates are going down.

Councilor Petrusaitis asked about examples of forced annexation. Mr. Stranger and Mr. Harmon explained the process of annexation and the way fees would be handled including hook-up fees.

Mr. Stranger said there were still some adjustments that would need to be made to Fire impact fees because of a change in what the fire department would like to do in terms of capital improvements. Councilor Helgeland asked how that should be addressed procedurally and if they should make a recommendation to keep that portion in committee until they had more information.

The committee discussed what should be sent to council and what should be kept in committee. Councilor West stated she did not realize there would be significant discussion on impact fees and was expecting to have the adjusted numbers on the water and wastewater rate fee increases. Mr. Harmon apologized for not having that information available and said he would be willing to come back for another presentation if needed. Mr. Stranger said the rates for water and wastewater will go through to Council and that this would be the only presentation on the impact fees.

The Committee discussed and concluded that both the rates and impact fees should be kept in committee for further discussion and public involvement.

RECOMMENDATION: Keep in Committee. Have HDR provide requested information regarding adjusted rates table. Bring back Impact fees to Committee as a separate agenda item.

The Committee chose to take a short break.

Hieronymus Park Master Plan
Dogs off Leashes at Hieronymus Park
Councilor Helgeland said they needed to have a discussion on what the master plan for Hieronymus Park was before making decisions on allowing dogs to be off leashes. She said after researching, it appears that the park was intended to be left in a natural state. She stated if dogs are allowed to be off leashes, it will interfere with the wildlife, vegetation, and people who are trying to enjoy the park.

Councilor Valk showed the plan of Hieronymus Park from 1998. Terry Cole explained to the Council the work that has been done in Hieronymus Park including the trails, the educational fishing pond, the picnic area, and the interpretive signs throughout the trails. He also noted this was the location of the Veterans Monument and the ropes course for B.E.A.R. Mr. Cole said he receives several calls about dogs off leashes that are not under control and in his opinion it boils down to the safety of the public. Mr. Cole said you cannot ensure the safety of the public if you have dogs off the leash.

Councilor Helgeland said she would like to figure out what the council would like to see done in that area such as permanent restrooms and more emphasis on educational programs. Councilor West said
the city has already spent a substantial amount of money on parks in recent years. Councilor Monson said he would like to see the park left alone.

Councilor Valk asked everyone to listen to her idea instead of being closed minded regarding allowing dogs off leashes. She stated she spoke with Chief Oster and his request was if they chose to do this that they would have a square footage designation that would be clearly marked. Councilor Valk explained that people should be required to have their dogs on leashes on the trails until they reached a section of grassy area where the dogs should be let loose to run. Councilor Helgeland stated there are responsible dog owners, selfish people, and those that don’t have a clue that all have to be considered when making decisions. She said people are going to do what they want to do regardless of what the council decides anyway. Councilor Mitchell said he wouldn’t mind considering an area to allow dogs off leash but would want to see a plan first. Councilor Petrusaitis said if it were to happen, it would need to be an area away from the trails and where people are. The Committee discussed the issue further and determined a drafted plan of the size of the area would need to be established before any decisions could be made.

**RECOMMENDATION:** Keep in Committee to discuss possible options for allowing an area for dogs to be off leash in Hieronymus Park.

**Recreational Vehicles on City Streets**

Travis Sanderson of Hamilton said he did not think it should be allowed to ban recreational vehicles from parking in Hamilton. He stated everyone likes to go camping in the summer and that it is a way of life in Montana. Mr. Sanderson gave examples of several campers being pulled up nicely and even one that had been parked in the same spot for five years. He said he does not think any type of ordinance against parking campers in city limits should be enforced, especially during the summer time.

Barry Sanderson of Hamilton said according to the current ordinance involving semi-trucks and recreation vehicles, everyone in town will have to move their campers every 10 days. He stated this is Montana where everyone has a camper. He said someone can have seven cars and not have to move them if they are registered but that people are having to move their campers. Mr. Sanderson said he understood needing them put away for the winter for plowing.

The committee discussed a complaint the city received regarding a neighborhood that was turning in to a “trailer park”. After discussion about the issue, the committee noted it was dangerous to allow people to sleep in the campers parked on the right-of-way, but that having them parked there during the summer months was something that was inevitable.

**RECOMMENDATION:** Keep in Committee. Discuss whether or not any changes need made to the ordinance.

**Discuss Ways to Disseminate Information to the Public**

The Committee chose to keep this item in committee for a future meeting.

**RECOMMENDATION:** Keep in Committee.

**NON-AGENDA ITEMS — TOPICS FOR CONSIDERATION**

- Light industrial locations
- Gophers on Kurtz Lane
ADJOURNED at 8:53 pm
CITY OF HAMILTON
COMMITTEE MINUTES

DATE: July 24, 2012

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Jenny West, Lynette Helgeland, Al Mitchell, Mel Monson, Joe Petrusaitis & Nancy Valk

MEMBERS ABSENT: None

NOTE TAKER: Jamie Guisinger, Deputy Clerk

STAFF MEMBERS PRESENT: Keith Smith, Public Works Director
Dennis Stranger, Planner/ Special Projects
Terry Cole, Parks & Cemetery Director
Mayor Jerry Steele

Councilor West opened the meeting at 7:04 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
Minutes from the July 10 meeting were approved with corrections from Councilor Monson regarding a statement he made about not wanting any further work done in Hieronymus Park.

AGENDA ITEMS
Farmers Market Permit Fees
Mayor Steele said he asked Terry and Keith to give an estimate of how much time and money their departments spend each week specifically on the Farmer’s Market. He said the estimate came in around $90 per month for restroom supplies, trash removal and labor for being called out on his day off. Terry Cole said the Farmers Market uses power at both City Hall and Legion Park, which they have no way of calculating those costs. Mayor Steele said they should at least recoup the actual costs to the City. Councilor Valk said they cannot charge the Farmers Market for what could be normal public use at the park and asked how it compares to other events held at the park. She said the costs should not be directed at just one group.

Laura Craig of Farmers Market said there was an incident where a vendor blew the breaker at City Hall because of the amount of electricity they were pulling. She said they spoke to DJ’s Electric to see what it would cost to upgrade the electrical box. She stated the estimate they got was for $1,200 which was more than the market would be able to pay for at this point.

After further discussion and input from members of the Farmers Market, The Committee determined a fee of $15 per week would help cover the costs of electricity and staff time related to the market.

RECOMMENDATION: Send to Council to approve the fees to $15 per week.

Water and Wastewater Rates
Dennis Stranger said the rate sheet reflects the council’s request for updated information. He said one suggestion would be for after year of 2015 to add in wording for rates to be in accordance with the CPI until another rate study is done. The committee reviewed the information presented and determined it was sufficient to send to council.

**RECOMMENDATION:** Send to Council for approval.

**Impact Fees**
Dennis Stranger said there was information presented at a previous meeting. He said the summary of the information is that the impact fee rates will be decreasing and he was recommending that they be sent to council. Councilor Helgeland thanked Mr. Stranger for bringing it back to committee because of the importance of following procedure.

**RECOMMENDATION:** Send to Council for approval.

**Non-Motorized Transportation Plan**
Dennis Stranger said the plan will be presented at Council on August 7th. He stated they do not have money in the budget for additional presentations so his recommendation was to move to council to view the presentation from the consultant at which time all concerns or questions could be addressed.

**RECOMMENDATION:** Send to Council for the presentation and further discussion.

**Power to Gazebo in River Park**
Terry Cole asked the committee to consider putting in power to the gazebo area in the River Park. He said it was something that would be used frequently by the public for weddings and other events held at the gazebo. The committee discussed the idea after reviewing the cost estimates and Mr. Cole’s proposal. Councilor Helgeland suggested incorporating this idea into the master park plan for River Park. The committee agreed with the suggestion of looking into this idea further at a later time.

**RECOMMENDATION:** Keep in Committee. Discuss adding power to the gazebo during phase one.

**Rules for Playground Equipment**
Terry Cole said there have been teenagers playing on the new playground equipment at the park. He said there is a concern because the equipment is designed for smaller children. Mr. Cole said he spoke with the Parks director in Missoula who gave him a sample wording for signs to post on the equipment. Helgeland said she would like to see teenagers considered in the planning process because they do like to play and act like kids sometimes. She stated there was not a skate park for the older kids to play on.

**RECOMMENDATION:** Send to council for approval of posting signs at the park.

**NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION**
- Traffic Control Plan for Highway 93 at Super 1 and Kmart.
- Councilor Valk thanked Terry for weed eating in Hieronymus Park.

**ADJOURNED** at 8:05 pm
DATE: August 14, 2012

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Jenny West, Lynette Helgeland, Al Mitchell, Mel Monson, Joe Petrusaitis & Nancy Valk

MEMBERS ABSENT: None

NOTE TAKER: Jamie Guisinger, Deputy Clerk

STAFF MEMBERS PRESENT: Keith Smith, Public Works Director Terry Cole, Parks & Cemetery Director Dennis Stranger, Planner/ Special Projects Mayor Jerry Steele Ryan Oster, Chief of Police

Mayor Steele opened the meeting at 7:04 pm.

COMMENTS FROM PUBLIC None.

APPROVE MINUTES
Minutes from the July 24 meeting were approved with corrections from Helgeland noting that she would like her statement regarding there not being a skate park added to the minutes.

AGENDA ITEMS
Dogs off Leashes at Hieronymus Park
Councilor Valk said there was a memo from Chief Oster in the packet regarding an area at Hieronymus Park for allowing dogs to be off leash. She pointed out the area on the map and said the suggestion was made to put up signs that would designate off-leash and on-leash areas. Dennis Stranger stated he put together a draft ordinance that would address the proposed changes. He outlined the areas in the code and the proposed additions and changes to those sections. Councilor Petrusaitis asked Chief Oster if there would be restrictions regarding aggressive dogs in the park and extra patrols for enforcement of the new law. Chief Oster stated there will not be any extra enforcement and noted they go through the parks now when time allows. He stated there is no way to make it 100% safe when dogs are together. Chief Oster said it is unrealistic for them to camp out there. Mayor Steele said it may be worth a try on a temporary basis to see if it will work. Councilor Helgeland said there is not a need to provide a place in the City when they are blessed to have so much open land around them. She noted they have a dog park already. She stated public safety is more important. West said she agrees a trial run would be worth it. Councilor Monson said there was a letter from a lady witnessing a dog killing a fawn. He said there is a concern for wildlife. Councilor Mitchell said it doesn’t seem to matter one way or the other. Councilor Petrusaitis said there is already a problem with loose dogs in this town. The committee voted 3-3 to send it to Council for further discussion.

RECOMMENDATION: Not forwarded to Council.

Final Budget Adjustments
Dennis Stranger said there is a memo and spreadsheet indicating some of the changes that have occurred since the final budget work session. He stated some changes are simply reallocating funds to a different line item. Mr. Stranger outlined other increases to the budget in the Planning, Public Works, and Finance Department that had all previously been noted.

Chief Oster said Bob Weber, a former police officer who recently passed away, had a collection of antiques and other Hamilton Police Department memorabilia. He stated the family would like to see these items on display. He said there is a place in the lobby of City Hall that could be transformed into a display area. Chief Oster stated while looking into the cost of constructing the display, Lee Kierig made suggestions about the rest of the office space in the Police Department to make it more efficient and usable. He stated the rough estimate cost from Mr. Kierig at this time is $30,000 for the display and changes made to the office space. Councilor Helgeland said they have discussed the fact that the police department has been working in a small space and thought this would be a good thing. She suggested putting up a plaque to acknowledge the late officer and his family for their display. Chief Oster noted the family would like to retain ownership of the memorabilia in the event the City should ever choose to get rid of the display.

Dennis Stranger said another budget item needing addressed is the reallocation of street maintenance district funds for streets and sidewalks. He stated in the past, the funds have been split for 10 mils to sidewalks and 10 mils to streets. He said there is no longer a need in sidewalks for that amount but a greater need in streets. He noted the recommendation for the draft resolution is to reallocate 15 mils to streets and 5 mils to sidewalks.

Mr. Stranger concluded that with all the proposed changes to the budget and the addition of funds for the Police Department, the City can lower the tax levy to 28 mils.

**RECOMMENDATION:** Send the resolution to council for the Street Maintenance District.

**Repeal 15.04 of HMC regarding Building Permits, Building Districts and Building Inspections**

Dennis Stranger said this section of the code should have been eliminated when the City adopted the International Building Code. He stated it is redundant. The Council reviewed the proposed changes and unanimously sent it to council for approval.

**RECOMMENDATION:** Send to Council to repeal section 15.04.

**Fair Booth**

The Committee received a list of proposed topics to be addressed at the Fair Booth. They reviewed the list and the sign-up sheet for working at the Fair Booth.

**RECOMMENDATION:** None. Informational only.

**NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION**

- Discuss Tree Board activity

**ADJOURNED** at 8:00 pm
DATE: September 25, 2012

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Jenny West, Lynette Helgeland, Al Mitchell, Mel Monson, Joe Petrusaitis & Nancy Valk

MEMBERS ABSENT: None

NOTE TAKER: Jamie Guisinger, Deputy Clerk

STAFF MEMBERS PRESENT: Keith Smith, Public Works Director
Terry Cole, Parks & Cemetery Director
Dennis Stranger, Planner/ Special Projects
Mayor Jerry Steele
Karen Mahar, City Attorney

Mayor Steele opened the meeting at 7:00 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
Minutes from the August 14 meeting were approved as written.

AGENDA ITEMS

Amend HMC 2.44.090 to Change Planning Board Meeting Times
Dennis Stranger said they added the months that are specified in State Statute for Planning Boards to meet. The Committee reviewed the proposed changes.

RECOMMENDATION: Send to Council for approval of the changes.

Contract with Lee Kierig for Remodel in the Police Department
Dennis Stranger said he handed out a revised scope of services. He stated this is a standard professional service contract for $2,500 with Lee Kierig. He noted the reason they need an architect is based on the safety requirements for an architectural certification. Mr. Stranger noted the remodel will be fairly simple.

RECOMMENDATION: Send to Council for approval of contract.

Finalize Sale of Creamery Parking Lots to Marnell Properties and Release of Restrictive Easement
Karen Mahar went over the documents from the packet and reviewed the history of the property. She said the property was leased to Tolman with restrictive easements to protect well #4 which has since
been abandoned. She stated Tolman assigned their interest to Marnell Properties. Ms. Mahar said there are draft documents in the packet to memorialize the assignment of the property to Marnell Properties, release the restrictive covenants on the property, and a quit claim deed and settlement statement for the sale of the property. She stated the City would be paid $100,139.50 for the remaining portion of land the city owns, which has been appraised and reviewed by Keith Smith, Mayor Steele, and herself. The Committee discussed the history of the property, which was originally the city swimming pool. Keith Smith said the well was abandoned in 2007 and has been filled in according to state requirements. Councilor Petrusaitis said he believed the pool closed due to contamination of the well. Mayor Steele said the City had to go through a boil order for several months due to the contamination. Councilor Helgeland said there used to be a house on the property that the fire department used as a controlled burn.

**RECOMMENDATION:** Send to Council for approval.

**Thank you to Firefighters, Law Enforcement, and Volunteers for work on Sawtooth Fire**

Mayor Steele said it was too late to get the banner put up because the firefighters had left. He stated he signed a proclamation today instead. Mayor Steele read the proclamation. Councilor Helgeland asked if this would be distributed to everyone and put on the webpage. The Mayor said it would be given to the police department and fire department and posted on the webpage and the Facebook page. Councilor Valk asked to make sure it also got to the Sheriff’s office. Councilor Helgeland asked for a copy to post at her place of employment.

**RECOMMENDATION:** Informational only.

**NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION**

- October 2nd and 4th - Political forums for House of Representatives and Senate and Commissioner Candidates

**ADJOURNED** at 7:16 pm
CITY OF HAMILTON
COMMITTEE MINUTES

DATE: October 9, 2012

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Lynette Helgeland, Al Mitchell, Mel Monson, Joe Petrusaitis, Nancy Valk, & Jenny West

MEMBERS ABSENT: None

NOTE TAKER: Jamie Guisinger, Deputy Clerk

STAFF MEMBERS PRESENT: Mayor Jerry Steele
Keith Smith, Public Works Director
Dennis Stranger, Planner/ Special Projects

Councilor West opened the meeting at 7:00 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
Minutes from the September 25, 2012 meeting were approved as written.

AGENDA ITEMS

Memorandum of Understanding with the Hamilton School District Regarding the 5th and State Street Intersection
Dennis Stranger said they had previously talked about the engineer costs for the intersection between the School District and the City. He stated the School District’s committee did not have a problem with the agreement. Mr. Stranger explained the City would have the contract with an engineer and then submit a bill to the school district for their half of the cost. Councilor Helgeland asked if they had issues going over the original budget amount, how that would affect the agreement with the School District. Mr. Stranger said the City and School would have to agree at that time on what would need to be done.

Councilor Monson said he was opposed to sending this item to council.

RECOMMENDATION: Send to Council for approval.

Contract with WGM Engineering for Analysis and Design of 5th and State Street Improvements
Dennis Stranger said they will need to contract with an engineering firm for the design of the improvements if the Council approves the project. He stated the City Attorney has reviewed the contract and was making a few minor adjustments. He said the total project would not exceed $60,000 and the engineer costs would be $12,900.
Councilor Monson said he was opposed to sending this item to council.

RECOMMENDATION: Send to Council for approval.

Contract with RAM Engineering for Sidewalks
Dennis Stranger said they received a proposal to look at engineering aspects of a couple sidewalks in town. He said some of them need ADA ramps while others have dangerous drop-offs. The Mayor and Committee discussed the locations of some of the sidewalks including 5th and Ravalli and 3rd and New York. Helgeland said this was an appropriate thing for the city to be working on and asked if notification of sidewalk work could be posted at the Senior Center since many of those patrons also use the sidewalks. The Mayor said staff could gather a list of sidewalks to be worked on for the year and make sure it is available to the public.

RECOMMENDATION: Send to Council for approval.

Refinancing Water and Sewer Loans – Discuss need for Special Meeting to Adopt Bond Resolutions (Suggested Date: October 30, 2012)
Mayor Steele said he is setting a special meeting at 6:00pm on October 30th to take Council action to adopt bond resolutions. He suggested moving the Committee of the Whole meeting from the 23rd to the 30th. Move Council of the Whole meeting. Need to act on Bond Resolutions. Discussed it with the state and revolving loan fund and bond council. Dennis Stranger said the bond council needs to meet in October to meet their other obligations. The Committee discussed moving the Committee of the Whole meeting. They determined to have the meeting immediately following the Special Meeting, which would be advertised as starting at 6:15pm.

RECOMMENDATION: None. Informational only.

NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION

ADJOURNED at 7:35 pm
DATE: November 13, 2012

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Lynette Helgeland, Al Mitchell, Mel Monson, Joe Petrusaitis, Nancy Valk, & Jenny West

MEMBERS ABSENT: None

NOTE TAKER: Jamie Guisinger, Deputy Clerk

STAFF MEMBERS PRESENT: Mayor Jerry Steele
Keith Smith, Public Works Director
Dennis Stranger, Planner/ Special Projects
Karen Mahar, City Attorney
Terry Cole, Parks & Cemetery Director
Land Hansen, Zoning/ Building Administrator

Councilor West opened the meeting at 7:02 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
Minutes from the October 30, 2012 meeting were approved with the correction of Councilor West opening the meeting.

AGENDA ITEMS

Rural Fire Agreement
Karen Mahar submitted a new draft of the inter-local agreement with the Hamilton Rural Fire District. She pointed out new changes to the document from the one included in the packet regarding verbage for the increases to be based on the consumer price index. (Valk Entered at 7:10 pm). The committee reviewed the documents and discussed how the new increases would be determined annually.

RECOMMENDATION: Send to Council.

Deputy City Attorney Contract
Karen Mahar stated there was a proposed contract with Attorney Meredith Merth. Ms. Mahar stated she has discussed her recommendation with Mayor Steele. She noted the Council budgeted for this position for her department during the budget process. Ms. Mahar said they received four responses to the RFP including those from Jennifer Lindt, Ken Bell, Dick Weber and Meredith Merth. She stated Ms. Lindt preferred only working on criminal cases, Mr. Weber preferred only working on civil cases and Mr. Bell was not available on a consistent basis. She said Ms. Merth came in with the lowest bid of $35 per hour. Ms. Mahar explained that Ms. Merth has just opened her own law office in town and is looking for a way to gain experience. She said Ms. Merth has been sitting in on a few cases to see if it would be a good fit for both parties. Ms. Mahar said if the Council agrees with the contract, Ms. Mahar said if the Council agrees with the contract, Ms.
Merth would become a contract employee for the city rather than a full time regular employee. Councilor Helgeland asked how Ms. Merth would do practicing law in Montana having come from Oregon. Ms. Mahar explained that Ms. Merth had to pass the Bar Exam in Montana and is coming in with a fresh perspective. The committee reviewed the contract. Ms. Mahar explained the reason it is coming to council is because there is potential for the contract to exceed $10,000 depending on the amount of time that Ms. Merth is needed.

**RECOMMENDATION:** Send to Council.

**Contract with Peaks to Plains for Legion Park Phase II**

Dennis Stranger said the contract is for the landscape design services for phase 2 which also includes sub work for structural and civil engineering. He stated the amount is $23,518. Mr. Stranger said there is a provision for supplemental services just like the contract for phase 1. He said this phase includes putting in the water feature, extending the privacy wall, a new sign, and some electrical work. Councilor Helgeland said she was concerned about the supplemental contract and asked if the Public Works department could handle that instead. Mr. Stranger and Keith Smith explained most of the overseeing of the project can be done by Public Works but that there may be certain professional aspects of the project that would require Peak to Plains. Councilor Monson noted he did not see the need for this contract and would like to explore other options such as volunteer help to cut down some of the costs. Mayor Steele said until they see the actual design, they will not be able to see what type of volunteer work they can acquire.

Monson was opposed to sending the item to council.

**RECOMMENDATION:** Send to Council.

**ADA Parking-Hieronymus Park- at Geneva Entrance**

Councilor Valk said someone tried unsuccessfully to access Hieronymus Park in a wheelchair from Geneva. She asked if there was a way to fill in or compact the area so that wheel chairs could gain entrance through that side of the park. The Committee discussed the issue and determined they would need to speak with the property owners before continuing any further discussion because the land was privately owned.

**RECOMMENDATION:** Keep in Committee for more information.

**Hieronymus Park Nature Signs**

Councilor West said the interpretive signs at Hieronymus Park are very weathered and worn out. She asked if there was a way to restore them. Terry Cole stated he has signs to replace the old ones that can be put up in the spring. He said they would look into a way to better protect them from the elements.

**RECOMMENDATION:** Informational only.

**Yard Sale Sign Posting**

Councilor Monson said yard sale signs have been an ongoing issue. He noted since the kids painted the boxes he has seen a decline in people posting signs on them. Land Hansen stated he has a weekly battle with yard sale signs. He said he takes them down on Friday just to find more put up when he returns on Monday. The Committee discussed the suggestion from a citizen to have a central kiosk or
posting board to allow people to post signs. The Committee also discussed the balance of people making extra money and the nuisance of the signs.

**RECOMMENDATION**: Keep in Committee.

**NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION**
-West asked if Chief Oster could give an update on crimes and see what is going on with cell phone ordinance
-Regularly scheduled Council meeting on Tuesday November 20, 2012
-Cancel the Committee of the Whole meeting on December 25, 2012
-Reschedule Council meeting for January 1, 2012

**ADJOURNED** at 7:50 pm
CITY OF HAMILTON
COMMITTEE MINUTES

DATE: November 27, 2012

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Lynette Helgeland, Al Mitchell, Mel Monson, Joe Petrusaitis, Nancy Valk, & Jenny West

MEMBERS ABSENT: None

NOTE TAKER: Jamie Guisinger, Deputy Clerk

STAFF MEMBERS PRESENT: Keith Smith, Public Works Director
Dennis Stranger, Planner/ Special Projects
Land Hansen, Building/Zoning Administrator

Councilor West opened the meeting at 7:00 pm.

COMMENTS FROM PUBLIC
Dennis Palmer of Hamilton said he spoke with the Montana Department of Transportation regarding the dangers of crossing Highway 93. He said they would have someone look into how to make crossing the intersection safer.

APPROVE MINUTES
Minutes from the November 13, 2012 meeting were approved as written.

AGENDA ITEMS

Skate Park – Memorandum of Understanding
Dennis Stranger said he spoke with the Mayor briefly about this topic and they both agreed it was the job of the Mayor’s as head of administration to negotiate any Memorandum of Understanding. Councilor West said she feels the skate park needs to become its own entity in order to be able to get funding. She said B.E.A.R. was the fiduciary at one point but she was unsure if they still were. The Committee discussed the school property adjoining River Park as one favored location for a skate park. Councilor Helgeland said as far as the Park Board goes, they were not trying to direct the Council or Mayor to do anything in particular but only to make a recommendation to keep the dialogue and the momentum going. Mr. Stranger noted the city has talked with the school board about the property near River Park. He suggested looking further into the little baseball fields as a location for the skate park. He said it would require relocating one or two of the little fields out into the county and suggested the Stevens property for that. He said the city would end up having to pay for the fields but it would be a jump start to that property. The Committee continued to discuss the layout of the property of the existing little baseball fields. Councilor Petrusaitis suggested putting the skate park where the BMX track is. Mr. Stranger said according to the Parks Department, the BMX track is used regularly. Councilor West said they would also like to the location to be more easily monitored where as the BMX track is off the main road.

RECOMMENDATION: Keep in Committee.
Recreational Vehicles on City Streets
Land Hansen updated the Committee on the status of several RVs throughout the city. He stated there was only one that he believed someone was living in. The committee discussed whether or not they would like to pursue a change to the ordinance. Councilor Monson said there is already an ordinance regarding abandoned vehicles. Councilor Helgeland and Mr. Hansen noted there is an ordinance addressing people living in RVs in the zoning ordinance. Mr. Hansen explained that he has sent letters and that there is a legal process involved. He said he is enforcing the code and working closely with the city attorney on the timeline. After further discussion the committee chose to not pursue any ordinance change but to receive updates when there was new information on violations.

RECOMMENDATION: Have Mr. Hansen give an update when there is new information.

Employee Recognition Day
Councilor Helgeland said there is no Christmas party this year. She said there seems to be a little bit of divisiveness between employees and management. She stated the employees are the backbone of the city because councilors and mayors come and go. She said she would like to come up with a way to recognize them without it turning into a performance evaluation. Mr. Stranger said it would be hard to get anyone to show up, just like the Christmas Party. Councilor Monson said the police have a plaque for the top marksman. Councilor Mitchell said when an employee does something outstanding, they should be recognized but if you turn it into an employee of the month, it loses the meaning. He said employees get recognized every two weeks with a paycheck. After further discussion they determined to leave it up to department heads and the Mayor to recognize when employees go above and beyond the scope of their duties.

RECOMMENDATION: None. Informational.

NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION
-Update on a property being required to cut weeds and board up a home
-Permanent basketball hoop in City right-of-way
-Paper handicapped sign
-Helgeland thanked Land for doing his job

ADJOURED at 7:54 pm
CITY OF HAMILTON
COMMITTEE MINUTES

DATE: December 11, 2012

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Lynette Helgeland, Al Mitchell, Mel Monson, Joe Petrusaitis, Nancy Valk, & Jenny West

MEMBERS ABSENT: None

NOTE TAKER: Jamie Guisinger, Deputy Clerk

STAFF MEMBERS PRESENT: Mayor Jerry Steele
Keith Smith, Public Works Director
Dennis Stranger, Planner/ Special Projects
Terry Cole, Parks & Cemetery Director

Councilor West opened the meeting at 7:05 pm.

COMMENTS FROM PUBLIC
None.

APPROVE MINUTES
Minutes from the November 27, 2012 meeting were approved as written.

AGENDA ITEMS

10th Street Parking
Terry Cole said this item was brought up at a council meeting. He stated the National Guard closed the parking lot to the public next to the restroom which will leave a parking problem in the summer months. He stated the main problem is that employees from businesses across from the park are using the parking spaces which create issues for people trying to use the park. He suggested adding 90 minute parking signs along the stretch in front of the park. He noted it is only an issue during the summer as more people are out using the park facilities. Councilor Helgeland noted she brought this up when they first put in the new parking area and no one thought it would be an issue. She said the tone of that conversation was that it was public parking and would not be regulated to just 90 minutes. Keith Smith noted there is parallel parking along 10th Street that is not utilized. He suggested putting up the 90 minute signs and reminding the employees of businesses that there is parallel parking for their use. Councilor Monson said they could make the 90 minute parking from sign to sign. After further deliberation, the Committee chose to send this item to council for further discussion.

RECOMMENDATION: Send to Council for approval of adding 90 minute parking signs along the park on 10th Street.

Resolution to Modify Cemetery Fees
Terry Cole said he needs to close a loop hole in the current fee structure regarding concrete and plastic vaults. He showed the Committee his suggested change from their handouts in the packet. He explained that the way the fees are currently written, it can be interpreted that installing a plastic vault...
does not constitute an installation fee. He stated it is very justifiable to charge the installation fee for the amount of work they have to do to put in the vaults. The committee discussed whether the proposed $150 fee was enough to charge. They determined it was. They also discussed the possibility of building a mausoleum for cremains and also revisiting the entire fee structure at a later meeting.

**RECOMMENDATION:** Send to Council for approval of the change to the cemetery fees.

**Goal Setting – Open Discussion**

Councilor West stated she would like to have an opportunity for the Committee to discuss items they can begin working on in the new year. The Committee made a list of topics for discussion which included the following:

- Cemetery fee structure
- Building a mausoleum at the cemetery
- Looking into a cemetery district
- Set up work sessions to discuss Tax Increment Finance District
- Fairgrounds Road project
- Railroad crossings at Marcus, Ravalli, and Fairgrounds Road
- County property that is poorly maintained at the North entrance to Hamilton
- Access Control Plan at north end of Highway 93
- Turning lights for all directions at Highway 93 and Fairgrounds Road
- Lighting Districts – Start public meetings
- Location for Skate Park
- Step up efforts for implementing Non-Motorized Transportation Plan
- Justice Center – long term goal but narrow down a site selection
- Creating a Fire District by consolidating the city fire with the rural fire
- Summary of activities provided by department heads on a quarterly basis
- Evaluation of Building Department income

**RECOMMENDATION:** None. Informational.

**NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION**

**ADJOURNED** at 8:15 pm
Ms. Komar stated there were 15 other communities participating in the program around the state. She encouraged the committee to review the sample ordinances from cities like Bozeman, Great Falls, and Lewistown. She pointed out Hamilton already has some of the requirements already noting the existing historic districts already established in the city. Councilor Monson asked what benefits homeowners would have from fixing their homes up. Ms. Komar said there are tax credits for doing so as well as a draw for heritage travelers wanting to come see the area which benefits the economy.

**RECOMMENDATION:** Keep in Committee to review the material presented more thoroughly.

**Service Line Warranty Program**

Keith Smith showed a five minute video on a service line warranty program available to homeowners for a small monthly fee. He stated the company is asking for the city to endorse the program before the company will begin advertising their services in the community. He stated it was like any other insurance program and would not affect the city at all. Councilor Petrusaitis suggested contacting MMIA to run it by them. He said he like the idea assuming the program was legit. Councilor Hendrickson asked if homeowners could talk to Public Works to find out what their risk factor was. Mr. Smith said there is less risk for roots breaking waterlines but the older clay sewer lines are the ones at risk.

**RECOMMENDATION:** Keep in Committee. Get more information and a sample letter from the company offering the program to see what exactly the city would be endorsing.

**NON-AGENDA ITEMS – TOPICS FOR CONSIDERATION**

Alec Shafer stated he and his wife bought a home at 801 S. 3rd Street. He stated he lived in a historic district in St. Louis, MO, and chose to move to Hamilton partly because of the character and old charm. He said he would like to express his opinion and would love to be in the historic district. He said it is a nice thing to preserve the character of these older homes. He encouraged the city to include more areas of Hamilton in historic districts to preserve the character which is desirable for people.

Dennis Stranger said the studies for New York and 10th Street and Fairgrounds Road are complete and need to be scheduled at a future Committee or Council meeting. He noted they would take about 45 minutes.

**ADJOURNED** at 8:00 pm.