

APPROVED MINUTES

The City Council held Council Meeting #1613 on Monday, September 19, 2022, in the Council Chambers at City Hall.

Call to Order:

The meeting was called to order at 7:04 pm by Mayor Peggy Williams.

The Pledge of Allegiance was completed, prayer was by Mark Smith, roll call commenced. Present were Mayor Williams, Councilors Gary Beach, Melissa Berke, Zach McNew, Brian Zimmerman, Administrator Samuel Sikes, Clerk-Treasurer Leann Monigold, and (via Zoom) Councilors Kristin Smith, Hugh Taylor, and City Attorney Dean Chisholm.

Mayor Williams welcomed all present.

Approve Council Minutes#1608 dated 18 July 2022:

Councilor Beach **MADE A MOTION** to approve Council Minutes#1609 dated 18 July 2022, and Councilor Zimmerman **SECONDED**.

Councilors Beach, Berke, McNew, Smith, Taylor, and Zimmerman voted **FOR**.

MOTION PASSED.

Approve Public Hearing (Cabinet Affordable Housing, LLC) Minutes dated 18 July 2022:

Councilor Zimmerman **MADE A MOTION** to approve Public Hearing (Cabinet Affordable Housing, LLC) Minutes, and Councilor McNew **SECONDED**.

Councilors Beach, Berke, McNew, Smith, Taylor, and Zimmerman voted **FOR**.

MOTION PASSED.

Announcements: None

Committee Reports:

Administrator: Administrator Sikes reported 6 building permits were sold, 5 residential for roofs, 1 commercial for Flathead Electric truck bay for a total of \$5858.00 for the month of September, totaling \$7581.00 for FY23 includes 11 roofs, 1 garage, 1 siding, 1 truck bay. At this time in FY22 permit sales were \$3127.00.

A meeting was held with Dory from the Zero to Five group about playground equipment to be included in the Fireman's Park project. They will be unable to do a large piece and discussed the smaller pieces of equipment, presented at the previous Council meeting, and contacting playground company to have construction start in the spring which will give time to order the new pieces to be included and cut cost for Zero to Five and the City to combine the projects together.

Zoning/Planning: Councilor Smith announced another meeting is scheduled for September 26th before notice is given for the Public Hearing on Growth Policy Update.

Finance: Clerk-Treasurer Monigold reported the budget for FY23 was submitted to the State September 14th and received an email stating it was received. The FY22 audit should begin at the end of October, so information requested by auditors is being gathered.

City-County Board of Health: Amy Fantozzi reported legislation passed stating all Boards of Health are required to have a governing body, It was decided the three County Commissioners would become the governing body to approve any recommendation or appointments. Meetings have been voted to move to every other month since COVID has slowed down, and requested to change to quarterly reports since the board only meets every other month.

Councilor Smith inquired about the recommendations submitted by the City for the governing body and if there was discussion about adding City representation to the decision making process. Ms. Fantozzi explained there was discussion about each community having a representative from their council to be part of that governing body and in order to do that the by-laws would have to be changed. After being put to a vote it was decided to use the commissioners as the governing body.

Old Business: None

New Business:

Conflicting ordinances regarding corner lot set-backs/visibility triangle-introduction:

Mayor Williams explained the ordinances being presented are not new, they exist dating back to 1975 and 1987. The goal is to put it into Ordinance Committee to be reviewed and make decisions regarding the conflict.

Administrator Sikes showed a PowerPoint presentation, visible on Zoom, explaining the conflicts of the visibility triangle described in two ordinances to maintain clear visibility at intersections and street corners. Ordinance 12.40.060 under Streets and Sidewalks passed in 1975 states you must be 80 feet from the intersection on each road starting at the center of the intersection to 80 feet up each roadway then drawing an imaginary line to connect the two points for the set back. Property owners would be able to construct a chain link fence up to 6 feet in height or a rail fence to certain heights that would not take up more than 30% of the view on corners. Ordinance 17.32.030 under Zoning passed in 1987 states any fence, wall, or shrubbery, no more than 6 feet in height, must be 25 feet from an intersection. At an intersection, a distance of 25 feet from the corner on each side, with an imaginary line connecting the two points must be kept clear of any fence, wall, or shrubbery to allow for clear traffic visibility. Administrator Sikes suggested narrowing it

down to a single description to avoid conflicting measurements and recommended Ordinance 12.40.060 remain the same and under Ordinance 17.32.030 to reference the other ordinance. The reference would be for Resident A, Resident B, Resident C, and the Medical district.

Councilor Smith recommended Ordinance 12.40.060 be retiled because "Trimming" is misleading if referring to the Zoning section or instead of keeping the wording of the fence section since it is a conflict to strike the paragraph. Mayor Williams suggested referring the question to Ordinance Committee. Councilor Smith accepted adding the conflicting ordinances to the Ordinance Committee for further review.

Public Comment: John BeBee, 704 E 9th St, stated while reviewing the ordinances to build a fence the two ordinances were unclear and spoke with Mr. Sikes to clarify how the fence needed to be set back to be in compliance with the City. Mr. BeBee stated the ordinance does not clearly state you have to find the vision triangle and was concerned about losing a portion of his property on the corner.

Rotary Peace Pole: Mayor Williams explained George Gerard has purchased a Rotary Peace Pole that is an 8-foot, 4-sided pole and says "May there be peace" in four languages. Mr. Gerard is asking the City to put it in a location. Due to miscommunication, Mr. Gerard did not make it to tonight's meeting so he will be added to the next agenda.

Approve all business licenses applications received to date:

Broden's Precision Painting and Michelle Malyevac.

Councilor Zimmerman **MADE A MOTION** to approve all business licenses applications received to date, and Councilor McNew **SECONDED**.

Councilors Beach, Berke, McNew, Smith, Taylor, and Zimmerman voted **FOR**.

MOTION PASSED.

Public Comment on Non-Agenda Items: None

Unfinished Business: IP Settlement, no updates.

General Comments from the Council: Councilor Beach mentioned city regulation on billboard signs had been discussed in the past and referring to a giant sign that was recently put up, wondering if there is anything that can be done to add signage regulations. Councilor Smith explained the Zoning Committee has reserved a spot to add signage to the modifications of the Zoning for Downtown and Highway Commercial Business Districts.

Adjournment:

Councilor Zimmerman **MADE A MOTION** to **Adjourn** and Councilor McNew **SECONDED**.

Councilors Beach, Berke, McNew, Smith, Taylor, and Zimmerman voted **FOR**.

MOTION PASSED.

Mayor Williams adjourned the meeting at 7:37 PM.

Mayor Peggy Williams

Clerk-Treasurer Leann Monigold