

City Council Meeting
May 26, 2009

Present: Mayor John Williams, Councilpersons Betty Jo Ellison, Dan Becker, and Susan Hert

Absent: Councilperson Betty Jo Ellison

Also Present: City Attorney Gary Ryder, Public Works Supervisor John Bleth, City Clerk/Treasurer Michelle Richards, Police Chief Reinlasoder and Building Inspector/Zoning/Code Enforcement Officer Jan Morgan

Mayor Williams called the meeting to order at 7:00 pm. Following the Pledge of Allegiance, Clerk/Treasurer Richards called the Roll Call.

Consent Agenda:

Councilperson Becker moved to approve the Consent Agenda. Councilperson Hert seconded the motion. No discussion. Motion carried with all in favor.

- a. Minutes of 5/12/09 Regular Meeting
- b. Claims Roster 5/22/09
- c. April Treasurer's Report
- d. Journal Voucher 09-05

Bid Opening:

Carl Jackson of Kadrmas, Lee and Jackson opened sealed bids as advertised for the Sweetgrass Paving Project – Phase I. The following bids were received:

JEM Contracting	\$565,699.43
Riverside Construction	\$792,950.00
Hardrives	\$780,774.13
Century Companies	\$694,270.00
CMG Construction	\$554,097.00

The engineering estimate is \$680,795.00. Mr. Jackson will review the bids and submit a recommendation for City Council's consideration at the next meeting.

Departmental Reports:

Department Reports were given by Police Chief Reinlasoder, Zoning/Code Enforcement Officer/Building Inspector Morgan, City Clerk/Treasurer Richards, Public Works Supervisor Bleth, and Attorney Ryder in addition to written reports provided in Council's packets.

Public Comment and Participation:

Mayor Williams opened the Variance Hearing for 6905 Blackhawk Circle at 7:41 p.m. Zoning/Code Enforcement Officer/Building Inspector Morgan introduced the request and explained the request is for a variance to the rear setback requirement in the R-1 Residential District for the construction of a shed. Mrs. Morgan's recommendation is to approve a Conditional Use Permit for the current property owners instead of a permanent variance for the property. Jolene Verlanic, of 6905 Blackhawk Circle, stated they plan to pour a cement pad and put the shed on top of it. They maintain approximately 40 feet of land behind their yard and have put a lot of work into their property. They have no neighbors behind them as the area is undeveloped. No other comments were received regarding the variance request. Mayor Williams closed the hearing at 7:44 p.m.

Mayor Williams opened the Variance Hearing for 4324 Ballantine Drive at 7:44 p.m. Zoning/Code Enforcement/Building Inspector Morgan introduced the request and explained the request is for a variance to the 1,500 square foot garage size limitation in the R-3 Residential District. The owners would like to build a 1,792 square foot detached garage/shop combination. Chance Capp, owner of the property, presented a sample of the look of the garage, which will be similar in color and style to the house. He also presented signatures of neighboring property owners stating they have no objection. He would rather build one larger building instead of two smaller ones. Mayor Williams closed the hearing at 7:50 p.m.

Mayor Williams opened the Variance Hearing for 2566 Chisholm at 7:50 p.m. Zoning/Code Enforcement/Building Inspector Morgan introduced the request and explained it is for a variance to the front setback requirement for an open deck at the front entrance to the home. The owner of the property had already started building the deck when he was contacted about the requirement for a permit and that it was not in conformance with code. Mrs. Morgan recommends granting a Conditional Use Permit for this deck to the current owners instead of a permanent variance to the property. Shane Parlette, of 2566 Chisholm, explained the reason for the deck in front of the home is because the back side of the house would be too hot and the golf course is behind the house and golfers frequently can be seen urinating. Mayor Williams closed the hearing at 7:57 pm.

Mayor's Communications:

Mayor Williams attended the Montana League of Cities & Towns district meeting in Miles City last week and received additional information regarding the federal stimulus funds. The city will be receiving \$46,334.00, which will go towards the replacement of the sewer lift station on Orchard Drive.

Senator Baucus' staff will be holding a town meeting tomorrow at City Hall to discuss Health Insurance Reform. Panelists include Dr. Jose Ortiz of the Colstrip Medical Center, Neal Donner of Yellowstone Pharmacy in Forsyth, Karen Rizor of the Ashland Community Health Center in Ashland, and Julie LaPlant and Paul Longden from the nursing home in Broadus. Mayor Williams will serve as moderator.

The Department of Transportation contacted Mayor Williams about placing a geological interpretive marker in Colstrip. The marker would provide information about the Powder River Basin and Tongue River Sandstone and geological statistics related to coal, oil and methane gas.

New Business:

Councilperson Hert moved to approve a Conditional Use Permit to Kurt and Jolene Verlanic for the placement of a storage shed within 2 and one-half feet from the back property line at 6905 Blackhawk Circle. Councilperson Becker seconded the motion. Discussion: Councilperson Harbin commented there are others in the area that have sheds in the back of their property and there have been no issues that he is aware of. Motion carried with all in favor.

Councilperson Becker moved to approve a Variance to the Maximum Garage Size Limitation at 4324 Ballantine Drive for the construction of a 1,792 square foot garage. Councilperson Hert seconded the motion. Discussion: Councilperson Harbin believes it will be aesthetically pleasing and will fit into the neighborhood but is not sure there is a hardship. Mr. Capp explained he would rather build one larger building than two smaller buildings and that it would look better. Attorney Ryder felt the economic impact of building and maintaining two separate buildings could be considered a hardship. Motion carried with all in favor.

Councilperson Harbin moved to approve a Conditional Use Permit for Shane Parlette at 2566 Chisholm for the placement of a deck in front of the home that would extend 11 feet into the front setback requirement. Councilperson Hert seconded the motion. Motion carried with all in favor.

Councilperson Harbin moved to approve a commitment to purchase a Wacker Roller in the amount of \$21,925 on the condition the purchase is not made until after July 1, 2009. Councilperson Becker seconded the motion. Discussion: Councilperson Hert asked if this is the top of the line and what is it used for. Public Works Supervisor Bleth explained it is not top of the line; it is mid-grade and is a smaller unit. It will be used for patching streets, maintaining the warehouse area, etc. Currently the city has to rent a roller. Motion carried with all in favor.

Administrative Matters:

Zoning/Code Enforcement/Building Inspector Morgan asked to make a correction to her report. She made a list of people contacting her about regrets in not objecting to variance requests. People stated either they felt pressured into agreeing or did not understand the impact to them or their own property values by granting these variances.

Mayor Williams reported the replacement of the lift station on Orchard Drive begins Monday and will result in the closing of Willow Avenue for one or two days during trenching.

Mayor Williams adjourned the meeting at 8:18 p.m.



Michelle Richards, City Clerk/Treasurer