

MINUTES OF COUNCIL MEETING
April 6, 2017 7:00 p.m.
TOWN OF VIRGINIA CITY, MONTANA
Rehearsal Hall

Council Present: Scott Petersen, Dave Bacon, Amy Grice, Erin Leonard, Justin Gatewood

Staff present: Nancy Stewart Clerk/Treasurer, Robert Erdall PWO, Jim Jarvis HPO Contractor

Public Present: Toni James, Tony Lage, Steve Schwab, Joe Witherspoon, Andy Bobst, Fred Zweifel, Janet Allestad, Rebecca Ramsey

1) Call to Order: Meeting in the Rehearsal Hall of Virginia City was called to order at 7:00 pm
By Scott Petersen, Mayor

2) Mayor and Commissioner's Reports/Comment:

a) Justin Gatewood said that the Resort Tax Increase Bill tied in the senate and was denied. This is the second time it has been denied in the last four years.

b) Councilman Gatewood stated that Virginia City needs to start talking about the annexation of Nevada City into the community. The Council needs to submit this to the County Commissioners.

3) Comments from the Public:

None

4) HPO Report:

a) Efforts to amend the sign ordinance are moving ahead with HPAC.

b) Mark Weber is moving forward with the renovation of the Gold Exchange building.

c) The Miller's are thinking of renovating their barn instead of moving it.

d) Jim Jarvis' contract is up. Mr. Jarvis will submit a new one to the Council.

e) The Outlaw Café has been leased to James Lee and will be renamed the Jade Monkey.

5) HPAC Report:

a) Virginia City Chamber of Commerce Sign:

The Chamber's sign was denied by the DOT. The sign cannot hang over the DOT right-of-way. A two sided sign is now being discussed. **MOTION: To accept the Chamber's new sign.** Motion made by: Scott Petersen; Seconded by: Amy Grice... **The question was called.** The motion passed by voice vote; Scott Petersen, Erin Leonard, Justin Gatewood and Amy Grice in favor. None opposed. Dave Bacon abstained from the vote.

b) Nacho Mama's Sign Permit:

MOTION: To accept the sandwich board sign with a Hold Harmless Agreement. Motion made by: Erin Leonard; Seconded by: Dave Bacon. **The question was called.** The motion passed by voice vote; Scott Petersen, Dave Bacon, Erin Leonard, Amy Grice and Justin Gatewood in favor. None opposed.

c) St. Paul's Episcopal Sign Permit:

MOTION: To accept the sandwich board sign in a darker sage color, with a Hold Harmless Agreement and payment. Motion made by: Dave Bacon; Seconded by: Erin Leonard. **The question was called.** The motion passed by voice vote; Scott Petersen, Erin Leonard, Justin Gatewood, and Dave Bacon in favor. None opposed. Amy Grice abstained from the vote.

d) Berkshire Hathaway Sign Permit:

MOTION: To accept the sandwich board sign without the company logo and a Hold Harmless Agreement. Also, Jim Jarvis will decide if the location for the sign is okay. Motion made by: Scott Petersen; Seconded by: Amy Grice. **The question was called.** The motion passed by voice vote; Scott Petersen, Amy Grice, Erin Leonard, Justin Gatewood and Dave Bacon in favor. None opposed.

e) Driven West Sign Permit:

MOTION: To accept the sandwich board sign. Motion made by: Amy Grice; Seconded by: Erin Leonard. **The question was called.** The motion passed by voice vote; Scott Petersen, Dave Bacon, Erin Leonard, Amy Grice and Justin Gatewood in favor. None opposed.

f) Yum Yum House Sign Permit:

MOTION: To accept the sandwich board sign with a Hold Harmless Agreement. Motion made by: Scott Petersen; Seconded by: Amy Grice. **The question was called.** The motion passed by voice vote; Scott Petersen, Dave Bacon, Erin Leonard, Amy Grice and Justin Gatewood in favor. None opposed.

g) The Torch Sign Permit:

MOTION: To accept the sandwich board sign with a Hold Harmless Agreement. Motion made by: Erin Leonard; Seconded by: Amy Grice. **The question was called.** The motion passed by voice vote; Scott Petersen, Dave Bacon, Erin Leonard, Amy Grice and Justin Gatewood in favor. None opposed.

Sign Permit for the Jade Monkey:

Jim Jarvis will work with James Lee on the Jade Monkey sign. The font will need to be changed.

h) VC Dugouts Site/Zoning Permit:

Council reviewed the designs for the Ball Park Dugouts. A notice for bids was put in the Madisonian. Two bids came back: B&E Design at \$11,000 and Benedict Builders at \$9,680.

MOTION: To accept the design of the dugouts. Motion made by: Erin Leonard; Seconded by: Dave Bacon. **The question was called.** The motion passed by voice vote; Scott Petersen, Dave Bacon, Erin Leonard, Amy Grice and Justin Gatewood in favor. None opposed.

MOTION: To accept Benedict Builder's, the lower of the two bids, for the dugouts. Motion made by: Scott Petersen; Seconded by: Amy Grice. **The question was called.** The motion passed by voice vote; Scott Petersen, Dave Bacon, Erin Leonard, Amy Grice and Justin Gatewood in favor. None opposed.

i) Ruth Hauri Development Permit:

MOTION: To accept the Car Port Development Permit. Motion made by: Amy Grice; Seconded by: Erin Leonard. **The question was called.** The motion passed by voice vote; Scott Petersen, Dave Bacon, Erin Leonard, Amy Grice and Justin Gatewood in favor. None opposed.

MOTION: To go to New Business, then old business before Public Works Report. Motion made by: Justin Gatewood; Seconded by: Scott Petersen. **The question was called.** The motion passed by voice vote; Scott Petersen, Dave Bacon, Erin Leonard, Amy Grice and Justin Gatewood in favor. None opposed.

6) New Business:

a) VC Ground Water Project:

Andy Bobst from GWIP gave a report on evaluating the town springs. Mr. Bobst is checking water flow, collecting data about changes in elevation and water quality. Andy Bobst has a geologist helping with mapping. He will be monitoring both of the town's springs to see if they are similar. This will be going on for most of the summer.

b) Treaty Days:

Rebecca Ramsey reported that Treaty Days with the mixed bands of Shoshone, Bannock and Sheepeater's tribes, will be held June 16th-17th. This is the fifth annual Treaty Days. This year will be more about history and culture. Ms. Ramsey would like the council's permission to use Pace Park for this. The council will discuss this more at the May 4th council meeting.

c) Margie Burton Conditional Use Permit:

MOTION: To accept the Conditional Use Permit with the following provisions: Pay 2016 Resort Tax for May through October and 2016 business license along with 2017 business license. Motion made by: Scott Petersen; Seconded by: Erin Leonard. **The question was called.** The motion passed by voice vote; Scott Petersen, Dave Bacon, Erin Leonard, Amy Grice and Justin Gatewood in favor. None opposed.

d) Perry Paidoussis Lease Agreement:

MOTION: To postpone voting on the Lease Agreement for the parking lot until Mayor Petersen talks to Mr. Paidoussis and finds out more about the lease. If this does not work out, the town will pay for the first 6 months of the lease. Motion made by: Scott Petersen; Seconded by: Amy Grice. **The question was called.** The motion passed by voice vote; Scott Petersen, Dave Bacon, Erin Leonard, Amy Grice and Justin Gatewood in favor. None opposed.

e) Burial of Clubfoot George's Foot:

Steve Schwab talked to the Council about spreading ashes of Clubfoot George Lane's foot. The family would like to spread the ashes at Boot Hill on June 24th. The Council did not know what the legalities of spreading ashes were. Council would like to do more research and postpone until May 4th council meeting. (See attached for information and family history on Clubfoot George)

f) Unpermitted No Smoking Signs:

Department of Health and Human Services (DHHS) has been placing No Smoking Signs around Virginia City. This is not in compliance with City Ordinances. **MOTION: To have PWO Erdall take the signs down and Victor Bunitsky, Attorney, will talk to the DHHS regarding the matter.** Motion made by: Scott Petersen; Seconded by: Erin Leonard. **The question was called.** The motion passed by voice vote; Scott Petersen, Dave Bacon, Erin Leonard, Amy Grice and Justin Gatewood in favor. None opposed.

7) Old Business:

a) County House being used as boarding house:

Victor Bunitsky, Town Attorney, will write a letter to the County Commissioners stating the occupants will need to make other living arrangements due to the Town zoning laws, which lists this house as a single family dwelling.

8) Public Works Report:

a) PWO Erdall stated that the old fire hall is ready to have electricity put in. The cost would be around \$4500.

b) PWO Erdall cut a hole in the Community Center floor underneath the stairs to inspect the condition of the floor supports. Everything looked good. The spruce tree outside of the building needs to come down. The roots are disrupting the foundation.

c) No swimming, wading or ice skating signs were purchased for the kid's pond. Public Works also had a 7 ton truck limit sign made for the road across the spillway.

d) Public Works is still looking into the purchase of a skid steer.

8) Consent Agenda

a) Minutes for Council Meeting, March 2, 2017

MOTION: To accept the minutes from the March 2, 2017 meeting. Motion made by: Dave Bacon; Seconded by: Justin Gatewood. **The question was called.** The motion passed by voice vote; Scott Petersen, Dave Bacon, Erin Leonard, Justin Gatewood and Amy Grice in favor. None opposed.

b) Accounts Payable for March, 2017

MOTION: To approve accounts payable for March, 2017. Motion made by: Scott Petersen; Seconded by: Amy Grice. **The question was called.** The motion was passed by voice vote; Scott Petersen, Dave Bacon, Justin Gatewood, Erin Leonard and Amy Grice in favor. None opposed.

9) Public Comment:

a) Joe Witherspoon will have a Star Gazing Party on April 22nd at the Baseball Park. Mr. Witherspoon also talked to the Council regarding Dark Skies and replacing street lights with LED's.

10) Adjournment:

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

ADJOURNMENT:

Meeting adjourned at 10:26 pm

Respectfully submitted and attested,

Scott Petersen
Mayor

Nancy Stewart
Clerk Treasurer