

MINUTES OF COUNCIL MEETING
June 30, 2022, 7:00 p.m.
TOWN OF VIRGINIA CITY, MONTANA
Elks Lodge & Zoom Meeting

Council Present: Justin Gatewood, Dave Bacon, Kacey Smart, Amy Grice

Staff Present: Timber Baceski Clerk/Treasurer, Robert Erdall PWO

Public Present: Tanya Engle, Bobbie Dirks, Kenneth Julio Shields, Angela Mueller, Laurie Hansen (via Zoom)

1) Call to Order: Meeting was called to order at 7:03pm by Mayor Gatewood.

2) Mayor and Commissioners' Reports/Comments:

a) Mayor Gatewood noted that this meeting serves as the Council's July meeting, unless something comes up that would warrant a special meeting.

b) Councilmember David Bacon reminded the public that personal/private fireworks are prohibited in Town, and encouraged asking others to stop if you see anyone using personal/private fireworks over the Fourth of July weekend.

c) Councilmember Amy Grice informed the public and the Council that there is locoweed growing on south facing slopes in the north side of town. Horses eat it, but it is poisonous and can/will kill animals and livestock.

d) Mayor Gatewood mentioned that business in town has been extraordinary; the Chamber of Commerce broke their personal record for the month of June, as well as other businesses. This is partially due to the closure of Yellowstone, but also the great weather and fun events in town.

e) Mayor Gatewood noted that the streetlight project will be finalized in July. The lights were delivered recently and will be mounted to their posts soon.

f) Mayor Gatewood announced that the annual fireworks show will be happening on the Fourth of July this year. There was a lot of back and forth, but funding was secured and as long as the weather cooperates, it will happen.

3) Public Comment:

a) Bobbie Dirks mentioned that the public survey for the Planning Board is available online, at Rank's Mercantile, and at the Town Office. The survey closes in three weeks.

4) Clerk's Report:

The Town has finished its' annual audit. Resort Tax season has begun, and remittances are being collected.

5/6) HPO/HPAC Report:

Councilmember Amy Grice gave the HPO/HPAC Report in HPO Eric Barsness' absence. The HPAC Board has been in discussion with the Montana Heritage Commission regarding the design of Brewery Park. The Board reviewed the Zarzeka Development Permit Application for a Fence; approval of the application was recommended, with the caveat that the chain link section is replaced with slatted fencing of some sort.

7) New Business:

a) Zarzeka Development Permit Application – Fence

MOTION: To approve the Zarzeka Development Permit Application for a fence, with the provision that the front section is non-painted, natural, square-top picket fence and the side and back are slatted picket fence instead of chain link, and it is verified that it is 75 feet from the center of Cover and Van Buren. Motion made by Justin Gatewood; Seconded by Dave Bacon. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

b) Dirks Consolidation Plan

i) Barbara Dirks has submitted a petition to close a number of streets and alleys that are within her properties. Ms. Dirks has three adjoining blocks that she would like to join together into one parcel, which requires the closure of nearby streets and alleys. Ms. Dirks noted that she wants to decrease development and potential septic strain, preserve the quality of life in Virginia City, and allow future cross fencing for pasture, as she wants open pasture land.

ii) Mayor Gatewood noted that there will be more of these petitions for vacation in the future, so the Town wants to ensure that procedure is followed to the letter, as this will set the standard for consolidation proposals in the future. There needs to be an initial determination on the impact the closures would have on the Town. If further consideration of the application is appropriate, an initial impact report shall be presented to the Council. The Public Works Board and the County Exemption Board also need to review the proposal. The Public Works Board will meet on the 21st of July. After that, there would be publication for notice of a public hearing, which would be the August 4th Council Meeting. There, a decision could take place.

RECESS CALLED AT 8:00 PM / MEETING CALLED BACK TO ORDER AT 8:07 PM

c) Grice Site/Zoning Permit Application

i) Amy Grice is putting that application on hold so that she can pursue a variance, as the proposed project is zoned in the Historic Viewshed Commercial District and will require a variance.

MOTION: To table the Grice Site/Zoning Permit Application until a future meeting. Motion made by Justin Gatewood; Seconded by Dave Bacon. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

d) Resolution 2022-03 to Set Charges for the Community Center for Fiscal Year 2022-2023

MOTION: To approve Resolution 2022-03 to Set Charges for the Community Center for Fiscal Year 2022-2023, with the edit of “free to Virginia City residents for non-commercial use”. Motion made by Justin Gatewood; Seconded by Dave Bacon. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

8) Old Business

a) Sourcewater Protection Letter – Realtor

i) The Council agreed that the location presented within the letter needs to be more precise.

ii) Councilmember Grice suggested revising the letter to have definitions included for the niche, more difficult words within the letter.

MOTION: For the Council to sign the Sourcewater Protection Letter, with edits made as discussed. Motion made by Justin Gatewood; Seconded by Dave Bacon. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

9) Public Works Report

PWO Robert Erdall noted that the Town is using a lot of water right now with summer upon us, but that the tank is in good condition. The Town received the speed bumps that were ordered, which will be installed on Cover Street and Idaho Street in the near future. The annual CCR Report is available on the Town website, and a link to the document was printed on the water bills this month. PWO Erdall met with engineers from Great West Engineering on Tuesday morning and reviewed the improvements the Town has been looking to make. The Town is looking into the procedure for stopping the chlorination of Town water; it would be a difficult process, but may be something worth talking about.

10) Consent Agenda

a) Minutes from June 1, 2022

i) Councilmember Grice noted the following changes to be made:

- Mayor & Commissioners’ Reports: the hole was next to the sidewalk, in front of St. Paul’s Episcopal Church
- New Business, b: “large sum” should be specified as \$650,000
- Source Water Protection Letter: add “Town water supply recharge area”, take out “overtakes property”
- Speed Bumps: add that it will be placed at the location of the fire hose, between the Hauri and Bacon homes on Idaho Street

MOTION: To approve the Minutes from June 1, 2022, with edits made as discussed. Motion made by Dave Bacon; Seconded by Kacey Smart. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

b) Accounts Payable, Receivable, Adjustments, & Checks June 2022

MOTION: To approve the Accounts Payable, Receivable, Adjustments and Checks for June 2022, with the caveat that details for the debit card transactions are provided. Motion made by Amy Grice; Seconded by Dave Bacon. The question was called. The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, and Kacey Smart in favor. None opposed.

11) Public Comment:

a) Robert Erdall mentioned that Kristin Davidson moved her house back, fixing the setback issue. She should have water any day now, and septic is ready to go in. She hopes to be moved in by July 20th.

b) Mayor Gatewood reported that he's been speaking with Ron Nye every Friday, and there are plans to have the completion of the annex back on the agenda soon.

12) Adjournment:

MOTION: To Adjourn. Motion made by Dave Bacon; Seconded by Amy Grice. The question was called: Motion was passed by voice vote, all in favor. None opposed.

ADJOURNMENT:

Meeting adjourned at 8:40pm

Respectfully submitted and attested,

Justin Gatewood
Mayor

Timber Baceski
Clerk Treasurer