

**CITY OF HAMILTON
COMMITTEE MINUTES**

DATE: December 22, 2020

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Council President Kemp, Councilors West, Bielski, Pruitt, Pogachar and Mitchell

MEMBERS ABSENT: None.

NOTE TAKER: Cynthia Fleming, Deputy Clerk

STAFF MEMBERS PRESENT: Dominic Farrenkopf, Mayor, Donny Ramer, Public Works Director, Matthew Rohrbach, City Planner

Public Comment

Kent Barbian, 110 Cottonwood Court

Mr. Barbian said that in their application to the City the Bitter Root Humane Association, (BRHA) lied and provided false and inaccurate information. He feels that they have bullied the property owners. He also feels that the Zoning Board of Adjustment, (ZBA) and City staff did not address the Hamilton Municipal Code, (HMC) in their staff report. He says the City has been spineless against the wrongs imposed upon us by the BRHA. I have gone to the Mayor and to Chief Oster and I was told to provide a list of questions as to what I need. He said he is going to begin filing complaints. Mr. Barbian stated that the City is not addressing dog licensing. He will continue to make this kind of public comment. He believes that the BRHA is against him and failed to communicate with the neighbors. Councilor Kemp is against him. He will wait to see if the BRHA is made to follow the Conditional Use Permit, (CUP). If not there will be additional noise and he will continue to fight.

Approval of Minutes from December 8, 2020

Councilor Mitchell moved to approve the minutes. Councilor West seconded. The minutes were approved unanimously.

• **Grant for Fast Electric Vehicle Charging Station**

City Planner, Matthew Rohrbach reminded the Council that the City received a grant to build two, level two charging stations in the parking lot at City Hall. There is another round of grants that are available for Level 3, fast charging stations. The grants are being administered by the Montana Department of Environmental Quality, (DEQ) as part of the Volkswagen Environmental Mitigation Trust Agreement for State beneficiaries. Designated highways and corridors have been identified as eligible transportation corridors for funding. The entire length of Highway 93 is identified as a corridor and Hamilton identified as a priority funding community. To be eligible for the fast charging station, there must be two, level two charging stations in place, which the first grant

covers. Mr. Rohrbach stated that what they want is an organization to put together a grant for the whole corridor. He would like to be in a position for Hamilton to be a part of that grant. He stated that the City would not administer the grant or need to provide the match. The City would not own the charging station, we would only provide the space. He is asking that an additional parking space be set aside in order for the City to be a part of the fast charging station grant and would like to have the approval in place, so that it can be submitted with the grant.

Councilor West moved to send the request for an additional parking space at City Hall for a fast vehicle charging station be sent to Council for approval. Councilor Bielski seconded. The motion was approved unanimously.

Recommendation:

Move to Council.

• **Proposed Amendments to Hamilton Municipal Code to Address Requirements of MT LR-130 Regarding Local Regulation of Firearms and to Clarify Allowed and Prohibited Activities in City Parks**

Public Works Director, Donny Ramer, presented the proposed amendments to the Hamilton Municipal Code, (HMC). He told the Council the changes were an effort to have our municipal code match with MT LR-130. LR-130 removed local governments' power to regulate the carrying of permitted concealed weapons. The amendment will take effect January 1, 2021. In the process of updating the HMC to be in compliance with the new law, they looked at the HMC to clean up some of the other rules applying to parks and recreational fires. Other codes that were amended included 12.20.035 B. pertaining to camping overnight in and outdoor open fires. Councilor West had a question about overnight camping in the park. She thought there was no camping in the parks. Director Ramer responded that at times the Boy Scouts had asked for permission. This just clarifies that the Mayor has discretion in allowing camping overnight in the park. Other amendments were made to 12.20.042 Dogs in parks, in order to update parks that allow dogs on leash to include Steve Powell and Skalkaho Bend Parks and that dangerous dogs are not allowed in city parks.

Additional changes were also recommended to 9.32.010, 9.32.02, and 9.32.030 addressing the city's firearm codes, to bring the code up to date with MT LR-130. Other updates included clarifications to 8.20.015 Barbecue cooking allowed and 8.20.16 Recreational fires.

If the amendments are moved to Council, City Attorney Karen Mahar, will provide draft ordinances for the Council reflecting these changes.

Councilor Kemp stated with respect to firearms we are trying to get our municipal code to match with MT LR-130. We need to be in compliance. The changes need to be made.

Public Comment:

Kent Barbian- 110 Cottonwood Court commented that he feels that City staff and the Councilors did a good job to update the HMC.

Councilor West moved to send the amended ordinances to Council. Councilor Mitchell seconded. The motion was approved unanimously.

Recommendation

Move to Council.

Non-Agenda Items

Councilor Pruitt said that ice skating enthusiasts had approached her about suggesting, if the weather ever cooperates, that they would like the City to consider creating a pond in one of the City parks. Mayor Farrenkopf said that he will talk to Fire Chief Mohn about the possibility of flooding an area in a park for ice skating.

Adjourn

Councilor West moved to adjourn. Councilor Mitchell seconded. The meeting was adjourned at 7:53pm.