

AGENDA
CITY COUNCIL MEETING
CITY OF SHELBY
January 4, 2021
6:30 P.M.

ROLL CALL OF MEMBERS
PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- Regular Council Meeting, 12/21/20 (pgs. 5-7)

APPEARANCE REQUESTS

- Agenda Items
- Non-Agenda Items

CLAIMS REPORT 12/31/20 (pgs. 8-20)

BUILDING INSPECTOR

- Building Inspector Report – no permits issued

COMMITTEE REPORTS

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CITY ATTORNEY

- Ordinance No. 843 (2nd rdg) re: Ordinance Amending Title 13, Chapter 5, Section 8 “Shipping Containers” of the Shelby Municipal Code (pgs. 21-24)

CITY FINANCE OFFICER

CITY SUPERINTENDENT

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COMMUNITY DEVELOPMENT DIRECTOR

- Downtown Preservation Plan (pgs. 25-68)

OTHER MATTERS

•

ADJOURN

CITY OF SHELBY MEETING SCHEDULE

January 4, 2021

- 6:00 p.m. **Audit Committee**
 (Mayor, Finance Officer, Clark, Frydenlund, Moritz)
- 6:30 p.m. **Regular City Council Meeting**

January 11, 2021

- 6:30 p.m. **City-County Planning Board**
 (Mayor, Deputy City Clerk, Flesch, Clark)

January 19, 2021 (Due to Martin Luther King, Jr Day Holiday)

- 6:30 p.m. **Regular City Council Meeting**

January 25, 2021

- 6:30 p.m. **Park & Recreation Meeting**
 (Mayor, Superintendent, Civic Center Manager,
 Frydenlund, Kimmet)

CITY COUNCIL PACKET LISTING

A. Agenda

B. Agenda Items

1. Minutes of Regular Council Meeting, 12/21/20
2. Claims Report, 12/31/20
3. Ordinance No. 843 (2nd rdg) re: Ordinance Amending Title 13, Chapter 5, Section 8 "Shipping Containers" of the Shelby Municipal Code
4. Downtown Preservation Plan

C. Correspondence

1. 12/28/2020 Letter to Community Leaders re: Letter of Support Meadowlark Park - Krysko Park

D. Reports

- 1.

E. Handouts

- 1.

Policy on Conduct and Manner of Addressing Council

The public is invited to speak on any item after recognition by the presiding officer.

1. Public comments will be accepted only on items within the jurisdiction of the City of Shelby.
2. Comments shall be limited to 5 minutes per meeting, unless such time is extended by a majority vote of the Council members.
3. While the Council is in session, those in attendance must preserve order and decorum. No member of the public shall delay or interrupt the Council proceedings; disturb any member who may be speaking; or refuse to obey the orders of the Council or its presiding officer.
4. Prepared statements are welcome and should be given to the Finance Officer prior to a Council meeting. Prepared statements that are also read, however, shall be deemed unduly repetitious. All prepared statements for public hearings shall become part of the hearing record.
5. All remarks shall be addressed to the Council as a body and not to any member of the Council or Staff.
6. Public members recognized by the presiding officer, shall:
 - a. Stand, if able
 - b. For the record, give his/her name and address
 - c. If applicable, give the person, firm or organization he/she represents
 - d. Limit comments to the matter of fact
 - e. Address the Council as a body and not to any individual member of the Council or City Staff
 - f. Ask no questions of individuals who are Council members, staff or other public members, except through the presiding officer
 - g. Limit comments to a maximum of 5 minutes, unless such time is extended by a majority vote of Council members.

The Council thanks public members for respectfully and courteously providing constructive and valuable information.

MINUTES OF REGULAR COUNCIL MEETING OF THE SHELBY CITY COUNCIL
HELD IN COUNCIL CHAMBERS
December 21, 2020

Mayor McDermott called the meeting to order at 6:30 p.m.
Present were: Sanna Clark, Joe Flesch, Pat Frydenlund, Bill Moritz, Aaron Heaton and Lyle Kimmet, Council Members; Jade Goroski, Finance Officer; Luis Correa, City Superintendent; Lorette Carter, Community Development Director; Rob Tasker, Building Inspector. Absent & Excused: None. Heaton left the meeting at 8:45 p.m.

Other citizens present: Chelsea Holling (call in), Nicole Olmstead (call in), Jim Leslefen (call in), Travis Clark, Lloyd Omdahl, Kristen Cruze, Katelyn Bohmer, and Jazzmyn Ewing.

PLEDGE OF ALLEGIANCE

OPEN PUBLIC HEARING

Mayor McDermott opened the public hearing at 6:30 p.m.

- Conditional Use Permit - Lloyd Omdahl, 310 Madison St
FLESCH MADE A MOTION TO APPROVE THE CONDITIONAL USE PERMIT.
SECONDED BY KIMMET. VOTE AYES - HEATON, KIMMET,
FRYDENLUND, MORITZ, FLESCH. NOES - NONE. ABSENT - CLARK.
ABSTAIN - NONE.
- Zone Change Request - Duane Smedsrud, Toney Sub, Block 116,
Lot 2.
KIMMET MADE A MOTION TO APPROVE THE ZONE CHANGE. SECONDED
BY MORITZ. VOTE AYES - HEATON, KIMMET, FRYDENLUND, MORITZ,
FLESCH. NOES - NONE. ABSENT - CLARK. ABSTAIN - NONE.

REGULAR MEETING MINUTES 12/07/20

HEATON MADE A MOTION TO APPROVE THE 12/07/2020 MINUTES.
SECONDED BY MORITZ. VOTE AYES - HEATON, KIMMET, FRYDENLUND,
MORITZ, FLESCH. NOES - NONE. ABSENT - CLARK. ABSTAIN - NONE.

APPEARANCE REQUESTS

- Agenda Items - None
- Non-Agenda Items - Kristen Cruze introducing the Lions
Club. Travis Clark regarding service line insurance
coverage. Jim Loslefen regarding electric vehicle charging
station.

CLOSE PUBLIC HEARING

Mayor McDermott closed the public hearing at 8:06 p.m.

SUMMARY OF PRESERVATION PLAN WITH CUSHING TERRELL

Chelsea Holling and Nicole Olmstead provided an update on the preservation plan.

COMMITTEE REPORTS

- Law Enforcement Report - N/A
- Planning Board Meeting Minutes 12/14/2020
- Safety Committee Meeting Minutes 12/16/2020

BUILDING INSPECTOR

- N/A

CITY ATTORNEY

- Ordinance No. 843 (1st rdg) re: Shipping Containers
MORITZ MADE A MOTION TO APPROVE THE 1ST READING OF ORDINANCE NO. 843 WITH NOTED CHANGES. SECONDED BY KIMMET. VOTE AYES - HEATON, KIMMET, FRYDENLUND, MORITZ, FLESCH. NOES - NONE. ABSENT - CLARK. ABSTAIN - NONE.
- Ordinance No. 844 (2nd rdg) re: Setting the Rules & Regulations of a Skate Park
HEATON MADE A MOTION TO APPROVE THE 2ND READING OF ORDINANCE NO. 844. SECONDED BY MORITZ. VOTE AYES - HEATON, KIMMET, FRYDENLUND, MORITZ, FLESCH. NOES - NONE. ABSENT - CLARK. ABSTAIN - NONE.

CITY FINANCE OFFICER

1. City Judge's Report, November 2020
2. Bank Account Report, Budget Year to Date, Vendor Summary, Enterprise Funds, Statement of Expenditures, Revenues, Cash Flow Report, 11/30/20
KIMMET MADE A MOTION TO APPROVE THE REPORTS. SECONDED BY CLARK. VOTE AYES - CLARK, KIMMET, FRYDENLUND, MORITZ, FLESCH. NOES - NONE. ABSENT - HEATON. ABSTAIN - NONE.
3. City of Shelby Delinquent Taxes, 11/30/20

CITY SUPERINTENDENT

Luis provided an update on what the crew has been working on for the past couple weeks.

COMMUNITY DEVELOPMENT DIRECTOR

Lorette provided notes as a handout.

OTHER MATTERS

• Backhoe Purchase

HEATON MADE A MOTION TO APPROVE THE PURCHASE FOR \$68,474.
SECONDED BY KIMMET. VOTE AYES - CLARK, KIMMET, HEATON,
FRYDENLUND, FLESC. NOES - MORITZ. ABSENT - NONE. ABSTAIN
- NONE.

ADJOURN

AT 9:00 P.M. KIMMET MADE A MOTION TO ADJOURN THE MEETING.
SECONDED BY FLESC. VOTE AYES - CLARK, KIMMET, FRYDENLUND,
MORITZ, FLESC. NOES - NONE. ABSENT - HEATON. ABSTAIN - NONE.

GARY MCDERMOTT, MAYOR

ATTEST:

JADE GOROSKI, FINANCE OFFICER

12/30/20
13:06:12

CITY OF SHELBY
Claim Details
For the Accounting Period: 12/20

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Report ID: AP100

* ... Over spent expenditure

Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
200416		00001 DEPARTMENT OF REVENUE	18.91					
1	12/31/20	Accom Tax Shel-oolc Campground	18.91			7110 212500		101000
200417		00343 ENERGY LABORATORIES INC	224.00					
1	363905 12/16/20	Lagoon Effluent	137.00		33084	5310 430600	300	101000
2	361868 12/08/20	Lagoon Influent	87.00		33084	5310 430600	300	101000
200418		00039 PETTY CASHIER	272.00					
1	2897 12/03/20	Dew Drop Sprinkler Winterize	80.00			5210 430500	300	101000
2	2898 12/21/20	Adam Kovatch New Tire	185.00			1000 430200	200	101000
3	2899 12/22/20	TC C&R 12/20 Legal Filings	1.75			1000 410550	300	101000
4	2899 12/22/20	TC C&R 12/20 Legal Filings	1.75			5210 430570	300	101000
5	2899 12/22/20	TC C&R 12/20 Legal Filings	1.75			5310 430670	300	101000
6	2899 12/22/20	TC C&R 12/20 Legal Filings	1.75			5410 430870	300	101000
200419		01137 AQUA TECH LABORATORY	120.00					
1	33821 12/07/20	Monthly Coliform Water Testing	80.00		33082	5210 430500	300	101000
2	33872 12/07/20	Total Nitrate/Nitrite as N	40.00		33082	5210 430500	300	101000
420	-98386E	02496 DELL	241.99					
1	2008166986 11/25/20	Dell Thunderbolt Dock	60.49		33025	1000 430200	200	101000
2	2008166986 11/25/20	Dell Thunderbolt Dock	60.50		33025	5210 430500	200	101000
3	2008166986 11/25/20	Dell Thunderbolt Dock	60.50		33025	5310 430600	200	101000
4	2008166986 11/25/20	Dell Thunderbolt Dock	60.50		33025	5410 430840	200	101000
200421	-98388E	01486 USDA RURAL DEVELOPMENT	1,603.00					
1	12/07/20	Fire Hall Improvement Loan	1,371.47			1000 490527	610	101000
2	12/07/20	Fire Hall Improvement Loan-Int	231.53			1000 490527	620	101000
200422	-98389E	00111 FIRST STATE BANK	134.50					
1	12/02/20	Monthly Bank Service Charge	33.63			1000 410550	300	101000
2	12/02/20	Monthly Bank Service Charge	33.63			5210 430570	300	101000
3	12/02/20	Monthly Bank Service Charge	33.62			5310 430670	300	101000
4	12/02/20	Monthly Bank Service Charge	33.62			5410 430870	300	101000
200423	27284S	00144 POSTMASTER	303.83					
1	12/23/20 12/20	UB Postage	101.28			5210 430570	310	101000
2	12/23/20 12/20	UB Postage	101.28			5310 430670	310	101000
3	12/23/20 12/20	UB Postage	101.27			5410 430870	310	101000

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Line #	Check Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account	
200424	01137 AQUA TECH LABORATORY	20.00						
1	33823 12/07/20 NCMRWA Monthly Water Test	20.00		33082	5210 430500	300	101000	
200425	00048 TOOLE COUNTY CLERK & RECORDER	174,032.05						
1	11/30/20 City Judge & Sec Wages	2,160.98			1000 410360	100	101000	
2	11/30/20 City Judge & Sec SS	133.46			1000 410360	141	101000	
3	11/30/20 City Judge & Sec Medicare	31.21			1000 410360	142	101000	
4	11/30/20 City Judge & Sec PERS	189.52			1000 410360	143	101000	
5	11/30/20 City Judge & Sec Unemploy Ins	2.61			1000 410360	145	101000	
6	11/30/20 City Judge & Sec Worker Comp	16.37			1000 410360	146	101000	
7	11/30/20 City Judge Health Insurance	438.63			1000 410360	147	101000	
8	11/30/20 City Judge Supplies	6.75			1000 410360	200	101000	
9	11/30/20 City Judge Phone	19.74			1000 410360	344	101000	
11	11/30/20 Law Enforcement	34,370.00			1000 420000	300	101000	
12	11/30/20 Law Enforcement	4,910.00			5210 420100	300	101000	
13	11/30/20 Law Enforcement	4,910.00			5310 420100	300	101000	
14	11/30/20 Law Enforcement	4,910.00			5410 420100	300	101000	
15	09/30/20 FY 19-20 Amount Owed	23,732.78			1000 420000	300	101000	
16	09/30/20 Law Enforcement	34,370.00			1000 420000	300	101000	
17	09/30/20 Law Enforcement	4,910.00			5210 420100	300	101000	
18	09/30/20 Law Enforcement	4,910.00			5310 420100	300	101000	
19	09/30/20 Law Enforcement	4,910.00			5410 420100	300	101000	
20	10/31/20 Law Enforcement	34,370.00			1000 420000	300	101000	
21	10/31/20 Law Enforcement	4,910.00			5210 420100	300	101000	
22	10/31/20 Law Enforcement	4,910.00			5310 420100	300	101000	
23	10/31/20 Law Enforcement	4,910.00			5410 420100	300	101000	
200426	01285 HUNT, WILLIAM E JR	5,656.05						
1	12/30/20 12/20 Legal Services	1,414.01			1000 411100	350	101000	
2	12/30/20 12/20 Legal Services	1,414.01			5210 430513	350	101000	
3	12/30/20 12/20 Legal Services	1,414.02			5310 430613	350	101000	
4	12/30/20 12/20 Legal Services	1,414.01			5410 430813	350	101000	
200427	-98384E 02499 DISH	87.04						
1	12/14/20 Monthly TV at Civic Center	87.04			1000 460442	300	101000	
200428	01862 KENCO SECURITY AND TECHNOLOGY	35.00						
1	2291996 01/01/21 1/21 Fire Alarm Monitoring	35.00			1000 420401	300	101000	

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Line #	Check Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account	
200429	00043 SHELBY GAS ASSOCIATION	4,336.20						
1	12/25/20 12/20 Gas Bill	104.90			1000 411200	343	101000	
2	12/25/20 12/20 Gas Bill	529.15			1000 420400	343	101000	
3	12/25/20 12/20 Gas Bill	529.15			1000 420401	343	101000	
4	12/25/20 12/20 Gas Bill	665.60			1000 460445	343	101000	
5	12/25/20 12/20 Gas Bill	165.10			1000 460442	343	101000	
6	12/25/20 12/20 Gas Bill	186.80			5410 430840	343	101000	
7	12/25/20 12/20 Gas Bill	262.10			1000 430200	343	101000	
8	12/25/20 12/20 Gas Bill	262.10			5210 430500	343	101000	
9	12/25/20 12/20 Gas Bill	262.10			5310 430600	343	101000	
10	12/25/20 12/20 Gas Bill	262.10			5410 430830	343	101000	
11	12/25/20 12/20 Gas Bill	96.75			1000 411202	343	101000	
12	12/25/20 12/20 Gas Bill	96.75			5210 430520	343	101000	
13	12/25/20 12/20 Gas Bill	96.75			5310 430620	343	101000	
14	12/25/20 12/20 Gas Bill	96.75			5410 430820	343	101000	
15	12/25/20 12/20 Gas Bill	59.40			5210 430500	343	101000	
16	12/25/20 12/20 Gas Bill	660.70			1000 460465	343	101000	
200430	00026 MARIAS RIVER ELECTRIC COOP INC	10,958.62						
1	12/25/20 12/20 Electric Bill	102.76			1000 411200	342	101000	
2	12/25/20 12/20 Electric Bill	200.56			1000 420400	342	101000	
3	12/25/20 12/20 Electric Bill	200.55			1000 420401	342	101000	
4	12/25/20 12/20 Electric Bill	56.55			1000 411202	342	101000	
5	12/25/20 12/20 Electric Bill	56.55			5210 430520	342	101000	
6	12/25/20 12/20 Electric Bill	56.55			5310 430620	342	101000	
7	12/25/20 12/20 Electric Bill	56.55			5410 430820	342	101000	
8	12/25/20 12/20 Electric Bill	129.47			1000 430200	342	101000	
9	12/25/20 12/20 Electric Bill	129.47			5210 430500	342	101000	
10	12/25/20 12/20 Electric Bill	129.47			5310 430600	342	101000	
11	12/25/20 12/20 Electric Bill	129.45			5410 430830	342	101000	
12	12/25/20 12/20 Electric Bill	83.53			1000 440600	342	101000	
13	12/25/20 12/20 Electric Bill	83.52			1000 460430	342	101000	
14	12/25/20 12/20 Electric Bill	502.01			1000 460465	342	101000	
15	12/25/20 12/20 Electric Bill	2.47			1000 460439	342	101000	
16	12/25/20 12/20 Electric Bill	560.62			1000 460442	342	101000	
18	12/25/20 12/20 Electric Bill	3,881.08			2400 430263	342	101000	
19	12/25/20 12/20 Electric Bill	3,855.46			5210 430500	342	101000	
20	12/25/20 12/20 Electric Bill	705.60			5310 430600	342	101000	
21	12/25/20 12/20 Electric Bill	36.40			5410 430840	342	101000	

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Line #	Check Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account	
200431	01851 CT CLEANING	1,200.00						
1	12/28/20 12/20 Janitorial Service	75.00			1000 411202	390	101000	
2	12/28/20 12/20 Janitorial Service	75.00			5210 430520	390	101000	
3	12/28/20 12/20 Janitorial Service	75.00			5310 430620	390	101000	
4	12/28/20 12/20 Janitorial Service	75.00			5410 430820	390	101000	
5	12/28/20 12/20 CC Janitorial Service	900.00			1000 460442	300	101000	
200432	02368 OPTUM	25.50						
1	9510071955 12/15/20 HSA Service Fee	6.38			1000 410550	300	101000	
2	9510071955 12/15/20 HSA Service Fee	6.38			5210 430570	300	101000	
3	9510071955 12/15/20 HSA Service Fee	6.37			5310 430670	300	101000	
4	9510071955 12/15/20 HSA Service Fee	6.37			5410 430870	300	101000	
200433	02517 VALLI INFORMATION SYSTEMS INC	45.00						
1	62562 11/30/20 Express Pay Online Monthly Fee	15.00			5210 430570	300	101000	
2	62562 11/30/20 Express Pay Online Monthly Fee	15.00			5310 430670	300	101000	
3	62562 11/30/20 Express Pay Online Monthly Fee	15.00			5410 430870	300	101000	
200434	00309 PREFERRED OFFICE EQUIPMENT	312.91						
1	35578 12/17/20 10/20 Maintenance/Copies	38.97			1000 411050	300	101000	
2	35578 12/17/20 10/20 Maintenance/Copies	38.97			1000 410550	300	101000	
3	35578 12/17/20 10/20 Maintenance/Copies	38.97			5210 430570	300	101000	
4	35578 12/17/20 10/20 Maintenance/Copies	38.97			5310 430670	300	101000	
5	35578 12/17/20 10/20 Maintenance/Copies	38.97			5410 430870	300	101000	
6	35543 12/15/20 10/20 Maintenance/Copies CC	62.44			1000 460442	300	101000	
7	35566 12/16/20 10/20 Maintenance/Copies Shop	27.81		33083	1000 430200	300	101000	
8	35566 12/16/20 10/20 Maintenance/Copies Shop	27.81*		33083	1000 420500	300	101000	
200435	01388 3 RIVERS COMMUNICATIONS INC	964.85						
1	12/01/20 12/20 Phone Bill	19.82			1000 420500	344	101000	
2	12/01/20 12/20 Phone Bill	59.41			1000 410550	344	101000	
3	12/01/20 12/20 Phone Bill	59.41			5210 430570	344	101000	
4	12/01/20 12/20 Phone Bill	59.42			5310 430670	344	101000	
5	12/01/20 12/20 Phone Bill	59.42			5410 430870	344	101000	
6	12/01/20 12/20 Phone Bill	27.53			1000 430200	344	101000	
7	12/01/20 12/20 Phone Bill	27.53			5210 430500	344	101000	
8	12/01/20 12/20 Phone Bill	27.53			5310 430600	344	101000	
9	12/01/20 12/20 Phone Bill	27.53			5410 430830	344	101000	
10	12/01/20 12/20 Phone Bill	171.71			1000 460442	344	101000	
11	12/01/20 12/20 Phone Bill	68.48			1000 420400	344	101000	
12	12/01/20 12/20 Phone Bill	68.47			1000 420401	344	101000	
13	12/01/20 12/20 Phone Bill	9.75*			1000 410200	344	101000	
14	12/01/20 12/20 Phone Bill	9.75*			5210 430512	344	101000	
15	12/01/20 12/20 Phone Bill	9.75*			5310 430612	344	101000	

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Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
16	12/01/20	12/20 Phone Bill	9.75*			5410 430812	344	101000
17	12/01/20	12/20 Phone Bill	45.93			1000 460445	344	101000
18	12/01/20	12/20 Phone Bill	136.70			5310 430600	344	101000
19	12/01/20	12/20 Phone Bill	33.48			5210 430500	344	101000
20	12/01/20	12/20 Phone Bill	33.48			5210 430500	344	101000
200436	27282S	02468 T-MOBILE	233.34					
1	12/10/20	Mobile Charge	26.10			1000 420500	344	101000
2	12/10/20	Mobile Charge	47.60			1000 411050	344	101000
3	12/10/20	Mobile Charge	47.60			1000 440600	344	101000
4	12/10/20	Mobile Charge	15.41			1000 430200	344	101000
5	12/10/20	Mobile Charge	15.41			5210 430500	344	101000
6	12/10/20	Mobile Charge	15.41			5310 430600	344	101000
7	12/10/20	Mobile Charge	15.41			5410 430840	344	101000
8	12/10/20	Mobile Charge	12.60			1000 410550	344	101000
9	12/10/20	Mobile Charge	12.60			5210 430570	344	101000
10	12/10/20	Mobile Charge	12.60			5310 430670	344	101000
11	12/10/20	Mobile Charge	12.60			5410 430870	344	101000
200437		01439 CONRAD BUILDING CENTER INC	176.00					
	479216	12/03/20 Treated Lumber	176.00		31046	1000 460430	200	101000
200438		00041 SHELBY PROMOTER	48.00					
1	SL204902	12/02/20 Zoning Change 326 Plum St	24.00*			1000 420500	300	101000
2	SL204903	12/02/20 Conditional Use 310 Madison	24.00*			1000 420500	300	101000
200439		01270 STIRLING WEB DESIGN	512.50					
1	268 12/07/20	6/2-12/5/20 Website Update	128.13			1000 410550	300	101000
2	268 12/07/20	6/2-12/5/20 Website Update	128.13			5210 430570	300	101000
3	268 12/07/20	6/2-12/5/20 Website Update	128.12			5310 430670	300	101000
4	268 12/07/20	6/2-12/5/20 Website Update	128.12			5410 430870	300	101000
200440		01866 SHELBY PAINT AND HARDWARE	325.68					
1	14693 12/02/20	Air Freshener	2.50		33028	1000 411202	200	101000
2	14693 12/02/20	Air Freshener	2.49		33028	5210 430520	200	101000
3	14693 12/02/20	Air Freshener	2.49		33028	5310 430620	200	101000
4	14693 12/02/20	Air Freshener	2.49		33028	5410 430820	200	101000
5	14714 12/15/20	Thread Locker/Nut	6.44		32640	1000 460442	200	101000
6	14705 12/08/20	Dish Soap	6.49		32639	1000 460442	200	101000
7	71587 12/16/20	Tide	12.99		33090	1000 430200	200	101000
8	71585 12/16/20	Packing Tape	14.98*		33090	1000 420500	200	101000
9	71582 12/15/20	Heaters	49.98		33090	5210 430500	200	101000
10	14700 12/03/20	Dog Treats	43.97*		33090	1000 440600	200	101000
11	69882 12/02/20	Bolt Cutters	34.99*		33090	1000 420500	200	101000
12	69990 11/30/20	Timer/Cord	30.98		33090	1000 411202	200	101000

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Claim	Vendor #/Name/	Document \$/	Disc \$					Cash
Line #	Check Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account	
13	69975 11/25/20 Light Bulbs/Christmas Lights	50.93		33090	1000 430200	200	101000	
14	71581 12/15/20 Heaters	49.98		33090	5310 430600	200	101000	
15	71521 12/04/20 Christmas Lights	13.98		33090	1000 430200	200	101000	
200441	01834 FIRE PROGRAMS	2,272.00						
1	206147 11/01/20 CFD-Annual Access & Support	2,272.00*		32880	1000 420400	300	101000	
200442	00119 SHELBY VOLUNTEER FIRE DEPT	2,273.00						
1	11/26/20 RFD-Officer/Men 10/20-11/20	880.00			1000 420401	300	101000	
2	11/14/20 CFD-Officer/Men 10/20-11/20	793.00*			1000 420400	300	101000	
3	12/01/20 CFD-Treasurer Wage 10/20-12/20	300.00*			1000 420400	300	101000	
4	12/01/20 CFD-Secretary Wage 10/20-12/20	300.00*			1000 420400	300	101000	
200443	02190 BAUMAN, CHRISTINE	30.00						
1	12/07/20 Haul Recycling Trailer to GF	30.00			1000 480100	200	101000	
200444	00144 POSTMASTER	470.00						
1	12/20/20 USPS Marketing Mail Permit 1	78.33			5210 430570	310	101000	
2	12/20/20 USPS Marketing Mail Permit 1	78.34			5310 430670	310	101000	
3	12/20/20 USPS Marketing Mail Permit 1	78.33			5410 430870	310	101000	
4	12/20/20 First Class Presort Permit 101	78.34			5210 430570	310	101000	
5	12/20/20 First Class Presort Permit 101	78.33			5310 430670	310	101000	
6	12/20/20 First Class Presort Permit 101	78.33			5410 430870	310	101000	
200445	27275S 01805 SYSTEMS	1,197.55						
1	38931 12/03/20 Laptop Setup	239.51			1000 410550	300	101000	
2	38931 12/03/20 Laptop Setup	239.51			5210 430570	300	101000	
3	38931 12/03/20 Laptop Setup	239.51			5310 430670	300	101000	
4	38931 12/03/20 Laptop Setup	239.51			5410 430870	300	101000	
5	38931 12/03/20 Laptop Setup	239.51			1000 411050	300	101000	
200446	-98387E 00144 POSTMASTER	6.95						
1	655 12/02/20 Robison Community Decay	6.95*			1000 420500	300	101000	
200447	-98385E 02496 DELL	219.99						
1	2008166986 11/25/20 Dell UltraSharp 24 Monitor	54.99		33026	1000 430200	200	101000	
2	2008166986 11/25/20 Dell UltraSharp 24 Monitor	55.00		33026	5210 430500	200	101000	
3	2008166986 11/25/20 Dell UltraSharp 24 Monitor	55.00		33026	5310 430600	200	101000	
4	2008166986 11/25/20 Dell UltraSharp 24 Monitor	55.00		33026	5410 430830	200	101000	

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Claim	Vendor #/Name/	Document \$/	Disc \$							Cash
Line #	Check Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account			
200448	00117 QUILL CORPORATION	705.74								
1	12856380 12/08/20 Mailing Seals/Copy Paper	39.61		33024	1000 410550	200	101000			
2	12856380 12/08/20 Mailing Seals/Copy Paper	39.62		33024	5210 430570	200	101000			
3	12856380 12/08/20 Mailing Seals/Copy Paper	39.62		33024	5310 430670	200	101000			
4	12856380 12/08/20 Mailing Seals/Copy Paper	39.62		33024	5410 430870	200	101000			
5	12687962 12/02/20 HP 72 Cyan Cartridge	19.95		33027	1000 410550	200	101000			
6	12687962 12/02/20 HP 72 Cyan Cartridge	19.95		33027	5210 430570	200	101000			
7	12687962 12/02/20 HP 72 Cyan Cartridge	19.96		33027	5310 430670	200	101000			
8	12687962 12/02/20 HP 72 Cyan Cartridge	19.96		33027	5410 430870	200	101000			
9	12674708 12/02/20 2021 26x36 Wall Calendar	3.77		33027	1000 410550	200	101000			
10	12674708 12/02/20 2021 26x36 Wall Calendar	3.78		33027	5210 430570	200	101000			
11	12674708 12/02/20 2021 26x36 Wall Calendar	3.78		33027	5310 430670	200	101000			
12	12674708 12/02/20 2021 26x36 Wall Calendar	3.78		33027	5410 430870	200	101000			
13	12687020 12/02/20 HP 72 Cartridge/Wall Calenda	57.07		33027	1000 410550	200	101000			
14	12687020 12/02/20 HP 72 Cartridge/Wall Calenda	57.08		33027	5210 430570	200	101000			
15	12687020 12/02/20 HP 72 Cartridge/Wall Calenda	57.08		33027	5310 430670	200	101000			
16	12687020 12/02/20 HP 72 Cartridge/Wall Calenda	57.08		33027	5410 430870	200	101000			
17	13154138 12/17/20 HP 81A Toner	47.49		33029	1000 410550	200	101000			
18	13154138 12/17/20 HP 81A Toner	47.50		33029	5210 430570	200	101000			
19	13154138 12/17/20 HP 81A Toner	47.50		33029	5310 430670	200	101000			
20	13154138 12/17/20 HP 81A Toner	47.50		33029	5410 430870	200	101000			
21	13153719 12/17/20 2021 Wall Calendar/Sticky No	34.04		33029	5210 430500	200	101000			
200449	02551 TRIPLE TREE ENGINEERING INC	12,593.04								
1	20-42-01 11/28/20 Surveying Curb & Gutter	12,593.04			5720 430246	950 2283	101000			
200450	02535 CUSHING TERRELL	2,025.00								
1	155769 11/30/20 Historic Preservation Plan	2,025.00			1000 510302	350	101000			
200451	01655 MONTANA HISTORICAL SOCIETY	125.00								
1	2020121001 12/10/20 Housing Stabilization Prog	25.00			1000 411050	300	101000			
2	2020122303 12/23/20 Krysko Skate Park Developm	25.00			1000 460430	300	101000			
3	2020122302 12/23/20 Mountain Bike Trail	75.00			1000 460430	300	101000			
200452	01862 KENCO SECURITY AND TECHNOLOGY	7,633.28								
Council Approved 10/5/20										
1	2282910 11/27/20 Civic Center Security Cameras	7,633.28			1000 460442	900	101000			
200453	01870 KUSTOM SERVICES	631.68								
1	221 12/07/20 RFD-Tires/Oil Seal/Plugs	631.68*		32881	1000 420401	200	101000			

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200454		01345 STERLING CODIFIERS	500.00					
1	5293	12/15/20 2021 Internet Web Hosting	125.00			1000 410550	300	101000
2	5293	12/15/20 2021 Internet Web Hosting	125.00			5210 430570	300	101000
3	5293	12/15/20 2021 Internet Web Hosting	125.00			5310 430670	300	101000
4	5293	12/15/20 2021 Internet Web Hosting	125.00			5410 430870	300	101000
200455	27277S	01200 U S BANK TRUST-SPA LOCKBOX	44,062.50					
		4th Cell-Loan 2						
1	SRF-19439	12/16/20 SRF-19439 Wastewater Prin	22,000.00*			5310 490214	610	102210
2	SRF-19439	12/16/20 SRF-19439 Wastewater Int	22,062.50*			5310 490214	620	102210
200456	27278S	01200 U S BANK TRUST-SPA LOCKBOX	17,533.39					
		4th Cell-Loan 3						
1	SRF-20472	12/16/20 SRF-20472 Wastewater Prin	11,000.00*			5310 490215	610	102210
2	SRF-20472	12/16/20 SRF-20472 Wastewater Int	6,533.39*			5310 490215	620	102210
200457	27279S	01200 U S BANK TRUST-SPA LOCKBOX	88,606.68					
1	SRF-17407	12/16/20 Storm Drainage System Prin	46,000.00			5720 490213	610	102210
2	SRF-17407	12/16/20 Storm Drainage System Int	42,606.68			5720 490213	620	102210
200458		01877 SK GEOTECHNICAL	14,550.00					
		Council Approved 10/5/20						
1	17292	12/11/20 Ground Water Metering Wells	14,550.00			5310 430601	950 2282	101000
200459		01620 KLU ENGINEERING LLC	1,120.07					
1	10146898	12/18/20 Rail Safety Bidding	1,041.03			1000 470120	790	101000
2	10146898	12/18/20 Rail Safety Const & Commissi	79.04			1000 470120	790	101000
200460	27276S	00037 NORTHWEST PIPE FITTINGS INC	9,606.75					
1	3442925	12/16/20 MRX920 V4 Complete	7,856.75*			5210 430501	900	101000
2	3442925	12/16/20 Year 1 Neptune 360 AMR	1,750.00			5210 430500	300	101000
200461	27280S	01200 U S BANK TRUST-SPA LOCKBOX	21,687.14					
		4th Cell-Loan 4						
1	SRF-20473	07/01/20 SRF-20473 Wastewater Prin	15,000.00*			5310 490216	610	102210
2	SRF-20473	07/02/20 SRF-20473 Wastewater Int	6,687.14*			5310 490216	620	102210
200462	27281S	01201 U S BANK	192.90					
2	1697595	12/17/20 G O Bonds. Ser06 - Int	192.90			3035 490100	620	101000

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200463		01780 MONTANA BROOM & BRUSH	242.98					
1	1466918	12/16/20 Roll Towel/Tissue/Cleaner	129.62		32641	1000 460442	200	101000
2	1466797	12/16/20 Roll Towel	113.36		33093	1000 430200	200	101000
200464		02552 WINN-MARION BARBER LLC	2,348.00					
1	3288893	12/16/20 Scada for Prison Booster	2,348.00		33081	5210 430500	200	101000
200465		00083 MARIAS HEALTHCARE	150.00					
1	12/17/20	DOT Physical-Correa	37.50			1000 430200	300	101000
2	12/17/20	DOT Physical-Correa	37.50			5210 430500	300	101000
3	12/17/20	DOT Physical-Correa	37.50			5310 430600	300	101000
4	12/17/20	DOT Physical-Correa	37.50			5410 430830	300	101000
200466		01805 SYSTEMS	47.50					
1	39006	12/18/20 O365 Licenses	11.88			1000 410550	300	101000
2	39006	12/18/20 O365 Licenses	11.88			5210 430570	300	101000
3	39006	12/18/20 O365 Licenses	11.87			5310 430670	300	101000
4	39006	12/18/20 O365 Licenses	11.87			5410 430870	300	101000
200467	27283S	01857 MT DEQ/WWOC	280.00					
		Water Operator Certification - Toby Pickering						
1	12/22/20	Water Distribution App T.P.	70.00			5210 430500	300	101000
2	12/22/20	Water Treatment App T.P.	70.00			5210 430500	300	101000
3	12/22/20	Water Distribution Exam Fee	70.00			5210 430500	370	101000
4	12/22/20	Water Treatment Exam Fee	70.00			5210 430500	370	101000
200468		00653 GREAT WEST ENGINEERING	1,000.00					
		Council Approved 10/5/20						
1	23079	12/17/20 Rainbow Structural Evaluation	1,000.00			1000 510302	350	101000
200469		00653 GREAT WEST ENGINEERING	12,709.00					
		NCMRWA Grant						
1	23080	12/17/20 Wellfield Improvements	12,709.00			5210 430501	950 2285	101000
200470		02294 KANEFF EXCAVATING	5,000.00					
		102 1st St SE						
		201 1st Ave SE						
1	12/21/20	Demo Waters Property	5,000.00*			1000 470270	300	101000

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Claim	Vendor #/Name/	Document \$/	Disc \$					Cash
Line #	Check Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account	
200471	02553 T & T CREATIONS	318.00						
1	105 12/12/20 (7)Sweatshirts	318.00		33094	1000 430200	200	101000	
200472	02362 BARBER ELECTRIC	79.20						
1	1584 12/16/20 Service Well #1	79.20		33092	5210 430500	300	101000	
200473	-98383E 02554 SAM'S CLUB	271.24						
1	12/22/20 Security Monitor/Clorox Wipes	135.62		33091	1000 430200	200	101000	
2	12/22/20 Security Monitor/Clorox Wipes	135.62		33091	5410 430840	200	101000	
200474	02306 DC FROST ASSOCIATES INC	229.01						
1	42344 12/15/20 UV Parts	229.01		33089	5210 430500	200	101000	
200475	00049 TRACTOR & EQUIPMENT CO	94.37						
1	395836 12/01/20 Hose/Coupling	94.37		33088	5410 430840	200	101000	
200476	01946 ALL SEASON HEATING & AIR	45.70						
1	39236 12/02/20 Sheet Metal	45.70		33087	5210 430500	200	101000	
200477	00034 NORMONT EQUIPMENT CO	318.19						
1	24141 12/09/20 Cell Phone Signs	318.19		33086	1000 430200	200	101000	
200478	00037 NORTHWEST PIPE FITTINGS INC	91.88						
1	2442195 12/15/20 Seal Pins	31.88		33085	5210 430500	200	101000	
2	2429681 12/07/20 Meter Gaskets	60.00		33085	5210 430500	200	101000	
200479	01866 SHELBY PAINT AND HARDWARE	171.94						
1	69986 11/28/20 RFD-Christmas Lights	19.96*		32882	1000 420401	200	101000	
2	14623 12/12/20 CFD-Vacuum	129.99		32882	1000 420400	200	101000	
3	14624 12/12/20 CFD-Ice Melt	21.99		32882	1000 420400	200	101000	
200480	27285S 00144 POSTMASTER	347.75						
1	12/28/20 1/21 Newsletter - 1174	86.94			1000 410240	310	101000	
2	12/28/20 1/21 Newsletter - 1174	86.94			5210 430514	310	101000	
3	12/28/20 1/21 Newsletter - 1174	86.94			5310 430614	310	101000	
4	12/28/20 1/21 Newsletter - 1174	86.93			5410 430814	310	101000	
200481	-98382E 02496 DELL	2,518.54						
1	2008166986 11/25/20 Dell Mobile Workstation 55	629.63		33030	1000 430200	200	101000	
2	2008166986 11/25/20 Dell Mobile Workstation 55	629.64		33030	5210 430500	200	101000	
3	2008166986 11/25/20 Dell Mobile Workstation 55	629.64		33030	5310 430600	200	101000	
4	2008166986 11/25/20 Dell Mobile Workstation 55	629.63		33030	5410 430840	200	101000	

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Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
200482		01700 ORKIN, INC	1,497.88					
1	12172020	12/22/20 Year in Advance Water Tank	1,250.88		33097	5210 430500	300	101000
2	211295874	12/14/20 1st Service at Water Tank	247.00		33097	5210 430500	300	101000
200483	-98381E	02550 SPEEDTECH LIGHTS	17.49					
1	276256	12/14/20 Control Box	17.49		33096	1000 430200	200	101000
200484		00091 CLIFF'S TOWING	400.00					
1	7018	12/22/20 Tow Mobile Home	200.00*		31047	1000 420500	300	101000
2	7017	12/28/20 Tow Ford Taurus	100.00*		31047	1000 420500	300	101000
3	7016	12/28/20 Tow Jeep Cherokee	100.00*		31047	1000 420500	300	101000
200485		01758 ROBERT W HERMANCE	3,000.00					
1	12/29/30	Annual Service Contract	1,500.00			1000 411201	300	101000
2	12/29/30	TBID Annual Service Contract	1,500.00			7199 212500		101000
200486	-98380E	00144 POSTMASTER	46.70					
1	441	12/08/20 Postage	46.70		33100	5210 430500	200	101000
87		02069 NATIONAL LAUNDRY CO	40.65					
1	37625	12/23/20 Red Shop Towels	40.65		33099	1000 430200	300	101000
200488		02045 NAPA AUTO PARTS	429.72					
1	144100	12/04/20 Hose Adapters	8.30		33102	5410 430840	200	101000
2	144094	12/04/20 Nylon Tube/Hydraulic Hose	165.53		33102	5410 430840	200	101000
3	144447	12/11/20 Oil	5.99		33102	1000 430200	200	101000
4	144446	12/11/20 Pliers	34.98		33102	5210 430500	200	101000
5	144252	12/08/20 Battery	102.71		33102	1000 430200	200	101000
6	144318	12/09/20 GM 3 Pack Utility	29.07		33102	1000 430200	200	101000
7	144332	12/09/20 Floor Dri	30.21		33102	5410 430840	200	101000
8	145129	12/28/20 Permatex/HD 50 50 AF	52.93		33102	5410 430830	200	101000
200489		00088 CARQUEST AUTO PARTS	75.53					
1	2567318062	12/10/20 Lamp	7.81		33103	5410 430830	200	101000
2	2567318462	12/22/20 Charger Maintainer	33.49		33103	5210 430500	200	101000
3	2567318322	12/18/20 Pliers	10.48		33103	5210 430500	200	101000
4	2567318258	12/16/20 Latex Gloves	23.75		33103	1000 430200	200	101000
200490	-98379E	00712 BILLMANS TRUE VALUE	24.99					
1	F91905	12/23/20 Tilt TV Mount	8.33		33106	1000 430200	200	101000
2	F91905	12/23/20 Tilt TV Mount	8.33		33106	5410 430830	200	101000
3	F91905	12/23/20 Tilt TV Mount	8.33		33106	5410 430840	200	101000

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Claim	Vendor #/Name/		Document \$/	Disc \$					Cash
Line #	Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account	
200491	-98378E	02543 ARLO TECHNOLOGIES	9.99						
1	12/24/20	Subscription Sec Camera Shop	9.99			1000 430200	300	101000	
200492		02334 BEN TAYLOR INC.	268.03						
1	709261	12/29/20 DEF/Magaplex	258.28		33104	5410 430840	200	101000	
2	709260	12/29/20 DEF	9.75		33104	5410 430830	200	101000	
# of Claims			77	Total:	462,003.91				
Total Electronic Claims			5,182.42	Total Non-Electronic Claims	456821.49				

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Fund/Account	Amount
1000 GENERAL	
101000 Cash-Operating	\$167,600.17
2400 STREET LIGHTING DISTRICT NO. 35	
101000 Cash-Operating	\$3,881.08
3035 2006 FIRE HALL G.O.B.	
101000 Cash-Operating	\$192.90
5210 WATER UTILITY	
101000 Cash-Operating	\$50,085.69
5310 SEWER UTILITY	
101000 Cash-Operating	\$34,453.05
102210 Cash-Revenue Bond Sinking & Interest	\$83,283.03
5410 SOLID WASTE UTILITY	
101000 Cash-Operating	\$19,789.36
5720 STORM DRAINAGE	
101000 Cash-Operating	\$12,593.04
102210 Cash-Revenue Bond Sinking & Interest	\$88,606.68
7110 ACCOMMODATIONS TAX	
101000 Cash-Operating	\$18.91
7199 TOURISM BUSINESS IMPROVEMENT DIST (TBID)	
101000 Cash-Operating	\$1,500.00
Total:	\$462,003.91

ORDINANCE NO. 843

AN ORDINANCE AMENDING TITLE 13, CHAPTER 5, SECTION 8 (13-5-8) "SHIPPING CONTAINERS" OF THE SHELBY MUNICIPAL CODE

WHEREAS, the current ordinance regulating Shipping Containers used for storage located within city limits only contemplates their use as permanent and semi-permanent storage; and,

WHEREAS, the current ordinance restricts Shipping Containers to the General Industrial Zone only unless a zoning variance is granted through the variance procedure; and,

WHEREAS, construction contractors, property owners, and other persons are increasingly using Shipping Containers for temporary storage while completing construction and other projects; and

WHEREAS, the City Council sees a need to allow the temporary use of Shipping Containers as storage for tools, equipment, and material used for completing certain projects outside the General Industrial Zone; and

WHEREAS, the City Council desires to simplify and expedite the variance procedure for such temporary use of Shipping Containers outside of the General Industrial Zone.

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SHELBY, MONTANA that Title 13, Chapter 5, Section 8, of the Shelby Municipal Code [13-5-8 S.M.C.] shall be amended as follows and in full force and effect in the City of Shelby, Montana.

13-5-8: SHIPPING CONTAINERS

- A. As used in this section, "Shipping Container" means a shipping container including a conex, crate, or other items used for shipping goods and semi-truck trailers with their wheels and axles removed.
- B. Shipping containers are allowed only in the General Industrial Zone unless an exception under section 13-5-8(C) or (D) is granted.
- C. Exception for Low Density Residential and Medium Density Residential Zoning Districts.
 - 1. The City Building Inspector has the authority to grant an applicant a written permit to place a Shipping Container in a Low Density or Medium Density Residential Zone for use as temporary storage of construction equipment, tools, and building materials for a construction, remodel, or other building projects for a period not to exceed 3 months under the following criteria:

a. All of the owners of properties located such that the Shipping Container is visible from their properties agree to the temporary placement of the Shipping Container for up to 6 months.

b. The Shipping Container shall be in good condition, repair, appearance, free of graffiti and other blemishes, and painted a single neutral color.

c. The worksite near the Shipping Container shall be kept neat and orderly at all times.

d. The Shipping Container shall be securely closed when not in use to prevent unauthorized access.

e. Other reasonable conditions that the Building Inspector deems necessary for the safety, good order, and appearance of the area.

f. The Building Inspector's written permit shall include a reasonable time frame for completion of project and removal of the Shipping Container.

g. The Building Inspector's written permit shall include a provision that he may revoke the permit at any time for any violation of the conditions of the permit.

h. The Building Inspector's written permit shall include a provision that upon revocation or expiration of the permit, the City may remove the Shipping Container pursuant to this Ordinance at the cost of the permittee, if the permittee fails to do so within the time allotted by this Ordinance.

g. The Building Inspector's written permit shall be signed and agreed to by the applicant of the permit.

2. The Mayor may grant a one-time 3 month extension of the Building Inspector's permit only if the permittee has complied with the conditions of the original permit and the permittee applying for the extension reasonably requires additional time to complete the construction or remodel project. The Mayor has the discretion to amend, delete, or add to the conditions of the original 3 month permit

3. Upon expiration of the Building Inspector's permit under this section, the Mayor's period of extension, or revocation of the permit, the permittee must remove the Shipping Container within 10 days or have an approved variance as authorized under this Code. If the Shipping Container is not removed after 10 days, the City may remove the Shipping Container and store it along with its contents in a secure location on City property until the permittee or owner pays the City the reasonable costs of removing and storing the Shipping Container.

D. Exceptions for Central Business, Central Business 2, Highway Business, Highway Business 2, and Rural Residential Zoning Districts.

1. The City Building Inspector has the authority to grant an applicant a written permit to place a Shipping Container in Central Business, High Business, and Rural Residential Zoning Districts for use as temporary storage of construction equipment, tools, and building materials for a construction, remodel, or other building projects for a period not to exceed 1 year under the following criteria:

- a. All of the owners of properties located such that the Shipping Container is visible from their properties agree to the temporary placement of the Shipping Container for up to 1 year.
- b. The Shipping Container shall be in good condition, repair, appearance, free of graffiti and other blemishes, and painted a single neutral color.
- c. The worksite near the Shipping Container shall be kept neat and orderly at all times.
- d. The Shipping Container shall be securely closed when not in use to prevent unauthorized access.
- e. The permittee is making continuous progress and reasonable efforts to complete the project.
- f. Other reasonable conditions that the Building Inspector deems necessary for the safety, good order, and appearance of the area.
- g. The Building Inspector's written permit shall include a reasonable time frame for completion of project and removal of the Shipping Container.
- h. The Building Inspector's written permit shall include a provision that he may revoke the permit at any time for any violation of the conditions of the permit.
- i. The Building Inspector's written permit shall include a provision that upon revocation or expiration of the permit, the City may remove the Shipping Container pursuant to this Ordinance at the cost of the permittee, if the permittee fails to do so within the time allotted by this Ordinance.
- j. The Building Inspector's written permit shall be signed and agreed to by the applicant of the permit.

2. The City Council may resolve to grant an extension of the permit upon the expiration of the Building Inspector's 1 year permit. The City Council may modify, add,

or delete any of the conditions set forth in the Building Inspector's expired permit. The City Council shall consider at least the following before granting an extension:

- a. The nature of the project.
- b. The reason(s) the project was not completed during the Building Inspector's permit.
- c. The permittee's compliance with the conditions set forth by the Building Inspector's 1 year permit.
- d. The impact of the Shipping Containers to the surrounding area.

3. Upon expiration of the Building Inspector's authorized period of the permit under this section, the Mayor's period of extension, or revocation of the permit, the permittee must remove the Shipping Container within 10 days or have an approved variance as authorized under this Code. If the Shipping Container is not removed after 10 days, the City may remove the Shipping Container and store it along with its contents in a secure location on City property until the permittee or owner pays the City the reasonable costs of removing and storing the Shipping Container.

E. This Ordinance applies to all Shipping Containers located outside of the General Industrial Zone prior to enactment of this Ordinance. Any person who has placed or places a Shipping Container outside of the General Industrial Zone without an approved variance must apply for a temporary permit within 5 days of notice from the Building Inspector.

READ AND PROVISIONALLY ADOPTED by the City Council of the City of Shelby, Montana on the first reading on the 21st day of December, 2020, and finally adopted by the City Council of the City of Shelby, Montana on second reading and approved by the mayor on the 4th day of January, 2021.

GARY McDERMOTT, MAYOR

ATTEST:

JADE GOROSKI, FINANCE OFFICER

City of Shelby
Downtown Historic
Preservation Plan



DECEMBER 2020



City of Shelby
112 1st Street South
Shelby, Montana 59474

Prepared by:
**Cushing
Terrell**

Acknowledgments

Cushing Terrell acknowledges that no work is performed in isolation. Much of the preparation of this report included coordination with many individuals who have been working closely with the town over a number of years. Cushing Terrell wants to thank the City of Shelby, particularly Lorette Carter, the Community Development Director, and Gary McDermott, the Mayor. These individuals, together with Chelsea Holling, Preservation Specialist with Cushing Terrell (chelseaholling@cushingterrell.com 406.922,7135), comprise the City of Shelby Downtown Historic Preservation Plan Team. The authors of this report also wish to thank members of the Shelby community.

The Preservation Plan began with the City's distribution of a community survey, which received tremendous input. This Plan is based on the community's input, background information, and current and future needs. Public involvement allowed community members to share their thoughts about issues facing Shelby now and in the future. The following is a summary of the survey that was distributed.

Illustrations

Unless noted otherwise, all photographs included herein have been provided by the City of Shelby and Cushing Terrell. Additional images used throughout are credited accordingly.

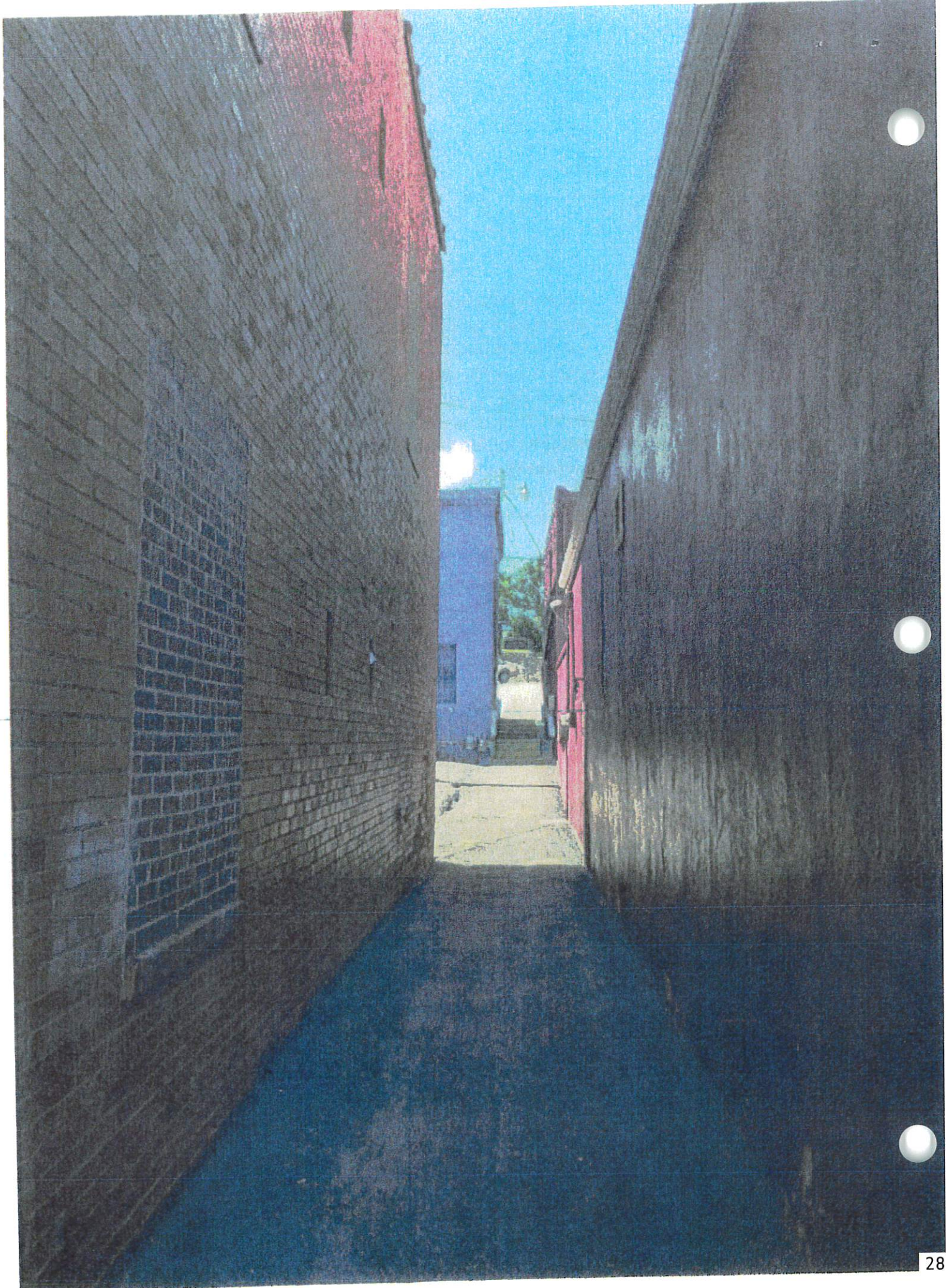


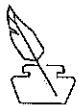
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Executive Summary



Project Framework

Shelby's downtown defined in this report as Main Street between 3rd Avenue and Montana Avenue has a variety of architectural features including single and multi-story historic buildings, surrounded by adjacent residential and community gathering areas. Unfortunately, these significant community assets have suffered as a result of the loss of downtown businesses and lack of maintenance.

The purpose of this Historic Preservation Plan is to identify the strengths and opportunities of present in the existing architecture of downtown Shelby. These buildings are resources that will contribute to the larger community and economic development goals when it comes to sustaining and growing the business community.

This plan relied heavily on community input regarding how the residents of Shelby envisioned the future of their downtown, as well as identifying the "gems" that define the character of downtown.

Community Preservation Goals

Community input, discussions with the City, and the requirements of the Montana Main Street program have informed the community preservation goals. This plan identifies three primary goal areas:

- **Historic Preservation and Design**
Downtown Shelby's unique historic buildings are a tremendous asset. They inspire community pride and bring in visitors from across the country. Preserving and restoring these structures for modern uses should be a top priority for the City. The appearance of the downtown can attract new businesses and opportunities for the residents of Shelby. The design of public amenities and private improvements should be pursued in addition to Historic Preservation.
- **Let's Stay Organized**
A plan is only as good as the community and leadership behind the plan and its implementation. The leadership given the responsibility for promoting and supporting Downtown Shelby will be vital to its success.



Project Purpose & Planning Process

Project Purpose



The Purpose of a Historic Preservation Plan

The purpose of this Historic Preservation Plan is to identify and catalogue historic city assets and to examine historic preservation opportunities. This plan is the guiding document for the City of Shelby to use in the development of a historic preservation program.

According to the Secretary of the Interior, preservation planning is a process that organizes preservation in a logical sequence. Preservation activities typically include:



IDENTIFICATION

Identify historic assets in a community. Historic assets may include buildings, structures, archaeological and cultural places.



EVALUATION

Evaluate the architectural integrity of the asset. Through an evaluation process a community may better understand what assets are best suited for preservation and when additional efforts can improve preservation.



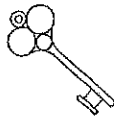
REGISTRATION

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Through a formal review process, the National Park Service uses this registry to protect historic resources. Once listed, historic properties may qualify to receive preservation benefits and incentives.



TREATMENT OF HISTORIC ASSETS

Once a historic asset is identified how that asset and its historic qualities is maintained in the future is vital. For example, a community may require additional review for construction or demolition of historic properties.



The City of Shelby has identified that historic preservation is important to their community. The creation of a historic preservation plan will enhance local preservation efforts and provide guidance to develop additional historic planning in the future. Specifically, the City has asked that the plan include the following elements:

1. An Existing Conditions Assessment
 - Identifies significant buildings & character defining features
 - Is coordinated with previous planning documents
2. Goals & Objectives for Historic Preservation
3. Vision for Downtown Preservation
 - Identifies an actionable implementation schedule
 - Prioritizes tasks
4. An Outline of Historic Preservation Incentive Strategies, inclusive of:
 - Local Facade Improvement Program
 - Tax Programs
 - Zoning Regulations
 - External Funding Opportunities
5. A List of potential rehabilitation opportunities
 - Identifies compatible reuses of existing buildings

Ways to Accomplish the Planning Process

1. Evaluation of Existing Planning Efforts

The Shelby 360* report discusses how the unique integrity of the downtown area, with its neon signs and historic storefronts, is being compromised. The plan suggests that to avoid compromising existing assets Shelby should strengthen the relationship of buildings to the street, preserve the existing neon signs, and promote a diverse tourist base. The plan also suggests enhancing Shelby's web presence by improving the city's website.

The Downtown Development plan makes similar suggestions, and also states that Shelby should utilize existing buildings in the downtown area to their full potential and highlight the "gems" that make downtown Shelby unique. This could include improving the pedestrian environment by filling empty storefronts and creating consistent signage. The plan suggests implementing streetscape improvements like hanging flower baskets, and rehabilitating the existing neon signs as other ways to enhance the visitor experience. This report also discusses potential redevelopment opportunities and suggests facade improvement projects at the Mint Club and the Roxy.

2. Defining the Plan Area

The plan area was identified by the City of Shelby. Defining the plan area created a focused approach to asset cataloging and analysis. The plan area is bounded by Front Street on the north, the alley to the south of Main Street, Montana Avenue to the east, and 3rd Avenue to the west.

While the boundary was provided by the City of Shelby, based on public input, a historic district boundary could be expanded in the future to include buildings between 5th Avenue and 3rd Avenue.

3. Public Engagement

Efforts to engage the public was made throughout the planning process. Through an in-person public meeting and a city-wide paper survey, community members voiced what was important to them.

Public Inquiry Survey

During a community questionnaire in early July 2020, residents of Shelby were given the opportunity to share their thoughts about local historic preservation and to provide insight into issues facing their community now and in the future.

The survey responses gave a personal insight to downtown Shelby. Shelby residents overwhelmingly expressed support of keeping and restoring the existing neon signs. Ideas generated for possible solutions to reuse of existing abandoned buildings include the following:

- A brewery or a beer and wine bar at the Rainbow Hotel
- Seasonal food truck parking at the Conoco Station
- Residential apartments on Main Street
- Restore the old Sportsclub in some manner, such as a micro brew
- Relocate the Marias Museum to the Larson Brothers Department Store

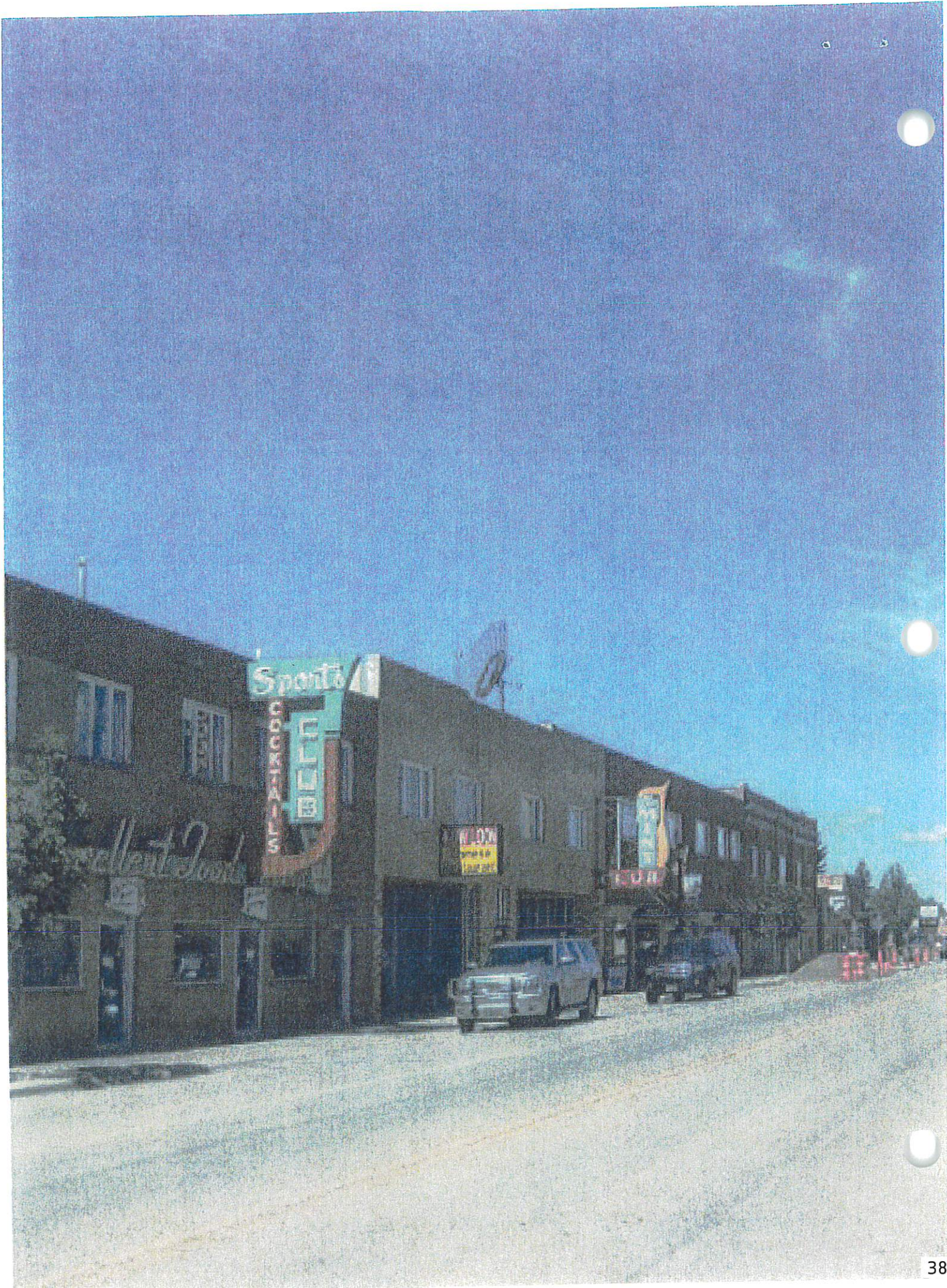
Complete survey responses are available in the Appendix.

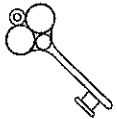
4. Creation of the Existing Conditions Assessment

In the existing conditions assessment, each building within the plan area was inventoried and assessed. Depending on the type of improvement required for each building, whether it was a new facade or minor maintenance, the buildings were given a condition assignment of 'good,' 'fair,' or 'poor.'

5. Recommendations for Facade Improvements

Facade improvements listed further in the report can be minor improvements, such as cleaning, or more in-depth, such as replacement of storefronts and upper lites. These recommendations will aid in the further preservation of the buildings, as well as keeping the unique character of Shelby thriving.





Vision for Preservation

A Vision For Downtown Shelby

A Vision Statement describes shared beliefs about the potential of a town or organization. In Shelby, the following vision statement was created based on sentiment collected during public engagement:

In Shelby, we work hard to preserve and showcase our heritage while keeping an eye on the future. We are the Toole County seat and strive to be the commercial center for the area's farmers and ranchers. Our community symbolizes what is great about rural Montana. We value our unique history and believe in preserving the stories of the people and places that make Shelby the resilient and friendly community it is.

Historic Preservation Goals

The following goals were collected through information gathered from the community survey:

- Maintain 100% Occupancy for Buildings Located on Main Street
- Create a Vibrant and Active Destination on Main Street for Visitors and Residents
- Protect Shelby's Historic Character
- Transform Main Street into a historic destination by preserving historic structures and features

Historic Context

XXXXXXXXXXXXXXXXXXXX



General History of Shelby

History of Shelby & Setting

Shelby was established in 1890 when the railroad connected Lethbridge, Alberta with Great Falls, Montana. Serving as a distribution center for sheep and cattle ranchers, Shelby was named after Peter Shelby, who was the General Manager of the Montana Central Railway. The railroad remains a prominent feature of the town. Since 1891, Shelby has had a rail station that serves the Great Northern as it make its way to the Marias Pass and further westward. The railroad has also been used for Amtrack passenger trains. According to local lore, a catastrophic fire destroyed numerous buildings downtown in the 1950s/60s which became a turning point to rebuild downtown to what is seen today.

Types of Historic Properties

As defined in the 2008 Downtown Development Plan, at least 70% of Shelby's architecture is associated with the Art Deco building style. While many of the buildings have been remodeled in ways that do not align with the Art Deco style, the clean, simple lines that characterize Art Deco design are still prevalent.

As of 2020, Shelby has three designated historic resources. Approximately 12 structures are subject to historic preservation provisions. Most communities use a "50 years old or older" threshold when determining eligibility for designation to be in accordance with National Park Service.

These resources include a wide variety of structures, cemeteries, and building types and styles, such as commercial or civic buildings.

Historic commercial and civic buildings in downtown Shelby are generally brick construction. Important historic commercial and civic buildings include the BPOE, which was built in 1949 and the Aronow Building, built in 1960, both of which represent the Art Deco style.

Period of Significance

A period of significance is a length of time when a property was associated with important events, activities or people. The period of significance for the architecture in downtown Shelby is between 1949 and 1960. This was determined based on the age of the buildings; these dates were found on the buildings themselves either as corner stones or a stone set above the main entry.

Plan Area

The Plan Area was largely guided by the City of Shelby. On the map on page 7, the buildings are individually numbered with associated descriptions and maintenance recommendations later in the report. The map also highlights existing passageways that can be used as Pocket Parks.

Existing Landmarks

Shelby has three historic structures that are officially recognized by the National Register of Historic Places. Although located outside of the downtown core, these structures are included in the Plan Area.

Shelby Town Hall

The Shelby Town Hall, built in 1923, is a one-story, stucco building that is situated in the north-west corner of the original Town Square. This building was individually listed on January 6, 2006 in the National Register of Historic Places.

Marias River Bridge

The Marias River Bridge, built in 1936, is a steel girder bridge. The Bridge was individually listed on February 17, 2012 in the National Register of Historic Places.

Rainbow Conoco

The Rainbow Conoco, built in 1936 with an addition built in 1941, has a steeply pitched gabled roof with perpendicular gabled service bays. This building was individually listed on July 11, 1994 in the National Register of Historic Places.

Other Notable Historic and Cultural Resources

In addition to the historic resources designated and recommended in this report, another historic asset was identified during public outreach efforts. This building contributes to the unique history and landscape of Shelby, and is recognized by the community members as important to the city.

- **Rainbow Hotel**

The Rainbow Hotel is located on Main Street & Third Avenue. The hotel was built in 1923, and was a vital destination for the town of Shelby up until the early 1990s.



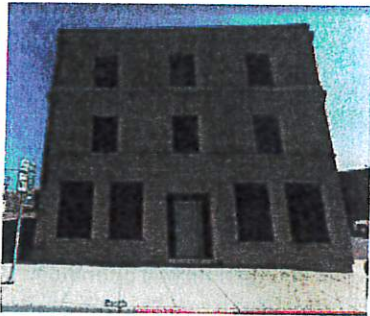
NUMBER	BUILDING	NUMBER	BUILDING
1	RAINBOW CONOCO	16	BPOE
2	RAINBOW HOTEL	17	SPA30/YOUTH DYNAMICS
3	LARSON BROTHER'S BLOCK	18	LEE LAW OFFICES
4	TAPROOM	19	FIRST AMERICAN TITLE COMPANY
5	OLD COURTHOUSE/CITY HALL	20	RUSSELL CELLULAR
6	MALLETTE BUILDING	21	NORTH TOWN DRUG
7	TORTENSON BUILDING	22	JIVITAYA
8	LEAVITT GROUP INSURANCE	23	SMILE SHOP/SALON MOSAIC
9	TIBER AGENCY	24	1ST SECURITY PAWN
10	ALIBI LOUNGE	25	WOLDTVEDT BUILDING
11	ROXY THEATER	26	SHELBY FLORAL & GIFT
12	MONTANA CLUB	27	WELLS FARGO
13	MERCANTILE MALL	28	UNKNOWN
14	LARSON CLOTHING	29	UNKNOWN
15	ARONOW BUILDING	PASSAGEWAYS	



Property Descriptions

1. RAINBOW CONOCO

The Rainbow Conoco, located on Main Street and Fourth Avenue, was constructed in 1936 with an addition built in 1941. It has a steeply pitched gabled roof with perpendicular gabled service bays. This building was individually listed on July 11, 1994 in the National Register of Historic Places.



2. RAINBOW HOTEL

The Rainbow Hotel is located on Main Street and Third Avenue. The hotel was built in 1923 and was a vital destination for the town of Shelby up until the early 1990s. The building now sits abandoned efforts may be underway to re-use the building. The Rainbow Hotel is a three-story brick building that has symmetrical punched openings on the east, south, and west facades. The building has horizontal brick banding, which divides each floor, and has a simple stepped parapet.



3. LARSON BROTHER'S BLOCK

The Larson Brother's Block is a prominent presence in downtown Shelby. True to its name, it takes up one block between Second Avenue and Third Avenue. This single story, red brick building features blonde end brick detailing, in a rectangular and diamond shape, at the columns and parapet along the south and west. Currently, there are various businesses located in this building, including a few key anchor businesses, such as The Griddle and Prairie Peddler.



5. OLD COURTHOUSE/CITY HALL

The Old Courthouse/City Hall, on Main Street at Third Avenue, is a two-story red and tan brick building that has symmetrical punched openings on the second floor. The first floor appears to have been remodeled. It is detailed with tan brick, punched openings, and a few storefronts. The building has upper brick detailing below the second-floor windows and at the parapet.



6. MALLETTE BUILDING

The Mallette Building, in the middle of the Main Street block between Maple and Third Avenue, was built in 1960 and is a prime example of the Art Deco design style and the use of neon signs. This two-story tan brick building has uniform punched openings on the first and second levels. The brick detailing between the first and second floors is a prime example of stacking bond; the neon signs are located within this 18-row band.



7. TORTENSON BUILDING

The Tortenson Building, also on Main Street, was built in 1953 and is a prime example of a 1950s facade detailing. Neon signs extend across the front facade and a large vertically oriented sign extends to the parapet. This two-story brick building has a red and tan Roman brick, both are set in a running bond. The first floor has asymmetrical detailing, but the openings are equally spaced; the punched openings on the second floor are of equal size.



10. ALIBI LOUNGE

The Alibi Lounge is a single-story masonry building with a stucco facade between the brick columns, and below the parapet. This building sits on the corner of Main Street and Third Avenue and is identified with a large neon sign on the south facade that fronts Main Street.



11. ROXY THEATER

The Roxy Theater is a prime example of theaters with marquee and neon on the front facade. Red running bond brick is used at the street level with wood detailing above the marquee. This facade is a unique form as it is not symmetrical but is balanced with the multi-stepped wood detailing on the left above the front door and a large neon sign on the right portion of the facade.



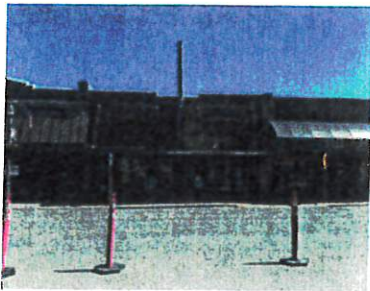
12. MONTANA CLUB

The Montana Club building is a single-story brick building, with a large wooden awning. This building is located near the middle of the block between Maple and Third Avenue and, like others along Main Street, has red and tan brick – the tan brick is solely used for the parapet detailing. The punched openings are not centered in the facade but are equally spaced on either side of the entry.



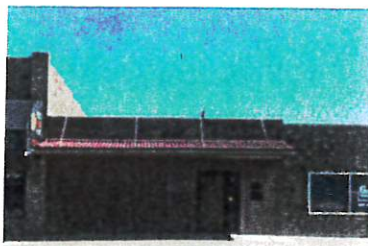
13. MERCANTILE MALL

The Mercantile Mall, also on Main Street and near the Maple Avenue intersection, is a single-story brick building with large punched openings and significant parapet detailing. The length of the building has a metal awning covering a large portion of the main facade. The parapet has a centralized gable form and stone caps. A decorative shield is centered on the parapet immediately below the cap.



14. LARSON CLOTHING

The Larson Clothing building, on Main Street directly across from Maple Avenue, is a single-story brick structure with intricate brick facade detailing and a large neon sign. It has a large, flat awning. The transom area is still visible above it, but has been covered up with a siding material. The storefront runs the full width of the building and is nicely balanced on either side of the entrance door.



15. ARONOW BUILDING

The Aronow Building, just east of the Main Street and Maple Avenue intersection, was built in 1960 and is a simple, single-story red brick building. The only punched opening is the entrance door. The building has a flat awning running the full length of the building.



16. BPOE

The BPOE, immediately west of the Wells Fargo building on Main Street, was built in 1949 and is another fine example of the Art Deco style in its form and material use. The two-story tan Roman brick is set in running bond, with stucco facing a large recessed second-story balcony. There are large punched openings, filled with glass block on the west side of the facade. The entrance is symmetrically balanced with smaller punched openings on either side of the doors, and a smaller punched opening on the east upper story.



Existing Conditions Analysis

Character Defining Features

Significant structures are comprised of components that indicate their historic use, quality, and style. The most important of these character-defining features, defined by the National Park Service as a “prominent or distinctive aspect, quality, or characteristic of a historic property that contributes significantly to its physical character.”¹

The following inventory highlights the significant structures within the plan area and summarizes building features and contributing components that most clearly express the architectural and historical significance inherent to downtown Shelby. This inventory provides a foundational understanding of the historic qualities that need to be protected and remain unharmed.

The following descriptions summarize the major themes and architectural details found as Character Defining Features for buildings in the plan area.



Looking South, portion of the Historic Buildings In Downtown Shelby.

Style

Most of the buildings in downtown Shelby were built in the Art Deco style² with long, elegant and unconventional horizontal lines. Most of the buildings are rectangular in mass, have flat roofs and symmetrical Main Street facades.

Massing

The mass of buildings in the plan area is simple. Typical to historic downtowns and commercial areas, most of the buildings are rectangular in shape, with the short side of the building facing Main Street. Building entrances are designated with typical storefront detail (awnings, windows and signage) and have a single entrance point with large window displays. The second story window openings are linear, evenly spaced and vary in size.

Masonry Walls

The multi-wythe masonry walls have a sturdy appearance that is physically lightened with storefront details and windows across the various facades. The brick is laid in patterns from running bond to horizontal stack. The second story windows typically have brick lug sills.

Storefront

Street level interiors are illuminated with the natural light provided by storefront windows and doors. It is clear that there are several variations of storefronts when walking downtown, but all are intended to light the buildings' interior.

Windows

The buildings are illuminated with natural light provided by multiple windows on the first and upper floors. The upper floors have regular symmetry, and most are standard one-over-two lite windows.

¹ U.S. Department of the Interior, National Park Service.

² The Downtown Solutions Team. City of Shelby, Montana: Next Steps Plan for Downtown Development. 2008.

General Conditions and Recommendations for Repair

The General Conditions and Recommendations for Repair chart on the following pages was defined by a visual inspection that was conducted while on site. This inspection included looking at general building material and fabric condition based on overall deterioration and how much life the materials and fabric have left. The following are definitions that are used in the chart.

- Good
Repairs/maintenance not needed for 5-10+ years
- Fair
Repairs/maintenance needed within 2-5 years
- Poor
Repairs/maintenance needed within 1-2 years
- Brick Tuckpointing/Tuckpoint
Required when existing mortar joints are failing and need to be removed and replaced, in-kind
- Parapet
Upper part of the wall, above the roof plane
- Gable-end
End of a wall that follows the roof-line

Facade Improvements

Facade improvements would allow Shelby to capitalize on and enhance existing historic resources. Care should be taken to execute facade improvements in a way that preserves the historic features of building. A facade improvement can include anything from general maintenance (such as tuckpointing and masonry cleaning) to complete replacement, in-kind (such as the wood on The Roxy). The buildings recommended for facade improvements are as follows:

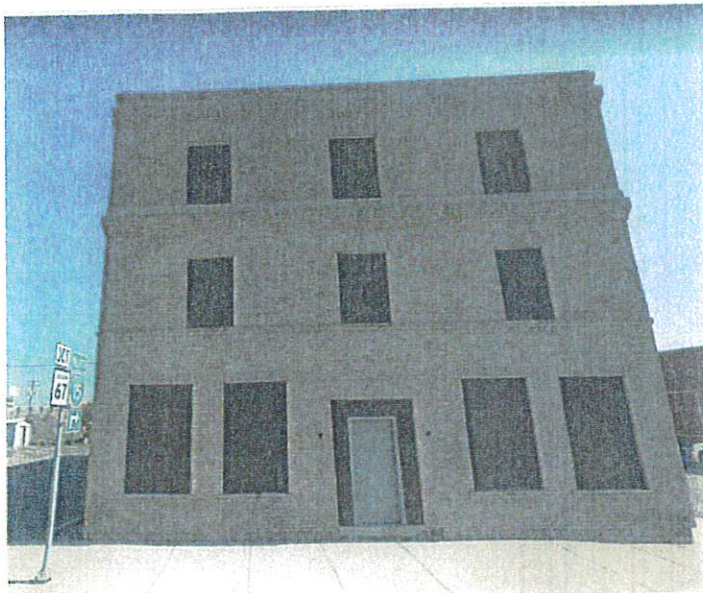
BLDG	CHARACTER DEFINING FEATURES	HISTORIC	CONDITION	RECOMMENDATION	FACADE IMPROVEMENTS
1	<ul style="list-style-type: none"> MASONRY WALLS PUNCHED OPENINGS ROOF LINE 	YES			<ul style="list-style-type: none"> CLEAN, TUCKPOINT, AND PAINT BRICK AS NECESSARY
2	<ul style="list-style-type: none"> MASONRY WALLS PUNCHED OPENINGS MASONRY BANDING 	YES			<ul style="list-style-type: none"> CLEAN, TUCKPOINT, AND REPLACE BRICK AS NECESSARY REPLACE BOARDED UP WINDOWS AS NECESSARY
3	<ul style="list-style-type: none"> MASONRY WALLS PUNCHED OPENINGS BRICK DETAILING 	YES			<ul style="list-style-type: none"> GENERAL BRICK CLEANING AND REPAIR AS NEEDED REPLACE UPPER STOREFRONT LITES WITH A MATERIAL MORE SYMPATHETIC WITH THE PERIOD OF SIGNIFICANCE
5	<ul style="list-style-type: none"> MASONRY WALLS PUNCHED OPENINGS BRICK COLUMNS 	YES	GOOD/FAIR	<ul style="list-style-type: none"> CLEAN BRICK UNDER SECOND FLOOR WINDOWS BRICK TUCKPOINTING REPLACE WINDOWS WITH UNITS VISUALLY ALIGNED WITH THE PERIOD OF SIGNIFICANCE (REMOVE INFILL ABOVE SECOND FLOOR WINDOWS) 	

General Conditions and Recommendations for Repair

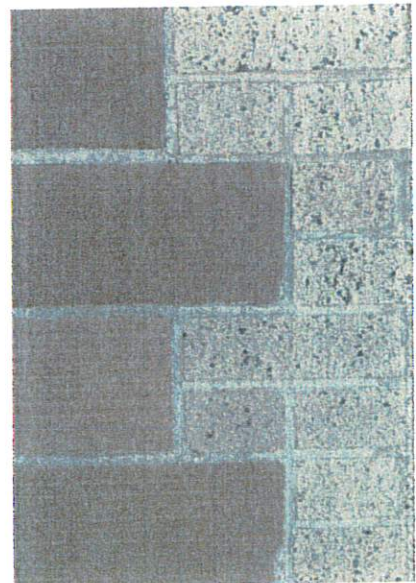
6	<ul style="list-style-type: none"> MASONRY WALLS PUNCHED OPENINGS STOREFRONT (60S) 	YES	GOOD	<ul style="list-style-type: none"> REPAIR NEON TO WORKING CONDITION TUCKPOINT AS NECESSARY EXAMINE UPPER COURSES OF BRICK FOR DETERIORATION (PARAPET LEAK SUSPECTED) 	<ul style="list-style-type: none"> REPAIR NEON TUCKPOINT BRICK AS NECESSARY EXAMINE UPPER BRICK COURSES FOR DAMAGE
7	<ul style="list-style-type: none"> MASONRY WALLS PUNCHED OPENINGS STOREFRONT (DELINEATED OUTLINE) 	YES	GOOD/FAIR	<ul style="list-style-type: none"> REPAIR NEON TO WORKING CONDITION TUCKPOINT AS NECESSARY REPLACE ANY SPALLED BRICK AS NECESSARY REPAIR/REPLACE SECOND FLOOR WINDOWS AS NECESSARY 	<ul style="list-style-type: none"> REPAIR NEON TO WORKING CONDITION TUCKPOINT AS NECESSARY REPLACE ANY SPALLED BRICK AS NECESSARY REPAIR/REPLACE SECOND FLOOR WINDOWS AS NECESSARY
8		YES	GOOD	<ul style="list-style-type: none"> TUCKPOINT AS NECESSARY REPLACE STOREFRONT 	
9	<ul style="list-style-type: none"> WALL MASS BRICK COLUMNS 	YES	GOOD	<ul style="list-style-type: none"> TUCKPOINT AS NECESSARY 	
10	<ul style="list-style-type: none"> MASSING (LOW PROFILE) CORNICE 	YES	GOOD	<ul style="list-style-type: none"> REPAIR NEON TO WORKING CONDITION CLEAN BRICK, TUCKPOINT, AND REPLACE BRICK AS NECESSARY 	
11	<ul style="list-style-type: none"> WALL MASS NEON MARQUEE 	YES	FAIR/POOR	<ul style="list-style-type: none"> REPAIR NEON, LIGHTS, AND MARQUEE TO WORKING CONDITION REPAIR OR REPLACE WOOD DETAILING IN-KIND CLEAN, TUCKPOINT, AND REPLACE BRICK AS NECESSARY 	<ul style="list-style-type: none"> REPAIR NEON, LIGHTS, AND MARQUEE TO WORKING CONDITION REPAIR OR REPLACE WOOD DETAILING IN-KIND CLEAN, TUCKPOINT, AND REPLACE BRICK AS NECESSARY

12		YES	FAIR	<ul style="list-style-type: none"> REPAIR NEON TO WORKING CONDITION TUCKPOINT, REPAIR, AND CLEAN BRICK AS NECESSARY REPAIR WINDOWS AS NECESSARY, REPLACE IF REQUIRED 	
13	<ul style="list-style-type: none"> STOREFRONT CORNICE/ PARAPET DETAILING 	YES	GOOD	<ul style="list-style-type: none"> CLEAN ORIGINAL PARAPET DETAILING, REPAIR AS NEEDED 	<ul style="list-style-type: none"> GENERAL BRICK CLEANING AND REPAIR AS NEEDED
14	<ul style="list-style-type: none"> WALL MASS & DETAILING STOREFRONT CORNICE/ PARAPET 	YES	GOOD	<ul style="list-style-type: none"> REPAIR NEON TO WORKING CONDITION 	<ul style="list-style-type: none"> REPAIR NEON REPLACE UPPER STOREFRONT LITES WITH A MATERIAL MORE SYMPATHETIC WITH THE PERIOD OF SIGNIFICANCE
15		YES	FAIR	<ul style="list-style-type: none"> TUCKPOINT, CLEAN, AND REPLACE BRICK AS NECESSARY 	
16		YES	GOOD	<ul style="list-style-type: none"> REPAIR NEON TO WORKING CONDITION TUCKPOINT AND CLEAN BRICK AS NECESSARY CHARACTER DEFINING FEATURES: WALL MASS (COLORING AND LAYOUT), PUNCHED OPENINGS 	<ul style="list-style-type: none"> GENERAL BRICK AND STUCCO CLEANING REPAIR NEON CLEAN GLASS-BLOCK TILE AND REPAIR/REPLACE ANY BLOCKS AND CAULKING
17		-	GOOD	<ul style="list-style-type: none"> REPAIR/REPLACE SECOND FLOOR WINDOWS AS NECESSARY TUCKPOINT AS NECESSARY 	
18		NO	GOOD	-	

19		NO	GOOD	<ul style="list-style-type: none"> REPLACE GABLE-END SHINGLES AS NECESSARY 	
20		NO	GOOD	-	
21		NO	GOOD	-	
22		-	FAIR	-	
23		-	FAIR	<ul style="list-style-type: none"> TUCKPOINT AND CLEAN BRICK AS NECESSARY 	
24		-	FAIR	<ul style="list-style-type: none"> REPAIR PARAPET TO ORIGINAL CONDITION (REMOVE BLUE SIDING) TUCKPOINT, REPAIR, AND CLEAN BRICK AS NECESSARY 	
25		-	GOOD	<ul style="list-style-type: none"> TUCKPOINT AND REPAIR BRICK AS NECESSARY 	
26		-	GOOD	<ul style="list-style-type: none"> TUCKPOINT BRICK AS NECESSARY 	
27		NO	GOOD	-	
28		-	GOOD	-	
29		-	POOR	<ul style="list-style-type: none"> REPAIR PLASTER, REPLACE WINDOW 	



Rainbow Hotel.



Example of Masonry Walls.



The original Courthouse/City Hall is a prime example of the Masonry Wall Massing, Detailing, and Punched Openings.



Historic Preservation: Strategies & Rehabilitation Opportunities



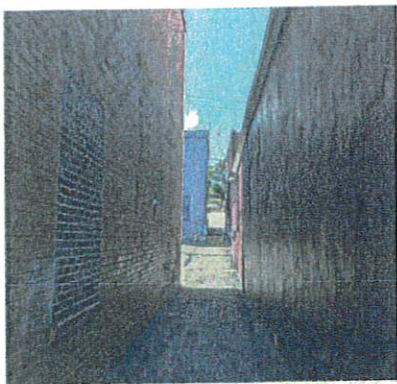
Rehabilitation Opportunities

Rehabilitation Opportunities are modifications that can be made to adjust to changing community needs while maintaining historic character. With the goal of historic preservation, the following opportunities are based on public input and information gathered during the site visit:

Improve Historic Preservation through education

- Capitalize on existing Passageways to Entertain and Inform

There are three passageways on Main Street (see green rectangles on map on page 7) that could be re-purposed as pocket parks or serve as potential locations for a kiosk or building wall mural. A pocket park is a small park typically created on a single, vacant lot or on a small, irregular piece of land. The park is accessible to the general public and can provide a location for the public to gather. By providing historic information on a kiosk or in the form of public art, the locations become “mini-history locations” for pedestrians as they pass through them. Likewise, pocket parks could be used to host annual events to celebrate Shelby’s history. The below images were selected to showcase the ability to transform small, underutilized vacant spaces into public meeting spaces or green spaces.



Existing passageways that could be used for a Pocket Park.



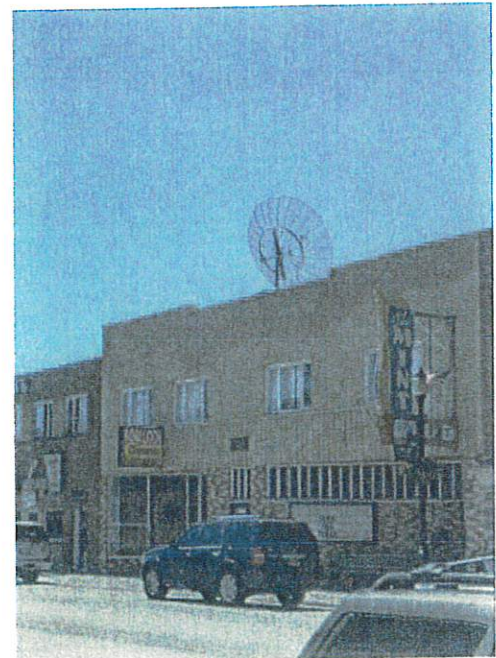
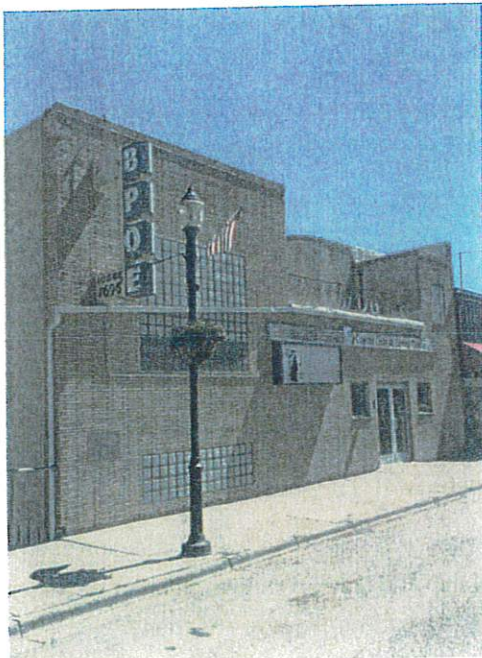
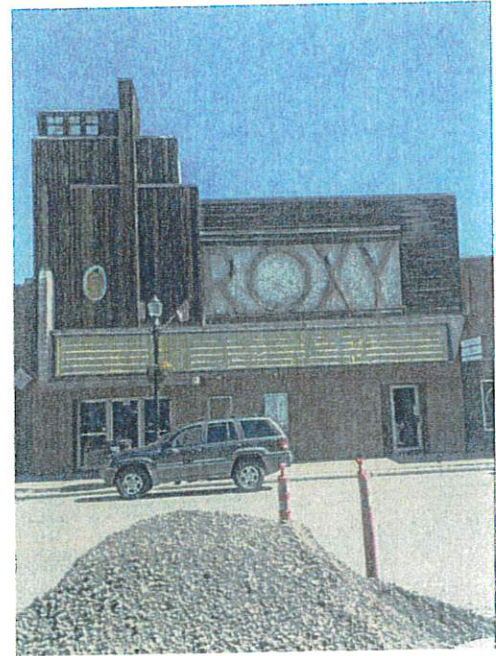
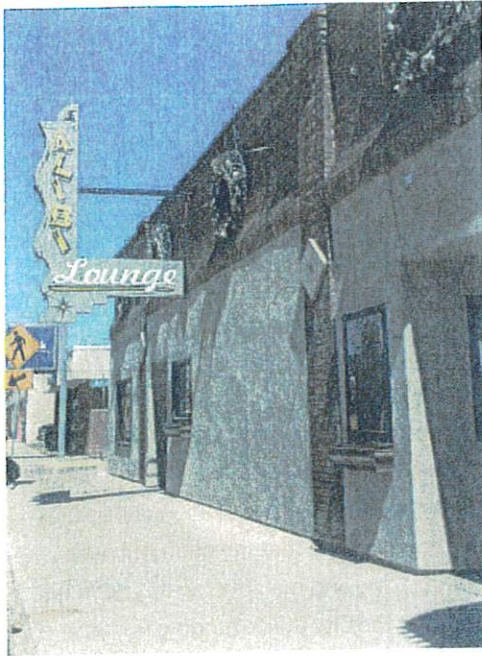
Pocket Park examples.

Neon

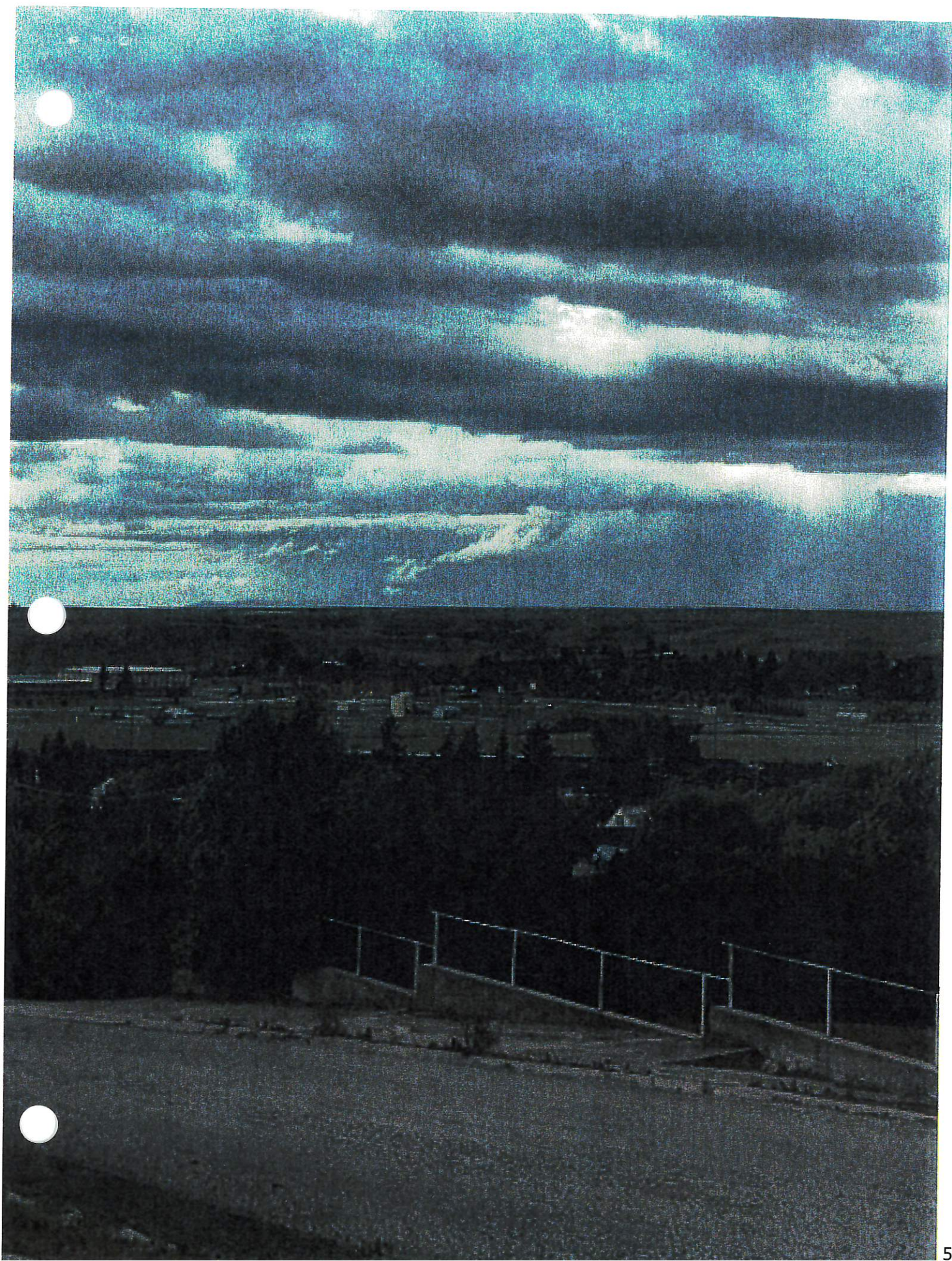
The public has stated their support for the role that neon signs play in showcasing the identity of Shelby. They provide a snapshot in time of what this little downtown used to be. After a discussion with the State Historic Preservation Officer (SHPO), Pete Brown, and the Historic Architecture Specialist, Eric Newcombe, all parties agreed that the neon will need repair or replacement in-kind. Replacing and maintaining this neon is expensive, and we recommend that the City utilize funding from the downtown incentive grant.

Cushing Terrell spoke with the SHPO to explore the possibility of replacing the neon with LED lighting. The following are reasons why neon replacement needs to be in-kind:

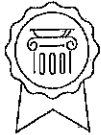
- Neon tubes are heated and bent to any desired radius; LED tubes can only bend to a certain radius before they crimp
- Neon tubes have black paint that creates gaps between lit sections; LEDs are continuous
- Neon produces a uniform light; LED produces hot spots where each of the light emitting diodes (LEDs) is lit
- Neon does not sag when its mounting hardware fails; LED tubes sag
- Neon requires special skill with standard mounting hardware for tubes; imitation neon with LED is not a skill, but rather an improvised pursuit
- Neon is timeless and draws positive attention; imitation neon with LEDs looks cheap and draws negative attention



Various neon examples along Main Street.



Historic Preservation: Incentive Strategies



Economic incentives are commonly used to enhance historic preservation efforts in a community. When considering what type of incentive programs to use, it's important to consider whether the program will support rehabilitation efforts that align with Shelby's priorities and support the continued use of historic resources. A successful incentive program will align with and assist property owners in preserving and enhancing the historic nature of their property and align with Shelby's vision for historic preservation.

Internal Funding Options

An Internal Funding program is a tool that is created and implemented by the City to provide financial incentives that stimulate investment in historic properties at the local level.

Below is a list of Internal Funding programs the City of Shelby should consider to improve Historic Preservation:

-
- **Business Improvement District (BID)**
A BID collects funds from businesses in a specific geographic area that would be allocated for public improvements located within the district boundary; appropriate projects may include maintenance and beautification of historic resources.
-
- **Special Improvement District (SID)**
Similar to BIDs, a SID applies to a specific geographic area, however, it could collect funding from all property owners (including residential properties). The funding collected from the SID is allocated to property owners to finance the costs of public improvements and services beyond what is currently provided. These funds may be used to target a specific purpose, such as infrastructure.

-
- **Tax Increment Financing (TIF)**
TIF is a public financing method that is used to offset the costs for community-oriented improvement projects. Typically associated with blighted urban renewal areas and economic revitalization, TIF funding may be used for a number of improvement projects in a designated area including historic preservation efforts.
-
- **Downtown Business Owner Association**
A Business Owner Association is a non-profit organization made up of business owners. Unlike a BID or SID, a Business Owners Association works alongside but separate from local governments to create programs that enhance business opportunities. Local business owners would pay a membership fee, which would then be used to pay for improvement projects downtown.
-
- **Historic Preservation Permit Program**
The creation of a Permit Program would provide Shelby with a way to generate revenue specifically targeting historic preservation efforts. By updating Shelby's Zoning Regulation, a permit could be required prior to any demolition, construction or reconstruction of buildings located within a designated historic area. Permit fees collected under this permit program could then be used to pay for an additional historic preservation review.
-

External Funding Options

External Funding Options can finance and encourage historic preservation in Shelby. The following is a list of potential grants the City of Shelby could explore to fund maintenance or improvement projects:

-
- **Montana Office of Tourism Grant Program**
This grant is available to assist communities in digital development and tourism infrastructure. This grant is awarded on a first come, first served basis. Preference is given to projects

that are identified as key tourism projects in a master planning process, undertaken with other programs within the Montana Department of Commerce, such as the Main Street Program. A matching fund is required.

- **Main Street Grants**

Main Street member communities may apply for grants to assist in completing revitalization projects. A local match is required and communities may apply on an annual basis.

- **The Montana State Historic Preservation Office (SHPO)**

The Montana SHPO is eligible to receive grants from the National Park Service and to re-issue funds as sub-grants to eligible Montana communities. The SHPO can also fund brick-and-mortar projects.

- **Federal Rehabilitation Tax Credits**

The owner of a property listed in the National Register of Historic Places may qualify for a federal rehabilitation tax credit. The credit is equal to 20 percent of the owner's cost of rehabilitating listed commercial and residential buildings. To qualify, the properties must be income-producing; for instance, a dwelling used solely as the owner's residence would not be eligible.

An additional rehabilitation tax credit, totaling 10 percent, is available only for certain non-historic commercial buildings constructed before 1936. The buildings must be located in historic districts listed on the Nation Register, but they must also be noncontributing to the district. Historic buildings in the district are not eligible for this tax credit.

- **Federal Rehabilitation Grants**

Federal grants may be available for the rehabilitation of historic buildings. All rehabilitations must adhere to the Secretary of the Interior's Standards for Rehabilitation.



Priorities for Action & Implementation Schedule

Priorities for Action

- Complete the Certified Local Government (CLG) Program
The CLG Program is a local, state and federal partnership program that provides support to certified communities engaged in historic preservation efforts. Once the CLG application is complete, Shelby will be eligible for technical assistance and small grant opportunities to further enhance historic preservation efforts. The requirements to complete the CLG certification process are included in the Appendix.
- Establish a Historic District under the zoning code
The addition of a Historic District within the existing zoning code will create the regulatory framework necessary to implement a permit program and design standards. The regulatory program should reflect Shelby's needs and available resources. The program should focus on preserving the historic assets identified in this plan and may be expanded in the future to include design standards for new construction. This local legislation is also a necessary step in the CLG certification process.
- Adopt a historic preservation ordinance that recognizes the reservation of Shelby's historic structures, places and uses is significant to the community.
- Define and create a Historic District based on the defined Plan Area.
- Create and adopt a Historic Overlay district within the existing zoning code which applies to the Plan Area.
- Develop and implement a permit program that establishes a uniform procedure to identify, protect, and enhance the historic assets in the community

- Incorporate the Secretary of the Interior's Standards for the Treatment of Historic Properties & Guidelines for Preserving, Rehabilitating, Restoring, and Reconstruction of Historic Buildings.
- Permits may be required before demolition or exterior modifications and construction on properties located within the Overlay District.
- Create a permit and hearing process that aligns with Shelby's needs.
- Create a Historic Preservation Officer position.
 - This position will be responsible for the implementation and administration of the Historic Preservation Ordinance and permit program.
- Establish a Historic Review Committee
 - This committee may establish program goals and review permits and advise the Historic Preservation Officer on the administration of the Historic Preservation Ordinance.
- Continue to list historic resources on the National Register of Historic Places

Shelby can continue to work with the State Historic Preservation Office to list key properties on the National Register. Potential buildings Shelby may consider prioritizing for this process are:

 - Tortenson Building (The Sportsclub)
Prime example of 1950s/1960s with facade detailing
 - Roxy Theater
Example of theaters with marquee and neon
 - Larson Clothing
Example of brick facade detailing and neon

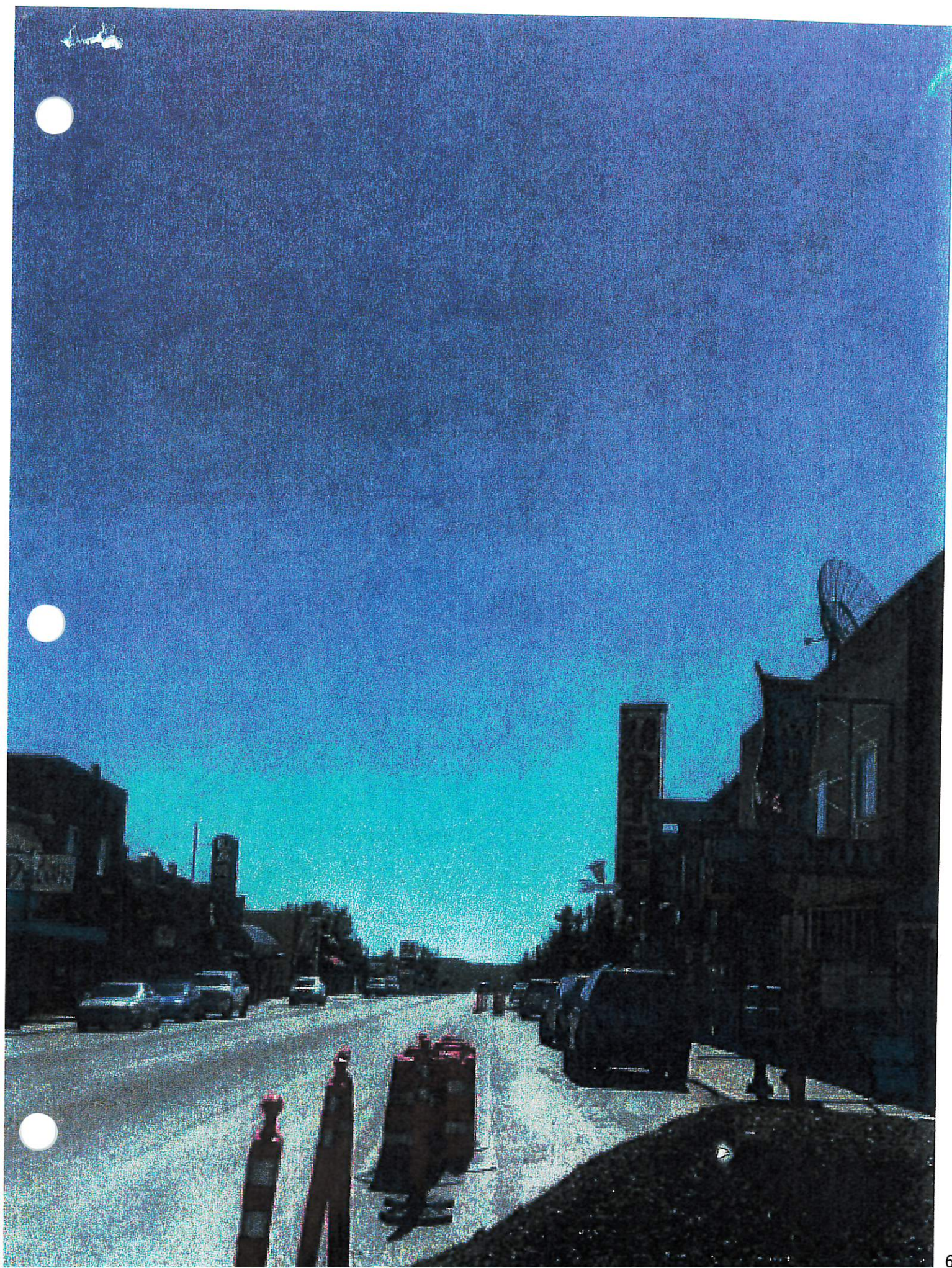
- Organize a group of business owners to establish a Downtown Business Owner Association
Streetscape improvements like hanging baskets and sidewalks, store front revitalization and downtown events can all be addressed through an active downtown association.
- Create a city-wide heritage tourism program
Millions of people travel to Montana every year to visit natural attractions and they want to experience the places, traditions and culture that are uniquely Montana. Through the development of historic interpretative attractions like self-guided walking tours, or temporary installations, Shelby can more directly benefit from state tourism.

Several factors were considered in creating the list of rehabilitation opportunities below, the most important being public input and the City of Shelby's priorities. Included are Priority Time Frames; short-term projects can typically be done right away, mid-term projects can be done within a few years with some resources and planning, and long-term projects will need continuous funding and extensive planning. The following is a summary of the historic preservation rehabilitation opportunities listed previously.



Priorities For Action & Implementation Schedule

REHABILITATION OPPORTUNITY	PRIORITY
Develop proposed district boundary	Short-term (0-2 years)
Modify or create architectural design standards for all new building construction and building renovations/modifications	Long-term (5+ years)
Develop a facade improvement program	Short-term (0-2 years)
Provide continued education about the history of Shelby	Short-term (0-2 years)
Create a Historic Preservation Board	Long-term (5+ years)
Increase public activity	Mid-term (2-4 years)
Inventory existing vacant storefronts, including size and location	Short-term (0-2 years)
Develop mission statement, goals, and purposes for the Downtown Shelby Main Street Program	Short-term (0-2 years)
Use Main Street Program benchmarks for program evaluation	Mid-term (2-4 years)
Create a work plan for Main Street committees	Short-Mid-term (0-4 years)



Appendices

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Survey Responses

Secretary of the Interior's Standards for the Treatment of
Historic Properties & Guidelines

National Register Listings

CLG Manual

CITY OF SHELBY

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Shelby, MT 59474
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www.shelbymt.com



Mayor: Gary McDermott
Council: Joe Flesch, Sanna Clark, Aaron Heaton, Lyle Kimmet, Bill Moritz, Pat Frydenlund
Animal Control: Mark Warila
Attorney: William E. Hunt, Jr.
City Supt.: Luis Correa
Building Inspector: Rob Tasker
Community Development: Lorette Carter
Finance Officer: Jade Goroski
Judge: Joe Rapkoch

December 28, 2020

To: Community Leaders
From: Lorette Carter
Re: Letter of Support Meadowlark Park ~ Krysko Park

Dear Community Leaders,

I can't thank you enough for your overwhelming support of the Mountain Bike Trail grant application. Your letters were genuine and sincere and so greatly appreciated. They will make an impact on our application for funding to develop a mountain bike trail system within our Roadrunner Recreation Trail area.

I hope you might help me one more time! I am also applying for funding from the Montana State Parks Land Water Conservation Fund for the completion of the Krysko Skate Park and addition of a play structure at Meadowlark Park.

We were given an incredible gift of the skate park, but now funds are needed to complete the green spaces, fencing, benches and trash receptacles. We would also like to complete the area with a play structure in Meadowlark Park, making the park more accessible for all ages and a great place for family fun!

Letters can be addressed to the following:

Montana State Parks
Land, Water Conservation Fund
P.O. Box 200701
Helena, MT 59620-0701

If you can please send your letters to me, I will include them in the electronic application. I would greatly appreciate the letters by January 4, 2021.

Your support, truly is critical to this project. It is so important to hear the honest and heartfelt stories of residents who live, work and enjoy our amenities, especially our newest in Krysko Park. I look forward to hearing from you and wish you a very happy and healthy 2021.

Thank you,
Lorette Carter