

AGENDA
CITY COUNCIL MEETING
CITY OF SHELBY
February 19, 2019
6:30 P.M.

ROLL CALL OF MEMBERS

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- Regular Council Meeting, 02/04/19 (pgs 5-8)
- Special Council Meeting, 02/07/19 (pg 9)

APPEARANCE REQUESTS

- Agenda Items
- Non-Agenda Items

COMMITTEE REPORTS

- Law Enforcement Report
- Fire Department
- Minutes of City-County Planning Board Meeting, 2/11/19 (pg 10-15)

CITY ATTORNEY

- City of Shelby/Merchants Assoc./MRE Welcome Sign MOU (pgs 16-17)

CITY FINANCE OFFICER

- City Judge's Report, January 2019 (pgs 18-42)
- Bank Account Report (pg 43), Budget Year to Date (pg 44), Vendor Summary (pgs 45-46), Enterprise Funds (pgs 47-50), Statement of Expenditures (pgs 51-75), Revenues (pgs 76-85), Cash Flow Report (pg 86), Project Budgets (pg 87), January 2019
- City of Shelby Delinquent Taxes, 1/31/2019 (pg 88)

CITY SUPERINTENDENT

-

COMMUNITY DEVELOPMENT DIRECTOR

-

OTHER MATTERS

-

ADJOURN

CITY OF SHELBY MEETING SCHEDULE

February 19, 2019 (Due to President's Day Holiday)

6:30 p.m. Regular City Council Meeting

February 25, 2019

6:30 p.m. **Park & Recreation Meeting**
(Mayor, Superintendent, Rec Director,
Tustian, Kimmet)

March 4, 2019

6:00 p.m. **Audit Committee**
(Mayor, Finance Officer, Clark, Tustian,
Moritz)

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

March 11, 2019

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

CITY COUNCIL PACKET LISTING

A. Agenda

B. Agenda Items

1. Minutes of Regular Council Meeting, 2/4/19
2. Minutes of Special Council Meeting, 2/7/19
3. Minutes of City-County Planning Board Meeting, 2/11/19
4. City of Shelby/Merchants Assoc./MRE Welcome Sign MOU
5. City Judge's Report, January 2019
6. Bank Account Report, January 2019
7. Budget Year to Date, January 2019
8. Vendor Summary, January 2019
9. Enterprise Funds, January 2019
10. Statement of Expenditures, January 2019
11. Statement of Revenues, January 2019
12. Cash Flow Report, January 2019
13. Project Budgets, 1/31/19
14. City of Shelby Delinquent Taxes, 1/31/19

C. Correspondence

1. 2/7/19 Summary of Port of Northern Montana Board Meeting
2. 2/11/19 Letter to Mr. Kevin Merritt, Humic Growth Solutions, Inc re: Commitment of Work Force
3. City of Shelby Committee Listings
4. Welcome to Shelby sign

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
February 4, 2019

Mayor McDermott called the meeting to order at 6:30 p.m.
Present were: Debra Clark, Lyle Kimmet, Trent Tustian, Aaron Heaton and Bill Moritz, Council Members; Bill Hunt, City Attorney; Jade Goroski, Finance Officer; Rob Tasker, Building Inspector and Lorette Carter, Community Development Director.

Other citizens present: Karl Hartman, Tom Carter, Mike O'Brien, Jennifer Van Heel, Jessie Lamb, Lance Hoover and Joe Flesch.

PLEDGE OF ALLEGIANCE

OPEN PUBLIC HEARING

- General Needs Assessment
MAYOR MCDERMOTT OPENED THE PUBLIC HEARING AT 6:30 P.M.

REGULAR MEETING MINUTES 1/22/2019

- MORITZ MADE A MOTION TO APPROVE THE 1/22/2019 MINUTES. SECONDED BY CLARK. VOTE AYES - CLARK, MORITZ, TUSTIAN, KIMMET, HEATON. NOES - NONE. ABSENT - NONE. ABSTAIN - NONE.

APPEARANCE REQUESTS

- Agenda Items - Bloom Medical Marijuana - Karl Hartman made an appearance asking council to consider a medical marijuana shop within the city limits.
- Non-Agenda - None
- Ward 3 Council Seat
FLESCHE WAS AWARDED THE SEAT BY BALLOT.
- Oath of Office
MAYOR MCDERMOTT READ FLESCHE THE OATH OF OFFICE.

CLAIMS REPORT 1/31/2019

- MORITZ MADE A MOTION TO APPROVE THE 1/31/2019 CLAIMS REPORT. SECONDED BY TUSTIAN. VOTE AYES - CLARK, MORITZ, TUSTIAN, KIMMET, HEATON, FLESCHE. NOES - NONE. ABSENT - NONE. ABSTAIN - NONE.

BUILDING INSPECTOR

- Rob Tasker reported there are eight open permits.
- Golf Course Building Permit

CLARK MADE A MOTION TO WAIVE THE BUILDING PERMIT FEE.
SECONDED BY KIMMET. VOTE AYES - CLARK, MORITZ, TUSTIAN,
KIMMET, HEATON, FLESCH. NOES - NONE. ABSENT - NONE.
ABSTAIN - NONE.

COMMITTEE REPORTS

- Minutes of Park & Recreation Committee, 1/28/2019

CLOSE PUBLIC HEARING

- General Needs Assessment - With no public comment Mayor McDermott closed the public hearing at 7:13 P.M.

CITY ATTORNEY

- Ordinance No. 837 2nd Reading
MORITZ MADE A MOTION TO APPROVE THE SECOND READING OF
ORDINANCE NO. 837. SECONDED BY KIMMET. VOTE AYES - CLARK,
MORITZ, TUSTIAN, KIMMET, HEATON, FLESCH. NOES - NONE. ABSENT
- NONE. ABSTAIN - NONE.
- Resolution No. 1990 re: CDBG Budgetary Authority
CLARK MADE A MOTION TO APPROVE RESOLUTION NO. 1990. SECONDED
BY KIMMET. VOTE AYES - CLARK, MORITZ, TUSTIAN, KIMMET,
HEATON, FLESCH. NOES - NONE. ABSENT - NONE. ABSTAIN - NONE.

CITY FINANCE OFFICER

- Payroll Expense by Department 1/2019

COMMUNITY DEVELOPMENT DIRECTOR

- MLIA Grant Opportunity
- Preservation - Scope of work review
MORITZ MADE A MOTION TO APPROVE THE SCOPE CHANGE UTILIZING
LORETTE AS PROVIDING SUPPORT FOR THE GRANT OPPORTUNITY IF
APPROVED BY THE GRANT AUTHORITY. SECONDED BY CLARK. VOTE
AYES - CLARK, MORITZ, TUSTIAN, KIMMET, HEATON, FLESCH. NOES
- NONE. ABSENT - NONE. ABSTAIN - NONE.
- ICS Class
- KLJ Engineers has offered a task order for the preservation
scope of work. If passed, this will require a revision to the
scope of work from our funding agencies before moving forward.
- We are completing the start-up documentation for Phase II of
the storm water drainage project. The next phase is a comment
period related to the environmental impact of the project.
- We have received word of additional funding for the water
wellfield improvements project from the Army Corp of

Engineers. We will be completing the start-up documentation before final approval from the Corp. We are still waiting on TSEP approval of the amended scope of work and then the MT Legislature for approval of TSEP re-funding to complete the funding package for wellfield improvements.

- The Arbor Day grant of \$750.00 has been approved. The funding will be used for trees at the east entrance into Shelby. We have also approved design of the park from Forde Nursery with special thanks to First State Bank who offered to pay the cost.
- We have reached out to Marias River Electric on the Shelby Merchant "Welcome to Shelby" sign to replace the Superhost sign on the north-west corner of the MRE substation yard. Manager Ingenthron will ask the MRE board at their upcoming meeting for approval.
- The Shelby Recycling Association has planned monthly summer recycling events at the recycling site. The plan is to host special recycling events on June 6th; July 11th; and August 1st in the evening. We would collect batteries and cell phones in addition to our current aluminum, tin, paper and cardboard. We are also planning an Earth Day recycling challenge for Shelby Elementary with our Mountains of Cans Challenge.
- The Montana State Library Montana Land Information Act has opened their grant opportunity. The City will apply for funding to replace the GIS/GPS tablets. The cost estimate is slightly under \$10,000 which there is no match requirement, but we will use our city staff time for training as a match to the grant application.
- I have completed research on public notification systems and passed this information on to DES Coordinator, Cindy Combs. Cindy will determine the best company for our community and include this funding request in her grant funding package.
- The Shelby Tourism Business Improvement District has approved advertising in the Vacation Travel Guide which is a multi-state vacation travel magazine.
- The Alliance for Youth Prevention Committee met last week to review potential prevention projects for our city and county via this new funding agency.
- As noted in the Parks and Rec minutes, improving Lake Shel-oole was discussed. I have reached out to MT Fish Wildlife & Parks. There is a permit that needs to be completed to initiate the project. MTFWP has a Community Pond Program which we were too late for an application this year, but we can apply for next year after we have a plan in place for

development and improvements. There may also be grant opportunity through the Toole County Conservation District.

- Also discussed at the Parks and Rec meeting was summer activities for children. I have reached out to multiple groups to see what activities are planned for our youth this summer. I have started a resource list that the City will be able to share with community members.
- The Champions Park Committee met last week to discuss the projects completed this summer at Champions Park and work still to be done. The next step is to connect the electricity to the existing fixtures and complete the monument sign using homestead field stones. We will have some souvenirs available soon for sale to help publicize the park and raising funds to complete projects and plan for the centennial celebration in 2023.
- Last week we met with BNSF officials in regard to railroad safety improvements. We are waiting on BNSF review of upcoming track projects in Shelby and cost assumptions of BNSF for the signaling before moving forward with next steps.

OTHER MATTERS

- Ward 3 Council Seat
FLESCH WAS AWARDED THE SEAT BY BALLOT.
- Oath of Office
MAYOR MCDERMOTT READ FLESCH THE OATH OF OFFICE

ADJOURN

- AT 8:05 P.M. MORITZ MADE A MOTION TO ADJOURN THE MEETING. SECONDED BY KIMMET. VOTE AYES - CLARK, MORITZ, TUSTIAN, KIMMET, HEATON, FLESCH. NOES - NONE. ABSENT - NONE. ABSTAIN - NONE.

GARY MCDERMOTT, MAYOR

ATTEST:

JADE GOROSKI, FINANCE OFFICER

**MINUTES OF A SPECIAL MEETING OF THE SHELBY CITY COUNCIL
HELD IN COUNCIL CHAMBERS
FEBRUARY 7, 2019**

Mayor McDermott called the meeting to order at 12:00 p.m. Present were: Debra Clark, Lyle Kimmet, Trent Tustian, Joe Flesh and Bill Moritz, Council Members; Bill Hunt, City Attorney and Jade Goroski, Finance Officer. Absent and Excused; Aaron Heaton.

Other citizens present: None

PLEDGE OF ALLEGIENCE

AUDIT CONTRACT

MORITZ MADE A MOTION GIVING AUTHORITY TO MAYOR MCDERMOTT TO ENTER INTO A FORENSIC AUDIT CONTRACT. SECONDED BY TUSTIAN. VOTE AYES - MORITZ, KIMMET, CLARK, TUSTIAN, FLESC. NOES - NONE. ABSENT - HEATON. ABSTAIN - NONE.

ADJOURN

TUSTIAN MADE A MOTION TO ADJOURN THE MEETING AT 12:15 P.M. SECONDED BY KIMMET. VOTE AYES - MORITZ, KIMMET, CLARK, TUSTIAN, FLESC. NOES - NONE. ABSENT - HEATON. ABSTAIN - NONE.

GARY MCDERMOTT, MAYOR

ATTEST:

JADE GOROSKI, FINANCE OFFICER

MINUTES OF THE CITY-COUNTY PLANNING BOARD

Held at Shelby City Hall

February 11, 2019

6:30 p.m.

Present were: Gary McDermott, mayor; Debra Clark and Joe Flesch, council members; Guy Dubois and Gary Sulenes, planning board members; Tammy Pederson, secretary and Jim Yeagley, city planner.

Minutes

MOTION MADE BY DUBOIS AND SECONDED BY MCDERMOTT TO APPROVE THE 1/14/2019 MINUTES. CARRIED UNANIMOUSLY.

Vacant Building Sample Ordinance

The board reviewed the attached sample ordinance. Yeagley feels that the City has enough enforcement in our current Shelby Municipal Code to deal with clearance and removal of dangerous and nuisance property.

The board asked Yeagley to prepare a list of vacancies for the next meeting and also check on process of medical liens on properties.

UPON MOTION BY DUBOIS AND SECOND BY MCDERMOTT MEETING ADJOURNED AT 7:30 P.M.

Reported by:

Tammy Pederson, Secretary

1320.01 PURPOSE.

Structures which are left vacant for extended periods of time have been shown to breed crime, pose public safety risks, and reduce property values and the economic viability of the community in which they are found. The purpose of this chapter is to establish a program for identifying and registering vacant buildings; to determine the responsibilities of owners of vacant buildings and structures; and to provide incentives for the rehabilitation and productive use of vacant buildings. Shifting the cost or burden of the existence of vacant structures from the general citizenry to the owners of the buildings is an intended result of this chapter.

(Ord. 15-82. Passed 12-8-15.)

1320.02 DEFINITIONS.

Unless otherwise expressly stated, the following terms shall, for the purposes of this chapter, have the meanings indicated in this section.

(a) "Secured by other than normal means." A building secured by means other than those used in the design of the building.

(b) "Unoccupied." A building which is not being used for occupancy authorized by the owner. The term "unoccupied" shall only be applicable to multi-unit structures when more than half (1/2) of the units and more than half (1/2) of the available space are not currently occupied by a tenant or tenants.

(c) "Unsecured." A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.

(d) "Vacant building." A structure (excluding government-owned buildings) which is:

- (1) Unoccupied and unsecured; or
- (2) Unoccupied and secured by other than normal means; or
- (3) Unoccupied and an unsafe building as determined by the Service-Safety Director or his duly designated representative; or
- (4) Unoccupied and having utilities disconnected; or
- (5) Unoccupied and has housing or building code violations; or
- (6) Illegally occupied, other than during a pending dispute between landlord and tenant, but including loitering and vagrancy; or
- (7) Unoccupied for a period of time over 90 days and having an existing code violation issued by a City or State housing, building, health or fire official; or
- (8) Unoccupied with a mortgage status of abandonment (i.e. deceased or foreclosed); or
- (9) Unoccupied and abandoned by the property owner.

(e) "Evidence of vacancy." Any condition that on its own or combined with other conditions present would lead a reasonable person to believe the property is vacant. Such conditions include, but are not limited to: significantly below standard utility usage, overgrown and/or dead vegetation, accumulation of newspapers, circulars, flyers and/or mail, accumulation of trash, junk, and/or debris, broken or boarded up windows, abandoned vehicles, auto parts or materials, the absence of window coverings, such as curtains, blinds, and/or shutters, the absence of furnishings and/or personal items consistent with habitation or occupation, statement(s) by governmental employee(s) that the property is vacant.

(Ord. 15-82. Passed 12-8-15.)

1320.03 VACANT BUILDING REGISTRATION.

(a) In all areas within the corporate limits of the City of Bellefontaine, an owner of a structure which meets the definition of a "vacant building" as set forth in this Chapter shall register such structure with the Office of the Service-Safety Director or his duly designated representative not later than 90 days

after it becomes a vacant building as defined herein, or not later than 30 days of being notified by the Service-Safety Director or his duly designated representative of the requirement to register based on evidence of vacancy, whichever event first occurs.

(b) The registration shall be submitted on forms provided by the Office of the Service-Safety Director and shall include the following information supplied by the owner:

- (1) The name(s) and address(es) of the owner or owners;
- (2) If the owner does not reside in a location in the State of Ohio within 60 miles of the Bellefontaine City corporate limits, a property agent, manager or caretaker residing or doing business within the State and within said 60-mile-radius shall be designated and identified by name, address and telephone number. By designating an authorized agent under the provisions of this section, the owner is consenting to the service of any and all notices required or allowed under this Chapter upon said agent;
- (3) The names and addresses of all known lien holders and all other parties known or believed upon information to have a claim of an ownership interest in the building;
- (4) A telephone number where a responsible party can be reached at all times during business and non-business hours; and
- (5) A vacant building plan as described in division (c) of this section.
- (6) Proof of insurance.

(c) The owner shall submit a vacant building plan which must meet the approval of the Service-Safety Director or his duly designated representative. The plan, at a minimum, must contain one of the following:

- (1) If the building is to be demolished, a demolition plan indicating the proposed time frame for demolition which includes starting within 30 days of acceptance of the proposed demolition timeline and does not exceed one year in accordance with the Ohio Building Code; or
 - (2) If the building is to remain vacant, a plan for ensuring the building is secured in accordance with all applicable building and fire codes along with the procedure that will be used to maintain the property, and a statement of the reasons why the building will be left vacant (e.g., building is for sale, etc.); or
 - (3) If the building is to be returned to appropriate occupancy or use, rehabilitation plans for the building and grounds. The rehabilitation plan shall not exceed 12 months from the time they obtain permits, unless the Service-Safety Director or his duly designated representative grants an extension upon receipt of a written statement from the owner detailing the reasons for the extension. Any repairs, improvements or alterations to the property must comply with any applicable zoning, housing, historic preservation, or building codes, and the property must be secured during the rehabilitation.
- (d) All applicable laws and codes shall be complied with by the owner. The owner shall notify the Service-Safety Director or his duly designated representative of any changes in information of their vacant building registration within 30 days of the change. If the plan or timetable for the vacant building is revised in any way, the revision(s) must be in writing and must meet the approval of the Service-Safety Director or his duly designated representative.

(e) The owner and subsequent owners shall keep the building secured and safe and the building and grounds properly maintained in accordance with all applicable health codes, property maintenance codes and fire codes. A new owner(s) shall register or re-register a vacant building with the Office of the Service-Safety Director within 30 days of any transfer of an ownership interest in the vacant building, unless the building is to become occupied upon transfer. The new owner(s) shall comply with the approved plan and timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the Director.

(f) Failure of the owner or any subsequent owners to maintain the building and premises that result in remedial action taken by the City shall be grounds for revocation of the approved plan and shall be

subject to any applicable penalties provided by the law.

(g) The provisions of this Chapter apply to all owners of record and both the vendor and vendee under any actual or alleged land contract or lease-purchase agreement, whether recorded or unrecorded.

(h) The registration and all associated processes must be completed in its entirety annually for as long the property remains vacant.

(i) The Service-Safety Director or his duly designated representative shall maintain a record of any property-specific written statements from community organizations, other interested parties, or citizens regarding the history, problems, status, or blighting influence of a vacant building. Such written statements shall become part of the permanent record pertaining to such property. (Ord. 15-82. Passed 12-8-15.)

1320.04 INSPECTIONS

The Service-Safety Director or his duly designated representative reserves the right to inspect any premises in the City for the purpose of enforcing and assuring compliance with the provisions of this chapter. Upon the request of the Service-Safety Director or his duly designated representative, an owner shall provide access to all interior and exterior portions of a vacant building in order to permit a complete inspection of the premises. A refusal to permit access shall subject the owner to a civil penalty of \$150 for each day the refusal continues. Civil penalties under this Section which remain unpaid for more than 10 days may be collected in an action at law by any method permitted for collection of an unpaid account. Nothing in this Section shall limit the right of the Service-Safety Director or his duly designated representative to seek a search warrant for the vacant building from a court of competent jurisdiction.

(a) Vacant buildings will be subject to an exterior inspection at least twice per year at the Code Enforcement Officer's discretion to ensure the compliance with property maintenance codes;

(b) Vacant buildings will be subject to both an interior and an exterior inspection at the start of each registration period (new and renewal) and when a registration under this Chapter is terminated by the property owner;

(c) Vacant buildings will be subject to both an interior and an exterior inspection upon acquisition of the property by a new owner.

(d) Any inspection that is to take place within 30 days of a previous inspection may or may not be conducted at the discretion of the Service-Safety Director or his duly designated representative.

(Ord. 15-82. Passed 12-8-15.)

1320.05 FEES.

The fees described in this Section are established in order to defray the cost to the City government and community as a whole related to the health, safety and economic impacts of structures which remain vacant for long periods of time, including but not limited to administrative costs for registering and processing the vacant building owner registration form and for the costs incurred by the City in monitoring the vacant building site. The fees are also structured in order to provide appropriate incentives for owners of vacant buildings to care for them properly, seek to fill them, and in appropriate cases demolish them. The annually increased fee amounts are intended to absorb the costs incurred by the City for demolition and hazard abatement of or repairs to vacant buildings, as well as the continued normal administrative costs stated above.

(a) The owner of a vacant building shall pay a fee of two hundred dollars (\$200.00) for the first year

the building remains vacant. For every consecutive year that the building remains vacant, an annual fee will be assessed at double the previous year's fee amount for a maximum annual fee equaling the five-year fee of three thousand two hundred dollars (\$3,200) to be used for the fifth and for all consecutive, subsequent years of vacancy.

(b) The first annual fee shall be paid at the time the building is registered. If the owner successfully restores the building to occupancy or demolishes it in accordance with applicable law during the first year following registration, the fee shall be refunded, less an administrative charge equal to 5% of the amount refunded. In each subsequent year, if the registration is renewed in timely fashion, there have been no violations associated with the property in the previous year, and re-inspection reveals no significant housing, building or fire code violations, one-half of the previous year's registration fee shall be refunded to the owner, less an administrative charge equal to 5% of the amount refunded.

(c) The fee shall be paid in full prior to the issuance of any building permits unless the property is granted an exemption.

(d) All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in the vacant building. A lien may be placed on the property to collect delinquent fees.

(e) Absent a showing of good cause, if a building is not registered within the time frame required in Section 1320.03, or the registration is not renewed within 30 days after the expiration of one year from the date of the previous registration, a penalty shall be paid in addition to the annual registration fee. The penalty shall be equal to one-half of the current annual fee or one thousand dollars (\$1,000), whichever is less. (Ord. 15-82. Passed 12-8-15.)

1320.06 EXEMPTIONS.

(a) A building under active construction, reconstruction or renovation and having a valid building permit(s) at the time of initial inspection shall be exempt from registration until the expiration of the longest running, currently active building permit.

(b) A building which has suffered fire damage or damage caused by extreme weather conditions shall be exempt from the registration requirement for a period of 90 days after the date of the fire or extreme weather event if the property owner submits a request for exemption in writing to the Service-Safety Director or his duly designated representative. This request shall include the names and addresses of the owner or owners, and a statement of intent to repair and reoccupy the building in an expedient manner, or the intent to demolish the building. One extension of not more than 90 days' duration may be granted for good cause shown.

(c) A building that is for sale and listed with a licensed State of Ohio Realtor shall be exempted for a period of 12 months from the start of vacancy, provided that the owner submits proof to the Service-Safety Director or his duly designated representative of such listing and for sale status, and the building and premises in maintained free of any Property Maintenance Violations

(d) A building that has been granted an exemption pursuant to the following: Any owner of a vacant building may voluntarily register the same and request an exemption from the remaining provisions of this chapter by filing a written application with the Service-Safety Director or his duly designated representative, who shall timely consider same. In determining whether a request for exemption should be granted, the Director shall consider the following: the applicant's prior record as it pertains to City Zoning Code, Building Code, or Property Maintenance Code violations; the amount of vacant property the applicant currently has within the City; the length of time that the building for which the exception is sought has been vacant; the reason or reasons for the vacancy; and the difficulty or expense involved in any necessary remediation or demolition. No exemption from registration shall be granted unless the owner or representative first completes a vacant building plan under Section 1320.03(c) and addresses

any and all existing code violations. An owner who believes he or she is being denied an exemption for arbitrary or capricious reasons may file an appeal of such denial within ten days with the Board of Building Appeals, which may sustain, overturn or modify the action of the Service-Safety Director or his duly designated representative. (Ord. 15-82. Passed 12-8-15.)

1320.07 APPEALS.

Any owner who is served a notice of vacant property registration, may, within ten (10) calendar days of receipt of such notice, apply for an exemption or appeal the decision as set forth in Section 1403.33 of the Codified Ordinances of the City of Bellefontaine.
(Ord. 15-82. Passed 12-8-15; Ord. 18-36. Passed 5-22-18.)

1320.99 PENALTY.

Any person violating any provision of the Vacant Building Registry shall be subject to the penalties provided by Section 1404.99 of the Codified Ordinances of the City of Bellefontaine.
(Ord. 15-82. Passed 12-8-15; Ord. 18-36. Passed 5-22-18.)

CODIFIED ORDINANCES OF BELLEFONTAINE

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (this "Agreement") dated February 19, 2018 entered into by and between **THE CITY OF SHELBY, MONTANA** ("Shelby"), **MARIAS RIVER ELECTRIC COOPERATIVE** ("MRE"), and **THE SHELBY (MONTANA) MERCHANTS ASSOCIATION** ("Merchants"). The Parties may be referred to hereafter individually as a "Party" and collectively as the "Parties".

Recitals

WHEREAS, MRE owns certain property located within Toole County, Montana, abutting U.S. Highway 2, to-wit:

Shelby Unplatted – Tract in SW¹/₄SE¹/₄

WHEREAS, Merchants desire to construct, install, and maintain a sign or outdoor advertising welcoming visitors to the area located as shown on the attached Exhibit A; and

WHEREAS, the Montana Department of Transportation requires permission to install and maintain signs near public highways; and

WHEREAS, Shelby is able to facilitate the permitting process and provide liability insurance for the sign.

Now therefore, the Parties hereby agree that the recitals above are true and correct, and accurately describe the purposes and intentions of the parties to agree as follows:

- 1) MRE will allow Merchants to erect and maintain a sign welcoming visitors to the Shelby area.
- 2) MRE will further allow Merchants reasonable access to maintain and replace the sign as needed.
- 3) Merchants and MRE agree that Shelby will own the sign and appurtenances. The Parties agree to execute any agreements or documents required to transfer ownership to Shelby.
- 4) The Parties agree that the design of the sign will comply with all pertinent State and federal regulations and rules.
- 5) The Parties agree that Merchants pay the costs of any permitting, designing, and installing the sign. Shelby shall not be responsible for any costs for designing and installation of the sign.
- 6) MRE agrees to permit the Montana Department of Transportation access to inspect the sign and appurtenances.

CITY OF SHELBY

By: _____
Gary McDermott, Mayor

SHELBY MERCHANTS ASSOCIATION

By: _____
Sanna Clark

MARIAS RIVER ELECTRIC
COOPERATIVE

By: _____
Kris Ingenthron. Manager

Date: 1/31/2019

Time: 04:26 PM

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Shelby City Court
Cases by Filing Date
City
All Case Types
From 1/1/2019 to 1/31/2019
All Judges

User: BALEXANDER

Judge: Rapkoch, Peter

Case	Filed	Entered	Party	Status
TK-865-2019-0000001	1/23/2019	1/23/2019	Arves, Doyle Allen, Defendant	Pending
TK-865-2019-0000002	1/25/2019	1/25/2019	Mcgreg, Mark Edmond, Defendant	Disposed
TK-865-2019-0000003	1/29/2019	1/29/2019	Torgerson, Aidan Lin, Defendant	Closed
TK-865-2019-0000004	1/29/2019	1/29/2019	Cook, Melissa Helen, Defendant	Pending
TK-865-2019-0000005	1/29/2019	1/29/2019	Manda, Mary Eme, Defendant	Closed
TK-865-2019-0000006	1/29/2019	1/29/2019	Johannsen, Jered Edward, Defendant	Closed
TK-865-2019-0000007	1/29/2019	1/29/2019	Combs, Taylor Austin, Defendant	Disposed
TK-865-2019-0000008	1/30/2019	1/30/2019	Gaffney, William Charles JR, Defendant	Closed
TK-865-2019-0000009	1/31/2019	1/31/2019	Johannsen, Robin Lane, Defendant	Closed
TK-865-2019-0000010	1/31/2019	1/31/2019	Baker, Derrick Allen, Defendant	Closed

Total cases for Rapkoch, Peter : 10

Total cases for report: 10

Shelby City Court
 Receipts by Date
 City
 All Case Types
 From 1/1/2019 to 1/31/2019

All Judges

1/18/2019

Receipt	Time		Bond Conversion	Transfer	Cash	Check	Cashiers Check	Money Order	Credit Card	Debit Card	E-Payment	Direct Deposit
5521	10:47 AM	Criminal Payment	.00	.00	35.00	.00	.00	.00	.00	.00	.00	.00
		Payor: Johnston, North Dallas										
		TK-865-2018-0000122										
		Johnston, North Dallas		61-6-301(4) [1st]								
		35.00 Fine										
		<u>35.00</u>										
5522	01:19 PM	Criminal Payment	.00	.00	20.00	.00	.00	.00	.00	.00	.00	.00
		Payor: Gowdy, Dallas Rene										
		TK-865-2018-0000134										
		Gowdy, Dallas Rene		61-5-212(1)(a)(i) [1]								
		19.00 Fine										
		1.00 Law Enforcement Academy										
		<u>20.00</u>										
5523	02:12 PM	Miscellaneous	.00	.00	.00	15.00	.00	.00	.00	.00	.00	.00
		Payor: Court Diligence										
		15.00 Search Fee										
		<u>15.00</u>										

Check Number: 13080

Shelby City Court
Receipts by Date
City
All Case Types
From 1/1/2019 to 1/31/2019

All Judges

1/29/2019

Receipt	Time		Bond Conversion	Transfer	Cash	Check	Cashiers Check	Money Order	Credit Card	Debit Card	E-Payment	Direct Deposit
5529	09:50 AM	Miscellaneous Payor: Court Diligence	.00	.00	.00	15.00	.00	.00	.00	.00	.00	.00
						15.00	Search Fee					
						15.00						
												Check Number: 13239
5530	09:51 AM	Miscellaneous Payor: Court Diligence	.00	.00	.00	15.00	.00	.00	.00	.00	.00	.00
						15.00	Search Fee					
						15.00						
												Check Number: 13241
5531	09:51 AM	Miscellaneous Payor: Court Diligence	.00	.00	.00	15.00	.00	.00	.00	.00	.00	.00
						15.00	Search Fee					
						15.00						
												Check Number: 13300
5532	09:52 AM	Miscellaneous Payor: Court Diligence	.00	.00	.00	15.00	.00	.00	.00	.00	.00	.00
						15.00	Search Fee					
						15.00						
												Check Number: 13318

City of Shelby

All Accounts	Monthly Bank Report -1/31/2019
First State Bank checking	1,310,768.30
Deposits in Transit - WAPA UB Utility Payment	0.00
BPCU resrticted/unrestricted	400,000.00
Payroll Taxes Unredeemed	0.00
BPCU Savings unrestricted	8,748.49
MT Board of Investments STIP - unrestricted & restricted	1,582,581.91
First State Bank CD Energy Share Fund - restricted	93,364.06
First State Bank CD Disaster Relief Fund - restricted	93,364.06
Security State Bank Trust - Landfill - restricted	404,010.27
US Bank Debt Service MultiModal-Water-restricted	0.00
US Bank Capital Interest MultiModal-Sewer-restricted	0.00
TOTAL	3,892,837.09

City of Shelby

1/31/2019

Fund #	Name	YTD Revenues	YTD Expenditures	YTD Over/(Under)
1000	General	1,011,535.76	790,040.05	221,495.71
2190	Comp Liability	6,656.51	14,854.53	-8,198.02
2260	Disaster-Flood W/Imnsn Park	4,582.86	0.00	4,582.86
2310	Tax Increment Financing District	67,156.82	100,999.12	-33,842.30
2320	Economic Development	0.00	0.00	0.00
2370	PERS	10,500.46	0.00	10,500.46
2371	Health Insurance	20,245.39	0.00	20,245.39
2372	Permissive Levy	24.19	0.00	24.19
2395	Marias Valley Golf & Country Club	1,200.00	0.00	1,200.00
2396	Municipal Rec Pass Fund	10.00	0.00	10.00
2399	Revolving Loan Fund	7,530.45	0.00	7,530.45
2400	Street Lighting District	46,763.94	31,855.13	14,908.81
2500	Street Maintanance District	162,501.81	606,328.35	-443,826.54
2550	2012 Sidewalk SID	16,093.01	4,943.75	11,149.26
2600	Park Maintanance District	29,795.46	26,253.62	3,541.84
2810	Police Pension & Training	0.00	0.00	0.00
2920	Trails Grant	0.00	10,067.58	-10,067.58
2936	Williamson Bldg	33,450.00	10,684.35	22,765.65
3015	1991 Swimming Pool Bath House GOB	0.00	0.00	0.00
3035	Firehall Bond	71,098.85	5,762.50	65,336.35
3510	1992 Curb, Gutter, Side SID	0.00	0.00	0.00
4000	Capital Projects Fund	17,050.97	0.00	17,050.97
5210	Water	2,078,978.92	2,530,852.08	-451,873.16
5310	Sewer	2,061,516.91	2,084,704.36	-23,187.45
5410	Solid Waste	558,851.51	482,774.95	76,076.56
5720	Storm Drainage	498,243.53	1,302,558.13	-804,314.60
7060	Energy Share	739.57	0.00	739.57
7061	Disaster Relief	739.57	0.00	739.57
7110	Accommodations Tax	0.00	0.00	0.00
7120	Fire Relief Agency Fund	0.00	0.00	0.00
7199	Tourism Business Imp District (TBID)	31,306.00	0.00	31,306.00
7427	Specialty License Plate Fee	2,300.00	20,160.00	-17,860.00
		\$ 6,738,872.49	\$ 8,022,838.50	-1,283,966.01

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02/13/19
16:02:00

CITY OF SHELBY
Vendor Summary Query by Date
For claims processed from: 1/19 to 1/19

Page: 1 of 2
Report ID: AP200S

Vendor #/Name	Amount	Last Paid Date
01903 1ST CHOICE PLUMBING LLC	462.50	02/05/19
01388 3 RIVERS COMMUNICATIONS INC	946.08	02/05/19
01806 ALARM SERVICE INC	35.00	02/05/19
01230 ALBERTSONS	9.48	01/10/19
01946 ALL SEASON HEATING & AIR CONDITIONING	1,344.77	02/05/19
01545 AMAZON.COM	1,952.50	01/31/19
01137 AQUA TECH LABORATORY	180.00	02/05/19
00047 BEN TAYLOR INC	4,446.37	02/05/19
02334 BEN TAYLOR INC.	1,097.50	02/05/19
00485 BIG SKY FIRE EQUIPMENT	50.65	02/05/19
01400 CHEMICAL MONTANA CO	780.00	02/05/19
01851 CT CLEANING	1,200.00	02/05/19
00001 DEPARTMENT OF REVENUE	7,904.10	02/05/19
00343 ENERGY LABORATORIES INC	77.00	02/05/19
02097 FASTENAL COMPANY	29.48	02/05/19
01988 FIELDSTONE OFFICE SUPPLY	48.23	02/05/19
01124 FIRST INTERSTATE BANK	713.99	02/05/19
00111 FIRST STATE BANK	131.50	02/04/19
02458 FLESCH, JOE	6,500.00	01/17/19
00312 HELENA SAND & GRAVEL INC	782,506.89	02/05/19
01285 HUNT, WILLIAM E JR	5,000.00	02/05/19
01620 KADRMAS, LEE & JACKSON INC.	29,402.14	02/05/19
02285 KANN MANUFACTURING CORP	197.03	02/05/19
01862 KENCO SECURITY AND TECHNOLOGY	30.00	02/05/19
01463 KIMMET, LYLE	240.00	02/05/19
01956 KIMMET, LYNN	220.00	02/05/19
00649 LARSON CLOTHING COMPANY	150.00	02/05/19
00026 MARIAS RIVER ELECTRIC COOP INC	11,668.68	02/05/19
01780 MONTANA BROOM & BRUSH	283.82	02/05/19
02045 NAPA AUTO PARTS	5,630.59	02/05/19
02069 NATIONAL LAUNDRY CO	107.43	02/05/19
00037 NORTHWEST PIPE FITTINGS INC	1,528.95	02/05/19
02368 OPTUM	17.00	02/05/19
01700 ORKIN, INC	1,224.13	02/05/19
00039 PETTY CASHIER	232.70	02/05/19
01650 PETTY CASHIER	141.18	02/05/19
00144 POSTMASTER	298.23	02/08/19
00309 PREFERRED OFFICE EQUIPMENT	473.23	02/05/19
01863 PURE BLISS CYCLE INC	56.19	02/05/19
00117 QUILL CORPORATION	326.80	02/05/19
999998 RANDI LYNN LAMB	136.08	02/05/19
02340 SCOTT COMPANY TRAVEL GUIDE	897.50	02/05/19
00043 SHELBY GAS ASSOCIATION	6,725.40	02/05/19
01866 SHELBY PAINT AND HARDWARE	223.56	02/05/19
00041 SHELBY PROMOTER	687.26	02/05/19
00119 SHELBY VOLUNTEER FIRE DEPT	405.00	02/05/19
02012 SHOPKO	57.26	02/05/19
02459 SPRINGHILL SUITES	102.58	01/23/19
01805 SYSTEMS	444.25	02/05/19
01876 TITAN MACHINERY	163.89	02/05/19
00048 TOOLE COUNTY CLERK & RECORDER	52,510.84	02/05/19
01200 U S BANK TRUST-SPA LOCKBOX CM9695	1,474,500.98	01/10/19

02/13/19
16:02:00

CITY OF SHELBY
Vendor Summary Query by Date
For claims processed from: 1/19 to 1/19

Page: 2 of 2
Report ID: AP200S

Vendor #/Name	Amount	Last Paid Date
01486 USDA RURAL DEVELOPMENT	135,444.00	02/05/19
02389 WELLS FARGO VENDOR FIN SERV	127.70	02/05/19
00539 YEAGLEY, JAMES H	600.00	02/05/19
Grand Total:	2,540,670.44	

2018-19
Enterprise Funds Income, Expense

2/13/2019							
	Jan-19			Feb-19			Mar-19
Water		notes	Water		notes	Water	notes
Income	119,077		Income	0		Income	0
Expenses	-1,591,163	paid 2 water loans off 1,474,500	Expenses	0		Expenses	0
rev over/under	-1,472,086	✓	rev over/under	0		rev over/under	0
Sewer			Sewer			Sewer	
Income	111,853		Income	0		Income	0
Expenses	-61,084		Expenses	0		Expenses	0
rev over/under	50,769	✓	rev over/under	0		rev over/under	0
Solid Waste			Solid Waste			Solid Waste	
Income	67,416		Income	0		Income	0
Expenses	-44,831		Expenses	0		Expenses	0
rev over/under	22,585	✓	rev over/under	0		rev over/under	0
Storm Water			Storm Water			Storm Water	
Income	31,032		Income	0		Income	0
Expenses	-814,141	Draw request for project	Expenses	0		Expenses	0
rev over/under	-783,109		rev over/under	0		rev over/under	0
	Oct-18			Nov-18			Dec-18
Water		notes	Water		notes	Water	notes
Income	117,836		Income	107,932		Income	1,359,904
Expenses	-67,249		Expenses	-233,670	semi-annual loan payments	Expenses	-85,834
rev over/under	50,588		rev over/under	-125,739		rev over/under	1,274,070
Sewer			Sewer			Sewer	
Income	70,750		Income	509,379	4th cell draw	Income	64,720
Expenses	-539,765	4th cell construction draw	Expenses	-113,291	semi-annual loan payments	Expenses	-115,007
rev over/under	-469,014		rev over/under	396,087		rev over/under	-50,288
Solid Waste			Solid Waste			Solid Waste	
Income	142,957	cat sale	Income	68,609		Income	67,644
Expenses	-56,984		Expenses	-87,853	semi-annual loan payments	Expenses	-67,483
rev over/under	85,973		rev over/under	-19,244		rev over/under	161
Storm Water			Storm Water			Storm Water	
Income	60,830		Income	21,717		Income	323,264
Expenses	-224,668	construction draw	Expenses	-63,659	semi-annual loan payments	Expenses	-77,599
rev over/under	-163,837		rev over/under	-41,942		rev over/under	245,665
S:\shared documents\Acctg-Bdgt\Reconcile\2019 1 Bank Rec.xlsx\Enterprise							

**Water Fund
Jan-19**

	Current	YTD	Budget	Budget Avail
Revenue:				
Charges for services	109,052.50	2,068,328.15	2,947,275.00	878,946.85
Misc	0.00	626.70	9,790.00	9,163.30
Investment ROI	0.00	0.00	100.00	100.00
Total Revenue	109,052.50	2,068,954.85	2,957,165.00	888,210.15
Expenses				
Audit	0.00	4,837.50	11,000.00	6,162.50
Community Development	1,266.58	14,344.77	17,486.00	3,141.23
Public Safety	4,910.00	34,370.00	60,000.00	25,630.00
Public Works	25,157.05	201,902.05	539,965.00	338,062.95
Admin Council	2,161.24	17,445.06	40,649.00	23,203.94
Admin Mayor	4.74	100.53	11,769.00	11,668.47
Legal	1,250.00	8,750.00	15,000.00	6,250.00
Newsletter	0.00	326.23	1,000.00	673.77
City Hall	290.77	1,611.84	4,598.00	2,986.16
Accounting & Coll	8,193.94	66,668.83	116,297.00	49,628.17
Interlocal Joint Venture	0.00	7,500.00	7,500.00	0.00
Liability Ins	0.00	14,854.53	15,317.00	462.47
Total Operating Exp	43,234.32	367,873.84	840,581.00	472,707.16
Net Before Debt Service	65,818.18	1,701,081.01	2,116,584.00	415,502.99
Debt Service				
Principal & Interest	1,543,709.98	1,998,903.98	2,048,826.00	49,922.02
Net After Debt	-1,477,891.80	-297,822.97	67,758.00	
Other Revenue				
TSEP Grant	0.00	0.00	750,000.00	750,000.00
Humic/Devon	0.00	0.00	0.00	0.00
NCMRWA/DNRC	10,024.07	10,024.07	0.00	
CDBG/EDA	0.00	0.00	1,072,000.00	1,072,000.00
Loans	0.00	0.00	0.00	0.00
Total				
Capital Expenditures	4,218.55	164,074.26	1,842,000.00	1,677,925.74
Net After Capital Expenditures	-1,472,086.28	-451,873.16		

Sewer Fund

Jan-19

	Current	YTD	Budget	Budget Avail
Revenue:				
Charges for services	67,628.04	482,722.95	844,920.00	362,197.05
Misc	0.00	220.00	1,050.00	830.00
Investment ROI	0.00	0.00	100.00	100.00
Total Revenue	67,628.04	482,942.95	846,070.00	363,127.05
Expenses				
Audit	0.00	4,837.50	11,000.00	6,162.50
Community Development	1,266.60	9,507.31	17,486.00	7,978.69
Public Safety	4,910.00	37,370.00	60,000.00	22,630.00
Public Works	14,399.99	103,138.50	206,027.00	102,888.50
Admin Council	2,161.24	17,445.07	40,649.00	23,203.93
Admin Mayor	4.74	100.53	11,019.00	10,918.47
Legal	1,250.00	8,750.00	15,000.00	6,250.00
Newsletter	0.00	326.25	1,000.00	673.75
City Hall	290.77	1,611.80	4,337.00	2,725.20
Accounting & Coll	7,566.51	59,706.76	109,147.00	49,440.24
Interlocal Joint Venture	0.00	7,500.00	7,500.00	0.00
Liability Ins	0.00	14,854.53	15,317.00	462.47
Total Operating Exp	31,849.85	265,148.25	498,482.00	233,333.75
Net Before Debt Service	35,778.19	217,794.70	347,588.00	129,793.30
Debt Service				
Principal & Interest	27,780.00	221,817.14	253,148.00	31,330.86
Net After Debt	7,998.19	-4,022.44	94,440.00	
Other Revenue				
SRF Loan Proceeds	0.00	1,490,125.00	3,650,000.00	2,159,875.00
Interfund Transfer in	44,224.48	88,448.96	88,449.00	0.04
Total				
Capital Expenditures	1,453.73	1,597,738.97	3,760,000.00	2,162,261.03
Net After Capital Expenditures bonds and transf	50,768.94	-23,187.45		

Solid Waste

Jan-19

	Current	YTD	Budget	Budget Avail
Revenue:				
Charges for services	66,797.75	481,225.51	820,057.00	338,831.49
Misc	618.00	77,626.00	65,000.00	-12,626.00
Investment ROI	0.00	0.00	16,000.00	16,000.00
Total Revenue	67,415.75	558,851.51	901,057.00	342,205.49
Expenses				
Audit	0.00	4,837.50	11,000.00	6,162.50
Community Development	1,266.60	9,502.32	27,486.00	17,983.68
Public Safety	4,910.00	34,370.00	60,000.00	25,630.00
Admin Council	2,161.24	17,445.07	40,649.00	23,203.93
Admin Mayor	4.74	100.54	12,069.00	11,968.46
Legal	1,250.00	8,750.00	15,000.00	6,250.00
Newsletter	0.00	326.25	1,000.00	673.75
City Hall	290.78	1,611.82	4,337.00	2,725.18
Garbage Collection	5,416.14	62,175.66	114,819.00	52,643.34
Landfill	20,623.62	168,771.82	310,645.00	141,873.18
Acct & Coll	8,907.93	67,790.30	124,913.00	57,122.70
Liability Ins	0.00	14,854.53	15,317.00	462.47
Total Operating Exp	44,831.05	390,535.81	737,235.00	346,699.19
Net Before Debt Service	22,584.70	168,315.70	163,822.00	-4,493.70
Debt Service				
Principal & Interest	0.00	92,239.14	127,566.00	35,326.86
Net After Debt	22,584.70	76,076.56		
Other Revenue				
Cat Loan	0.00	0.00	348,905.00	348,905.00
Interfund Transfer in	0.00	0.00	0.00	0.00
Total				
Capital Expenditures	0.00	0.00	45,000.00	45,000.00
Net After Capital Expenditures	22,584.70	76,076.56		