

MINUTES OF COUNCIL MEETING
June 1, 2022, 7:00 p.m.
TOWN OF VIRGINIA CITY, MONTANA
Elks Lodge & Zoom Meeting

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

Staff Present: Timber Baceski Clerk/Treasurer, Eric Barsness HPO

Public Present: Van Puckett, Tanya Engle, Andy Bobst, John O’Leary, Kelly Rasmussen, Matt Clover, Scott Kelley, Randy Strobel, Julie Strobel, Pat Jacobs, Mark Jacobs, Roger Williams, Dan McCauley, Cary Sauer

1) Call to Order: Meeting was called to order at 7:02 pm by Council President Dave Bacon

2) Mayor and Commissioner’s Reports/Comments:

a) Councilmember Grice thanked the road maintenance employees for fixing the hole that was next to the sidewalk, in front of St. Paul’s Episcopal Church, noting that it was dangerous, but handled quickly.

b) Mayor Gatewood noted that the new posts for the streetlights have been erected, with five on Wallace Street. The streetlight project has been a collaborative effort between the Town of Virginia City and the State of Montana.

c) Mayor Gatewood mentioned that the Field of Dreams baseball field has been used more this May than ever, with 3-4 nights of baseball per week.

3) Public Comment:

a) Tanya Engle mentioned that Janet Allestad and her sister, Alice, will have a joint celebration of life on June 8th. Kim Hudson’s celebration of life is planned for the 14th of June.

b) Roger Williams suggested that the Town make an effort to alert property owners in Town that they need to be cleaning around their buildings to reduce fire hazards. Mr. Williams mentioned that there are informational documents at the Post Office regarding invasive weeds.

c) Scott Kelley mentioned that Vigilante Music Festival is on Saturday, June 11th. It is a family friendly music festival. Drinks will be served, but people will need to bring their own food. Festivities begin at noon and end around 10:30pm. Tickets are available upon entry.

d) The McKay and Sauer families will be holding a memorial service for Patrick McKay on July 30th. The service is open to the community. Dave Walker will be playing, time is to be announced.

e) Kristin Davidson explained to the Council that an error was made when her house was placed, resulting in a setback discrepancy of 1 foot 3 inches. Mayor Gatewood suggested submitting a revised drawing to reflect the difference and asking for a variance for the next meeting.

4) Clerk's Report:

Timber Baceski reported that the audit will take place on June 7th. Business licenses are being issued, and a new application, Monday.com, is being used to track permits.

5/6) HPO/HPAC Report:

HPO Barsness ordered a test light for the streetlights, but it was too small in scale to the post. A new light is coming to replace that one. These will be temporary lights. The vendor that was going to building the permanent lights backed out of the project, so Town employees and local volunteers will be constructing them over the winter.

The guide to historic architecture has been completed; it will be available at the Town Office.

7) New Business:

a) Groundwater Investigation Program Final Report – Andy Bobst, MT Bureau of Mines and Geology

The Groundwater Investigation Report has been in the works for six years. The investigation was proposed to understand where Spring 1 and Spring 2 are getting their water, what the potential impacts of development would be for those sources, and what water is physically available. The first thing looked at was the physical setting being dealt with. Laser elevation modeling was used to get a detailed understanding of the land surface. With this, we were able to get a better look at the landslide above Town. Copies of the full report are available at the Town Office or digitally upon request.

b) Engineering Contract for ARPA Water Project – Dan McCauley, Great West Engineering

The Town of Virginia City has been awarded the ARPA grant money we requested. Between the ARPA funding and County funding, the proposed project should cost the Town nothing. Inflation could impact that, though. The \$650,000 allotted to the Town won't be available for likely around a year, as staffing issues and other circumstances are delaying the process. Great West Engineering suggests that the Town gets the design started and submitted to the DEQ in the meantime, as it can take several months to receive a response.

MOTION: To approve the Contract for Task Order #3. Motion made by Dave Bacon; Seconded by Amy Grice. **The question was called.** **The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, Jon Osborn, and Kacey Smart in favor. None opposed.**

c) O'Leary Conditional Use Application

MOTION: To approve the O'Leary Conditional Use Application, subject to approval from a paid representative for Madison County Library. Motion made by Jon Osborn; Seconded by Amy Grice. **The question was called.** **The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, Jon Osborn, and Kacey Smart in favor. None opposed.**

MOTION: To discuss the VC Preservation Alliance Development Permit for Stairs before the VC Preservation Alliance Development Permit for a Streetlight. 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, Jon Osborn, and Kacey Smart in favor. None opposed.

e) VC Preservation Alliance Development Permit Application – Stairs

The Council agreed that there is not enough detail regarding the railing of the stairs on the application.

MOTION: To approve the VCPA Development Permit Application for Stairs and an Extension of the Boardwalk at the Hangman’s Building, with the caveat that the handrail is revisited by the Council at a later date. 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, Jon Osborn, and Kacey Smart in favor. None opposed.

d) VC Preservation Alliance Development Permit Application – Streetlight

MOTION: To approve the VCPA Development Permit Application for a Streetlight at the Hangman’s Building. 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, Jon Osborn, and Kacey Smart in favor. None opposed.

f) Sauer Site/Zoning Permit Application – Greenhouse

MOTION: To approve the Sauer Site/Zoning Permit Application for a Greenhouse. Motion made by Justin Gatewood; Seconded by Jon Osborn. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, Jon Osborn, and Kacey Smart in favor. None opposed.

g) Strobel Site/Zoning Permit Application - Addition

MOTION: To approve the Strobel Site/Zoning Permit Application for an Addition. Motion made by Amy Gice; Seconded by Kacey Smart. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, Jon Osborn, and Kacey Smart in favor. None opposed.

h) Matt Clover Sign Permit Application

MOTION: To approve Matt Clover’s Sign Permit Application. Motion made by Justin Gatewood; Seconded by Amy Gice. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, Jon Osborn, and Kacey Smart in favor. None opposed.

i) Stephano Sutherlin Sign Permit Application

MOTION: To approve Stephano Sutherlin’s Sign Permit Application, upon moving the existing sign off the sidewalk. Motion made by Justin Gatewood; Seconded by Amy Grice. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, Jon Osborn, and Kacey Smart in favor. None opposed.

j) Internet Connection for the Community Center

MOTION: To approve installation of internet at the Community Center. 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, Jon Osborn, and Kacey Smart in favor. None opposed.**

k) Community Center Fees

The Community Center rental fees are currently \$100/day for the first two days, then \$20/per day, up to six days. Non-profit organizations can use the space at no cost, which will remain, but the normal rates need adjusted. Mayor Gatewood suggested \$150 each day, then \$50 from the fourth day forward. The Council will decide on prices at the next meeting through a resolution.

l) Sourcewater Protection Letter

i) Councilmember Dave Bacon noted that the Town does not currently have recourse if someone were to develop in our sourcewater protection zone. He suggested The Town, Planning Board, Zoning Board, etc. should send a letter to the realtor overseeing the sale of that land, informing them of the Town water supply recharge area.

ii) Councilmember Amy Grice added that the letter should come from both the Town Council and the Zoning Board. The Council agreed; it was decided that Dave Bacon would draft the letter.

8) Old Business:

a) Speed Bumps – Cover Street and Idaho Street

i) A speed bump was previously placed on Jackson Street to slow people down and reduce the dust problem. The speed bump was successful in both and held up well over the winter.

ii) The Cover Street speed bump would be placed at the West end of the street, past Charlie Bear's house.

iii) The Idaho Street speed bump would be placed at the location of the fire hose, between the Hauri and Bacon homes on Idaho Street

MOTION: To approve the speed bump on Cover Street. 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, Jon Osborn, and Kacey Smart in favor. None opposed.**

MOTION: To approve the speed bump on Idaho Street. Motion made by Amy Grice; Seconded by Jon Osborn. **The question was called.** **The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, Jon Osborn, and Kacey Smart in favor. None opposed.**

9) Public Works Report

PWO Robert Erdall reported that work on the boardwalk in front of the Town Office is in progress, as is the work at the Warming Hut. The trusses at the Warming Hut are to be finished before PWO Erdall leaves for vacation next week. The dam is being monitored daily with the amount of rain there has been. The bathrooms are open for the summer, at both the skating rink and the ball field. New brakes are being put in the truck soon, as well as a power steering unit.

10) Consent Agenda

a) Minutes from April 7, 2022

MOTION: To approve the Minutes from April 7, 2022. Motion made by Justin Gatewood; Seconded by Amy Grice. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, Jon Osborn, and Kacey Smart in favor. None opposed.

b) Minutes from May 5, 2022

MOTION: To approve the Minutes from May 5, 2022, with the caveat that the “Public Present” section is filled in. Motion made by Dave Bacon; Seconded by Amy Grice. Justin Gatewood recused himself from the vote. **The question was called.** The motion passed by voice vote, Dave Bacon, Amy Grice, Jon Osborn, and Kacey Smart in favor. None opposed.

c) Accounts Payable, Receivable, Adjustments, & Checks May 2022

MOTION: To approve the Accounts Payable, Receivable, Adjustments and Checks for May 2022. Motion made by Dave Bacon; Seconded by Amy Grice. **The question was called.** The motion passed by voice vote, Justin Gatewood, Dave Bacon, Amy Grice, Jon Osborn, and Kacey Smart in favor. None opposed.

11) Public Comment:

Mayor Gatewood mentioned that the County is due for a review of their system in 2024. In Virginia City, we review our system of government every 10 years and vote on if it works or if it needs altered. The County will be going through that process. Dan Clark of MSU Local Government Center would like to speak with the public and inform them of what the review is and what the process looks like. This will likely be scheduled for the 12th of July.

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 9:00pm

Respectfully submitted and attested,

Justin Gatewood
Mayor

Timber Baceski
Clerk Treasurer