MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ROUNDUP HELD ON SEPTEMBER 19, 2023 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS AND ZOOM MEETING.

The meeting was called to order by Mayor Jones. Clerk/ Treasurer Lanter conducted roll call with council members, Long, Liggett, Vivirito, Erickson, Carlson, McCleary, Toombs, and Fisher present. Also, present were Director Sibley, Assistant Clerk Mann, Attorney Brooks and Compliance Officer Hoiland.

*Moved by Liggett seconded by Carlson to approve the minutes of the September 5, 2023 meeting. All in favor. Motion carried.*

*Moved by Toombs seconded by Vivirito to approve the agenda adding, Growth Policy meeting discussion. All in favor. Motion carried.*

No Public Comment.

**New Business:**

* **Public Hearing PUD Application by Randy Hafer**: Mayor Jones closed the city council regular meeting at 7:03pm. Opened the Public Hearing at 7:03pm.

**Public Comment: Gary Thomas, 602 1st St W.-**Asked the council if they knew what a PUD was. **Hoiland-** Yes, I gave a copy of it to the mayor. **Thomas**-well, what is it? It’s totally not applicable in this case. It’s for large areas of land to be subdivided. This is foolishness. Allow the man to remodel a building. On-street parking, allow it or not. Don’t keep dragging this on.

**We are the DesJarlais’ at 602 3rd St W.** We are not opposed to housing. We tried to get a floor plan. We are concerned about the parking 26 to 52 possible cars. Seniors get 150 guests at a time. Homework needs to be done on the situation. We are concerned about management. The playground area is utilized by many. It’s a great importance to young families.

**Norma Trent, 515 1st St W.** I have concerns about on street parking on my street.

**Bob Goffena, 152 Goffena Road.** Seniors use lots 10, 11, and 12 for parking. We were told those were donated to the senior center. We don’t want to share the lot. County has lot 1, possible trade.

Pretty concerned about the breeze way, it makes it a condominium. It needs to be taken out.

**Margaret Doumitt, 416 2nd St W.** We are in support because of the housing for seniors and the playground for the youth.

**Wendy Beye, Alec Roy Road.** I am a financial investor for the project. Looking at city growth plan adopted in 2018. It’s considered downtown. Says to restore and re-use historic buildings. Will provide 21 one-to-two-bedroom apartments. Willing to donate the park which is the only playground west of main street. Good place for traveling nurses to live. School teachers need a place to live also. We need this approved so work can begin.

**Justin Russell Roundup Fire Department and DES.** Safety concerns need to be addressed. We have not seen plans with sprinkler system. Would like to see permitting and plans.

**Bill Milton-** **Gave PO Box as address.** I support the project, made a financial commitment. Would like to see the project move forward.

**Randy Hafer-** Would like to clarify some things. We have no efficiency apartments. There will be 21 apartments, has been that way for 3 years now. We will be permitted and sprinkled. You will get it when we submit. New plan was sent to the mayor this afternoon. Handicap parking will be on 1st St. and dumpster will be clearly identified and located on 1st with curb cut to facilitate pickup. Shade structure has been removed and replaced with a fenced area that will be used for solar array. Will have access for first responders. Close Public Meeting at 7:25pm.

* **Public Hearing for the Budget 2023-2024:** Mayor Jones opened the public hearing at 7:25pm. No public comment. Mayor Jones closed the public hearing at 7:26pm. Open the regular council meeting at 7:26pm.

**Mayor Jones:**

* **Interlocal agreement, Justice Court Services-**Met with county, provided a proposal. Agreed on $100.00 a month. Mr. Marking is not in agreement. Received an email from Mr. Marking saying he will not accept the offer of $100.00 and will be working on shutting down city court. **Attorney Brooks**-Will send Statute 3-11-205 to council. It’s old but does indicate agreement has to be between city, county, and judge. Can’t move forward with just the city and county agreeing. Mayor jones will set up negotiations that all can live with. **Liggett**-Isn’t there an obligation to fulfil his elected position? **Carlson**- Why is it an issue now? A precedent has been set. **Attorney Brooks**- Dual capacity enters an agreement. County commissioners set the salary. Right now, we have an expired agreement. **County Attorney Larsen**- Current agreement is not signed by Mr. Marking. He has never taken an oath or sworn in as city judge. He is only elected as Justice of the Peace. The county is happy with accepting $100.00 a month. If city has no judge, county will lose 50% of fine money. Could be anywhere between $12,000.00 and $15,000.00 a year.
* **TIF Board-**Attorney Brooks will review all documents.
* **Mayor Jones-**Lang with Fish, Wildlife & Parks is encouraging a grant to help with development, on Ice Cream Hill. Possibly a picnic table or bench. Will have Parks Committee look at it.

**Attorney Brooks:** Working with Mayor on Justice Court agreement.Appreciate Mr. Larsen, he is a great attorney.

Will have suggestions on PUD (Planned Unit Development) document.

**Compliance Officer Hoiland:** 15 permits.

**Unfinished Business;** Mayor thanked Jeremy Fadness for attending via video.

* **TIF District Board Members-**Tabled
* **On-Street Parking Ordinance-** Tabled
* **Updating the CIP/Community Survey-**Discussed at Growth Policy meeting.
* **Growth Policy-Ad Hock Committee-** Toombs will report out during council discussion.

**Report out from Council Committee Meetings:**

* **Growth Policy meeting: Toombs**- will spend the rest of September getting organized. Will work on survey in October and will do a rough draft and make recommendations for Growth Policy.
* **Water Authority: Liggett-**Harlow has water. Bids for Phase 2c were last week.Signed agreement with Bureau of Reclamation.
* **Erik Engstrom-Amendments to plats: Mayor Jones-** Bruce noted already, larger than standardsize lots. Mayor will get the information to Attorney Brooks. Council will move on this next meeting.

*MOVED BY LONG SECONDED BY LIGGETT TO APPROVE THE APPLICATION FOR THE PUD (PLANNED UNIT DEVELOPMENT) WITH AN AMENDMENT TO REMOVE THE CITY OF ROUNDUP AND MUSSELSHELL COUNTY AS PART OF THE PUD (PLANNED UNIT DEVELOPMENT), AS IDENTIFIED IN SECTIONS NUMBERED 2 AND 3 ON PAGE ONE OF EXHIBIT A, AS THE PUD (PLANNED UNIT DEVELOPMENT) APPLIES ONLY TO THE SCHOOL AND APPLICANT. ALL IN FAVOR, LIGGETT RECUSED. MOTION CARRIED.*

*No Public Comment.*

*MOVED BY TOOMBS, SECONDED BY LONG TO APPROVE THE APPLICATON FOR THE PUD (PLANNED UNIT DEVELOPMENT) WITH AN AMENDMENT TO REMOVE ALL OF THE LANGUAGE PERTAINING TO THE CITY OF ROUNDUP AND MUSSELSHELL COUNTY INCLUDED IN SECTION NUMBERED 3, ON PAGE ONE OF EXHIBIT A. ALL IN FAVOR. MOTION CARRIED.*

*No Public Comment.*

*MOVED BY LONG, NO ONE SECONDED TO APPROVE THE APPLICATION FOR THE PUD (PLANNED UNIT DEVELOPMENT) WITH AN AMENDMENT TO REMOVE THE PROPOSED REQUIREMENT TO PROVIDE NO-OFF STREET PARKING AND AMEND TO REQUIRE ONE OFF STREET PARKING SPACE PER DWELLING UNIT, WITH ADA PARKING AND LOADING AREAS TO BE PROVIDED IN COMPLIANCE WITH ADA REGULATIONS. MOTION DIED.*

*No Public Comment.*

*MOVED BY TOOMBS, SECONDED BY LONG TO APPROVE THE APPLICATION FOR THE PUD (PLANNED UNIT DEVELOPMENT) WITH AN AMENDMENT IN THE PROPERTY OWNERSHIP, TO REMOVE ITEMS 2 AND 3 PERTAINING TO THE CITY OF ROUNDUP AND MUSSELSHELL COUNTY. ALL IN FAVOR. LIGGETT RECUSED. MOTION CARRIED.*

*No Public Comment.*

*MOVED BY VIVIRITO, SECONDED BY TOOMBS TO APPROVE THE APPLICATION UPON THE CONDITION, THAT THE APPLICANT SHALL DESIGN AND INSTALL AT HIS EXPENSE, ON STREET DIAGNOL PARKING, ONLY ON FIRST STREET, WEST OF THE PROPERTY. A REVISED SITE PLAN SHOWING THE LAYOUT OF THE DIAGNOL PARKING SHALL BE SUBMITTED TO THE CITY OF ROUNDUP FOR REVIEW AND APPROVAL PRIOR TO DOING ANY WORK WITHIN THE CITY STREET RIGHT OF WAY. ALL IN FAVOR. MOTION CARRIED.*

***Public Comment: Norma Trent 515 1st St W****. I’m confused, how far extended is the parking?* ***Hafer****- It’s just the block the school is on. We are talking about the sketch only; it’s clarified on the drawing.*

*MOVED BY TOOMBS, SECONDED BY ERICKSON TO ACCEPT THE PUD (PLANNED UNIT DEVELOPMENT) AS AMENDED. ALL IN FAVOR. MOTION CARRIED.*

*Public Comment:* ***Bob Goffena- 152 Goffena Road.*** *I don’t understand the on-street parking.*

***Norma Trent 515 1st St W****. I’m confused on spaces.*

*MOVED BY TOOMBS, SECONDED BY LIGGETT TO TABLE THE APPLICATION APPROVAL UPON CONDITION, THAT THE APPLICANT SHALL PROVIDE ONE OFF STREET PARKING SPACE PER DWELLING UNIT IN COMPLIANCE WITH THE PUD (PLANNED UNIT DEVELOPMENT) APPROVAL. FURTHER, ADA PARKING AND LOADING AREAS SHALL BE PROVIDED FOR THE PROPOSED USES IN COMPLIANCE WITH THE CURRENT ADA REQUIREMENTS AND THE PUD (PLANNED UNIT DEVELOPMENT) APPROVAL. A REVISED SITE PLAN SHALL BE SUBMITTED TO THE CITY OF ROUNDUP FOR REVIEW AND APPROVAL PRIOR TO STARTING THE PROJECT. THE APPLICANT SHALL DESIGN AND INSTALL THE REQUIRED PARKING AT HIS EXPENSE. ALL IN FAVOR TO TABLE. MOTION CARRIES.*

*No Public Comment.*

*MOVED BY TOMMBS, SECONDED BY LONG. TO APPROVE THE APPLICATION UPON THE CONDITION THAT THE PROJECT SHALL BE IN COMPLIANCE WITH ALL APPLICABLE STATE OF MONTANA BUILDING CODES AND THE APPLICANT IS RESPONSIBLE FOR OBTAINING ALL OTHER PERMITS REQUIRED FOR CONSTRUCTION OF THE PROJECT, INCLUDING, BUT NOT LIMITED TO BUILDING, ELECTRICAL, AND PLUMBING PERMITS. ALL PERMITS SHALL BE PROVIDED TO THE CITY OF ROUNDUP PRIOR TO THE START OF CONSTRUCTION. ALL IN FAVOR. MOTION CARRIED.*

*No Public Comment.*

*MOVED BY TOOMBS, SECONDED BY FISHER TO APPROVE THE APPLICATION UPON THE CONDITION THAT THE APPLICANT SHALL PROVIDE A REASONABLE TIMELINE FOR THE COMPLETION OF THE PROJECT. ALL IN FAVOR. MOTION CARRIED.*

*No Public Comment.*

*MOVIED BY TOOMBS, SECONDED BY LONG TO APPROVE AMENDED RESOLUTION #1177. AN AMENDED RESOLUTION OF THE CITY OF ROUNDUP, MONTANA REAFFIRMING ITS LONG TERM MAINTAINENCE OF THE PUBLIC RESTROOM FACILITIES CONSTRUCTED ON REAL PROPERTY CURRENTLY LEASED TO THE CITY OF ROUNDUP (TENANT) BY MUSSELSHELL COUNTY HOUSING AUTHORITY (LANDLORD) THROUGH AN AMENDED LEASE AGREEMENT DATED AUGUST 18, 2023. ALL IN FAVOR. MOTION CARRIED.*

*No Public Comment.*

*MOVED BY TOOMBS, SECONDED BY FISHER TO APPROVE RESOLUTION #1178. A RESOLUTION APPROVING AND ADOPTING THE BUDGET FOR THE CITY OF ROUNDUP, MONTANA, FOR THE FISCAL YEAR 2023-2024. ALL IN FAVOR. MOTION CARRIED.*

*No Public Comment.*

*MOVED BY TOOMBS, SECONDED BY MCCLEARY TO APRROVE RESOLUTION #1179. A RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE PURPOSE OF FINANCING CAPITAL ASSETS. ALL IN FAVOR. MOTION CARRIED.*

*No Public Comment.*

*MOVED BY TOOMBS, SECONDED BY MCCLEARY TO APPROVE RESOLUTION #1180. A RESOLUTION LEVYING ASSESSMENT OF ANNUAL MAINTENANCE COSTS FOR ROUNDUP STREET MAINTENANCE DISTRICT TO DEFRAY THE COSTS FOR FISCAL YEAR 2023-2024. ALL IN FAVOR. MOTION CARRIED.*

*No Public Comment.*

*MOVED BY TOOMBS, SECONDED BY MCCLEARY TO APPROVE RESOLUTION #1181. A RESOLUTION LEVYING ASSESSMENT OF ANNUAL COSTS OF MAINTENANCE AND ELECTRICAL POWER FOR THE ROUNDUP STREET LIGHTING DISTRIST NO. 50, TO DEFRAY COSTS FOR FISCAL YEAR 2023-2024. ALL IN FAVOR. MOTION CARRIES.*

*No Public Comment.*

*MOVED BY TOOMBS, SECONDED BY VIVIRITO TO APPROVE RESOLUTION #1182. A RESOLUTION ADOPTING THE REVISED SALARY SCHEDULE WITHIN THE PERSONNEL POLICY MANUAL AND DETERMINING THE SALARIES AND COMPENSATION OF ELECTED AND APPOINTED CITY OFFICERS AND REVOKING RESOLUTIONS IN CONFLICT HEREWITH. ALL IN FAVOR. MOTION CARRIED.*

*No Public Comment.*

No Public Comment.

*MOVED BY TOOMBS SECONDED BY VIVIRITO TO ADJOURN THE MEETING. MOTION CARRIED.*

*THE MEETING ADJOURNED AT 8:08 P.M.*

APPROVED BY\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sandra Jones- Mayor Tanya Lanter- Clerk Treasurer

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Cassandra Mann-Assistant Clerk