

Town of Fromberg

Regular Town Council Meeting

Monday, September 11, 2023 at 7:00 PM

Town Hall, 118 West River Street

Monday, September 11, 2023

PLEDGE OF ALLEGIANCE

CALL TO ORDER

CARBON COUNTY SHERIFF

APPROVE MINUTES

- AUGUST 2023 MEETING

APPROVE CLAIMS

- 2023-08

APPROVE PAYROLL SUMMARY

- 2023-08

NEW BUSINESS

- ZONING APPLICATION
- BUSINESS LICENSE APPLICATION
- PUBLIC WORKS DIRECTOR
- ELECTIONS
- FALL CLEANUP SEPTEMBER 26, 2023

OLD BUSINESS

- BRIAN JONES WATER SERVICE

PUBLIC WORKS DIRECTOR

TOWN CLERK

MAYOR/COUNCIL

ADJOURN

NO OTHER TOPICS WILL BE DISCUSSED

**TOWN COUNCIL MEETING
HELD BY THE FROMERG TOWN COUNCIL ON
TUESDAY, August 8th, 2023 AT 7:00 PM
AT 118 WEST RIVER STREET IN FROMBERG MONTANA**

The Tuesday, August 8th, 2023 regular council meeting began with Fromberg Mayor, Tim Nottingham, leading in the Pledge of Allegiance at 7:00pm. Present at the meeting was Mayor Tim Nottingham, Councilman Bill Gruel, Councilman Nate Caton and Councilman Dave Stapleton. Others present were Clerk Harlie Riddle, Public works labor Mark Shutterley and Town Citizens.

Next, Nottingham called the meeting to order and welcomed everyone. Sheriff Ben Lebrun gave his report. 78 hours and 45 minutes was the overall time spent on calls and patrolling the town.

After the sheriffs report we moved to public comment. Jerry Hall was concerned with the trees on main street and was wondering if we could get volunteers to cut them down to save money. The trees that were planted were the wrong type of trees. Erwin Sankey turn off asked when we are going to start sidewalks on school St. Needed to talk to someone Jennifer will look at getting little green people that tell people to slow down and that kids are around. Jo Bauwens second a street and fix a lot up to do RV hookups space or put in a tiny house. When she has plans, she will come back to the council meeting to get them approved. Brian Jones walk asked when we were going to get on his water I am also trying to make sense of everything all the dirt has to be moved out the water line is important they barely have water pressure. The council is looking in to the best possible way to get them water as soon as possible. There is a main line that is supposed to go in however Mike Bentley informed us that if we are going to put in a water main, we have to have an engineer.

Next was the approval of minutes. Councilman Caton made a motion to approve the minutes for the regular council meeting that had been held July 11, 2023. Councilman Stapleton seconded the motion and the motion was carried with votes as follows: Councilman Gruel, -aye. Councilman Caton, -aye and Councilman Stapleton, -aye. Councilman Caton then made a motion to approve the minutes from a special meeting held July 11, 2023. Councilman Gruel seconded the motion and the motion was carried with votes as follows: Councilman Gruel, -aye. Councilman Caton, -aye and Councilman Stapleton, -aye. Councilman Canton made a motion to approve the minutes from a special meeting held April 3, 2023. Councilman Gruel seconded the motion and the motion was carried with votes as follows: Councilman Gruel, -aye. Councilman Canton, -aye and Councilman Stapleton, -aye.

Councilman Stapleton then made a motion to approve the claims from July 2023. Councilman Caton seconded the motion and votes were carried out as follows: Councilman Gruel, -aye. Councilman Caton, -aye and Councilman Stapleton, -aye.

Councilman Stapleton then made a motion to approve the payroll for July 2023. Councilman Caton seconded the motion and votes were carried out as follows: Councilman Gruel, -aye. Councilman Caton, -aye and Councilman Stapleton, aye.

Next on the agenda was ordinance 526 to move the meetings to the second Monday of each month to allow our city attorney to be present. public comment on this matter was Erwin Sankey cannot be present for he has other obligations on Mondays. Dave Stapleton moved to approve ordinance 526 and Councilman Canton second. The motion was carried out as follows: Councilman Gruel, -aye. Councilman Caton, -aye and Councilman Stapleton, -aye.

Then we moved on to resolution 521 which entailed that we have mail in votes. Public comment on this matter was Ernst Erwin swanky wondered why we couldn't vote in office we are going to look

into getting something available at the town hall. Councilman Dave motioned that we approve resolution 521 and bill 2nd. The motion was carried out as follows: Councilman Gruel, -aye. Councilman Caton, -aye and Councilman Stapleton, -aye.

We then moved on to the FEMA ballpark 139,000 for parks was responsible for 25% spent then gets reimbursed; Tammy Taylor broke down the cost And said that we need to commit. \$25,000 dollars from Stillwater Mine that was donated to the town can be used for ballpark. The ball park was in great shape, Nate spent his own money to get everything done at one point. Nate said the tip off tourney is spent in fromberg because of how nice our field is. Nate is going to head the ball park project.

We then talked about maternity leave for the city clerk Riddle maternity leave is granted for six to eight weeks paid. Councilman Canton moved to approve the six to eight weeks of paid maternity leave Councilman Stapleton 2nd it needs to be put in our handbook. The motion was carried out as follows: Councilman Gruel, -aye. Councilman Caton, -aye and Councilman Stapleton, -aye.

We then talked about the selling of the lots. Councilman Stapleton expressed his concerns with selling the lots. He stated that it is land we will never be able to get back. Nate moved that we do not sell any city property bill 2nd. The motion was carried out as follows: Councilman Gruel, -aye. Councilman Caton, -aye and Councilman Stapleton, -aye.

We moved on to the public works labor Marcus. He talked about the water leaks and how he has been taking care of them he has also fixed potholes going up and down east and West river street he has noticed that there are houses that have not been taking care of their lawns. We need to enforce the ordinance of keeping up on property for it has been over a year since the flood.

Next we moved on to the city clerk she's going to look into how to e-mail water bills. Tammy Taylor expressed her concerns about deposits needing to be done every day. Clerk Riddle goes to the bank every day to deposit utility billing.

We then read the letter of resignation from Councilman McKeever. We are now going to open up the chair available for City Council. Tammy Taylor said that she would like to see an A-frame for posting to catch people's eye.

With no further topics to discuss Councilman Gruel made the motion to adjourn and Councilman Caton seconded the motion. The motion was carried out as follows: Councilman Gruel, -aye. Councilman Caton, -aye and Councilman Stapleton, -aye.

The meeting adjourned at 8:47 pm.

Mayor Tim Nottingham

ATTEST

Clerk/Treasurer Harlie Riddle

Total for Payroll Checks

	Employee	Employer	Amount
OVER HOURS (Overtime)	21.00		614.25
REG HOURS (Regular Time)	383.50		6,936.00
GROSS PAY	7,550.25	0.00	
NET PAY	6,032.23	0.00	
FIT	571.44	0.00	
MEDICARE	109.47	109.47	
MMIA - AD&D	0.00	69.50	
MMIA - DENTAL	0.00	5.00	
MMIA - HI	0.00	2,012.00	
MMIA - LIFE INS	0.00	44.50	
MMIA - VISION	0.00	21.40	
SIT	369.00	0.00	
SOCIAL SECURITY	468.11	468.11	
UNEMPL. INSUR.	0.00	49.07	
WORKERS' COMP	0.00	272.84	
FIT/SIT BASE	7,550.25	0.00	
MEDICARE BASE	7,550.25	0.00	
SOC SEC BASE	7,550.25	0.00	
UN BASE	7,550.25	0.00	
WC BASE	7,345.50	0.00	
Total		3,051.89	
Total Payroll Expense (Gross Pay + Employer Contributions):			10,602.14

Check Summary

Payroll Checks Prev. Out.	\$250,942.22
Payroll Checks Issued	\$6,032.23
Payroll Checks Redeemed	\$0.00
Payroll Checks Outstanding	\$256,974.45
Electronic Checks	\$0.00

Deductions Accrued	Carried Forward From Previous Month	Deduction Checks Issued	Difference	Liab Account
Social Security	936.22	4342.04	5278.26	212501
Medicare	218.94	1015.50	1234.44	212502
Unempl. Insur.	49.07	227.62	276.69	212509
Workers' Comp	272.84	1137.91	1410.75	212508
FIT	571.44	3215.38	3786.82	212503
SIT	369.00	1681.42	2050.42	212504
MMIA - HI	2012.00	3665.50	5677.50	212507
MMIA - DENTAL	5.00	24.00	29.00	212511
MMIA - LIFE INS	44.50	57.25	101.75	212512
MMIA - VISION	21.40	38.72	60.12	212513
MMIA - AD&D	69.50	133.25	202.75	212512
Total Ded.	4569.91	15538.59	0.00	20108.50

**ZONING PERMIT APPLICATION
TOWN OF FROMBERG, MONTANA**

A zoning permit is required for all construction, reconstruction, addition, relocation of a structure, change of land use, or erection of fence within the Town of Fromberg.

Name of Zoning Permit Applicant: Joshua E Cox
Applicant's address and telephone number: P.O. Box 102 (406) (690-2616)
Location of project: 102 Lovers Lane
Description of Building Project: Garage / Shop. When garage is built I will remove old house

Provide with application the following documentation:

- A legal and general description of the property lot upon which the building or accessory building is to be built.
- A map showing the dimensions, acreage and location of the property lot, include setbacks and building dimensions.
- A legal survey may be required if the setbacks are in question.

(check the box of the applicable building district)

Residential "A" District.

- **Uses.** Single family dwellings; manufactured homes that are ten years old or newer and set up on a permanent foundation; schools, parks, recreation buildings, and country clubs; fire departments; churches or temples; and libraries [10-4-01].
- **Building Area.** No building with its accessory building shall be erected or altered, so as to occupy more than 45% of the area of a corner lot or more than 35% of the area of an interior lot [10-4-02].
- **Rear Yards.** (for new builds) Every building shall have a rear yard, depth of which shall not be less than 15' for lots less than 150' in depth and not less than 25' for lots 150' or greater in depth [10-4-03].
- **Side Yards.** (for new builds) Every lot shall have two side yards, each of which is not less than 6' in width. The sum of the widths of the two side yards shall in no case be less than 24% of the width of the lot [10-4-04].
- **Height.** No building shall exceed 35' in height [10-4-05].
- **Set Back Line.** No building shall be erected or altered so as to place its street wall nearer than 15' from the property line. No accessory building shall be erected nearer than 15' from the property line. Detached tool sheds shall be located not less than 6' from the side or rear property lines [Ord. 250]
- **Restriction on Manufactured Homes.** Manufactured homes may not be placed in "A" Residential unless it is newer than a ten year old multisectional model and is set up and skirted in one of the following ways: (1) placed on a permanent foundation; (2) individual pads with cinder blocks are used for supports; (3) coupled with uniform skirting, a dug-out style with cinder blocks for support, designed to lower the unit to ground level [10-4-07].

Residential "B" District.

- **Permitted Uses.** Single-family mobile home dwellings manufactured on or prior to 15 years of age when located within mobile home parks or individual lots within a mobile home subdivision [1-05-03].
- **Lot dimensions.** A. For single-wide mobile home dwellings, minimum of 40' wide x 100' deep with a minimum site area of 4000 sq ft.; B. For double-wide mobile home dwellings, minimum of 50' wide x 100' deep with a minimum site area of 5000 sq ft [10-05-05].
- **Lot coverage.** A. The ground area occupied by the mobile home, attached storm shed, patio, storage building and off-street parking spaces shall not exceed 50% of the total area of the site (400 sq ft. added to actual area of the mobile home and the accessory buildings for the two required off-street parking spaces);

B. No mobile home, storm shed, or other legal attachments to the mobile home shall be located less than 6' from the side property line. Detached tool sheds shall be located not less than 5' from the side or rear property lines. The ends of the mobile homes shall be at least 10' apart when opposing rear walls are staggered, otherwise 15' apart. No portion of a mobile home, or attachment thereto, or tool shed, or any other structure shall be located less than 15' away from any site or property line adjacent to a public right-of-way [10-5-06].


Commercial "C" District.

- **Uses.** Any commercial and industrial building may be erected or altered and land used for all lawful purposes except: (a) Storage yards for scrap, bulk or raw materials; (b) Railroad yards or roundhouses; (c) Livestock, corrals, or feedlots; and (d) manufacture or treatment activities which create objectionable noise, odor, smoke, fumes, vapor, dust or gas [10-06-01].
- **Rear and Side Yards.** No rear or side yards required [10-06-02].
- **Height.** No building shall exceed 70' in height [10-06-03].
- **Set back lines.** All buildings shall be built in line with existing structures [10-06-04].

**If your proposed building project does not meet the requirements in the building district set forth above, you must apply for a variance. A separate variance application is available at the Fromberg Town Hall.

After completing this application, submit the application and accompanying documentation to the Town Clerk at the Fromberg Town Hall and pay the application fee. The clerk will forward the application to the Zoning Committee for their investigation and recommendation to the Town Council. At the next regularly scheduled council meeting (the council meets the first Monday of each month), the council will make their decision on your zoning application.

The undersigned agrees that the information provided in this application is true and correct. The applicant understands that if any of the information is false, misleading or in error, this may be grounds for denial of the zoning permit.

Signed (applicant): 
Printed Name: Joshua Cox

ACTION OF THE FROMBERG TOWN COUNCIL

Zoning Permit Application:

- Approved.
 Approved with conditions _____

More information needed: _____

Denied. _____

Dated this ___ day of _____, 201__.

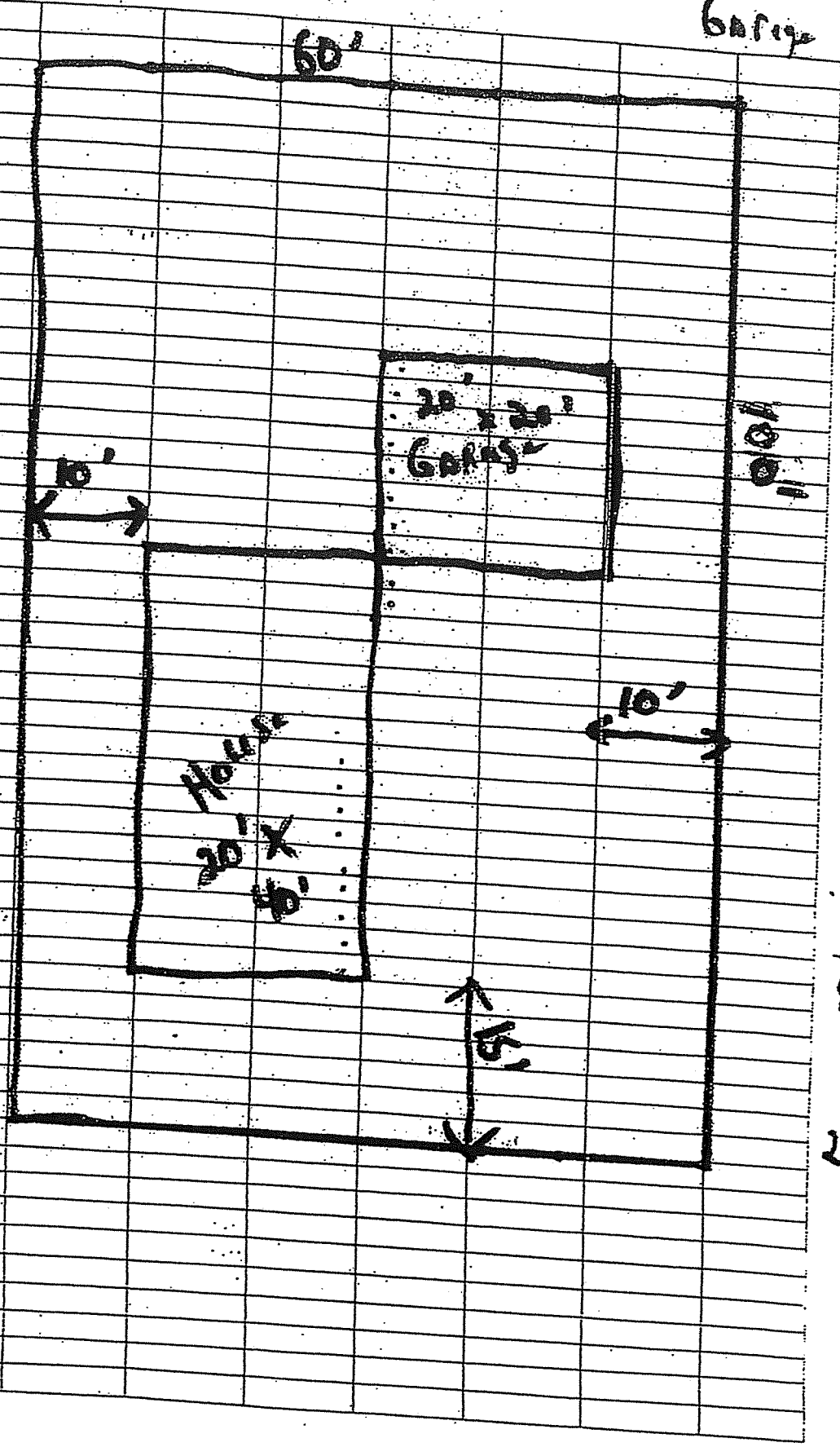
Signed by _____
Fromberg Mayor

Approval of this Zoning Application will expire one year after approval date.

~~SAMPLE~~

LOT 5.22 60' x 100'

HOUSE 20' x 20'
GARAGE 20' x 20'

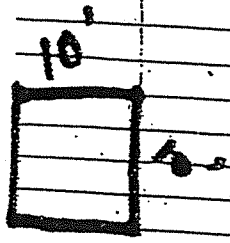


6000 sq ft
- 400 sq ft
- 800 sq ft

4800 sq ft

20% bldg

Scale



ORDINANCE 250

AN ORDINANCE OF THE TOWN OF FROMBERG TO CHANGE SET BACKS TO INCLUDE DETACHED TOOL SHED, REDEFINE MANUFACTURED HOME, AND ENFORCE ZONING PERMITS.

WHEREAS: The Town of Fromberg has approved to revise the current zoning ordinances of January 2001:

WHEREAS: It is necessary that the Town of Fromberg include additional language to the set back line as stated in 10-04-06 so it reads as follows:

No building shall be erected or altered so as to place its street wall nearer than fifteen (15) feet from the property line. No accessory building shall be erected nearer than fifteen (15) feet from the property line. Detached tool sheds shall be located not less than six (6) feet from the side or rear property lines.

WHEREAS: It is necessary that the Town of Fromberg revise the definition of modular and manufactured homes (10-02-44) to conform with the current State of Montana Code Annotated (76-2-302): Zoning Districts so it reads as follows:

Means a single-family dwelling, built offsite in a factory on or after January 1, 1990, that is placed on a permanent foundation, is at least 1,000 square feet in size, has a pitched roof and siding and roofing materials that are customarily, as defined by local regulations, used on site-built homes, and is in compliance with the applicable prevailing standards of the United States department of housing and urban development at the time of its production. A manufactured home shall be classified as "Real Property" with the Montana Department of Revenue. A manufactured home does not include trailer or mobile home as defined in 10-02-60.

WHEREAS: It is necessary that the Town of Fromberg to include in Chapter 11: Enforcement an additional section for issuance of zoning permits. The additional Section 10-11-01A shall read as follow:

The police department, subject to such variations or interpretations as may be made by the city council, shall:

A. Issue zoning permits for all additions to existing buildings, new construction, or movement of buildings or structures after first determining that all applicable provisions of this title are complied with.

B. Conduct inspections as are necessary to ensure compliance with the provisions of this chapter.

C. Institute appropriate action or proceedings to prevent or correct unlawful construction, additions to existing structures, movement of buildings or structures, or unlawful occupancy of buildings, structures or land.

**APPLICATION FOR VARIANCE
TOWN OF FROMBERG, MONTANA**

Under Fromberg Interim Ordinance No. , the Fromberg town council may grant permits for the alteration or construction of nonconforming buildings, provided such building will not be detrimental to, or tend to alter, the character of the neighborhood in which the variance is requested.

Name of Zoning Permit Applicant: _____

Applicant's address and telephone number: _____

Location of project: _____

Description of Project: _____

Description of requested Variance: _____

Provide with application the following documentation:

- A legal and general description of the property lot upon which the building or accessory building is to be built.
- A site plan, project description, to-scale diagram with measurements of proposed building. A legal survey may be requested.
- A signature form with signatures of 100% of the legal owners of property within 300' of each your property lines.

If you cannot obtain the signatures of all of the property owners within 300' of your property lines, then still attach the form indicating you have not obtained 100% of the property owners' signatures. In the event 100% of the signatures are not obtained, a public hearing on your request for variance must be held.

After completing this application, submit the application and accompanying documentation to the Town Clerk at the Fromberg Town Hall and pay the application fee. The clerk will forward the application to the Zoning Committee for their investigation and recommendation to the Town Council. At the next regularly scheduled council meeting (the council meets the first Monday of each month), the council will make their decision on your request for variance. **If 100% of the adjacent property owners' signatures is not obtained, then the town council will schedule a public hearing on your request, after which the council will then decide whether or not to grant your request for variance.**

The undersigned agrees that the information provided in this application is true and correct. The applicant understands that if any of the information is false, misleading or in error, this may be grounds for denial of the zoning permit.

Signed (applicant): _____

Printed Name: _____

ACTION OF THE FROMBERG TOWN COUNCIL

Request for Variance:

Approved.

Approved with conditions _____

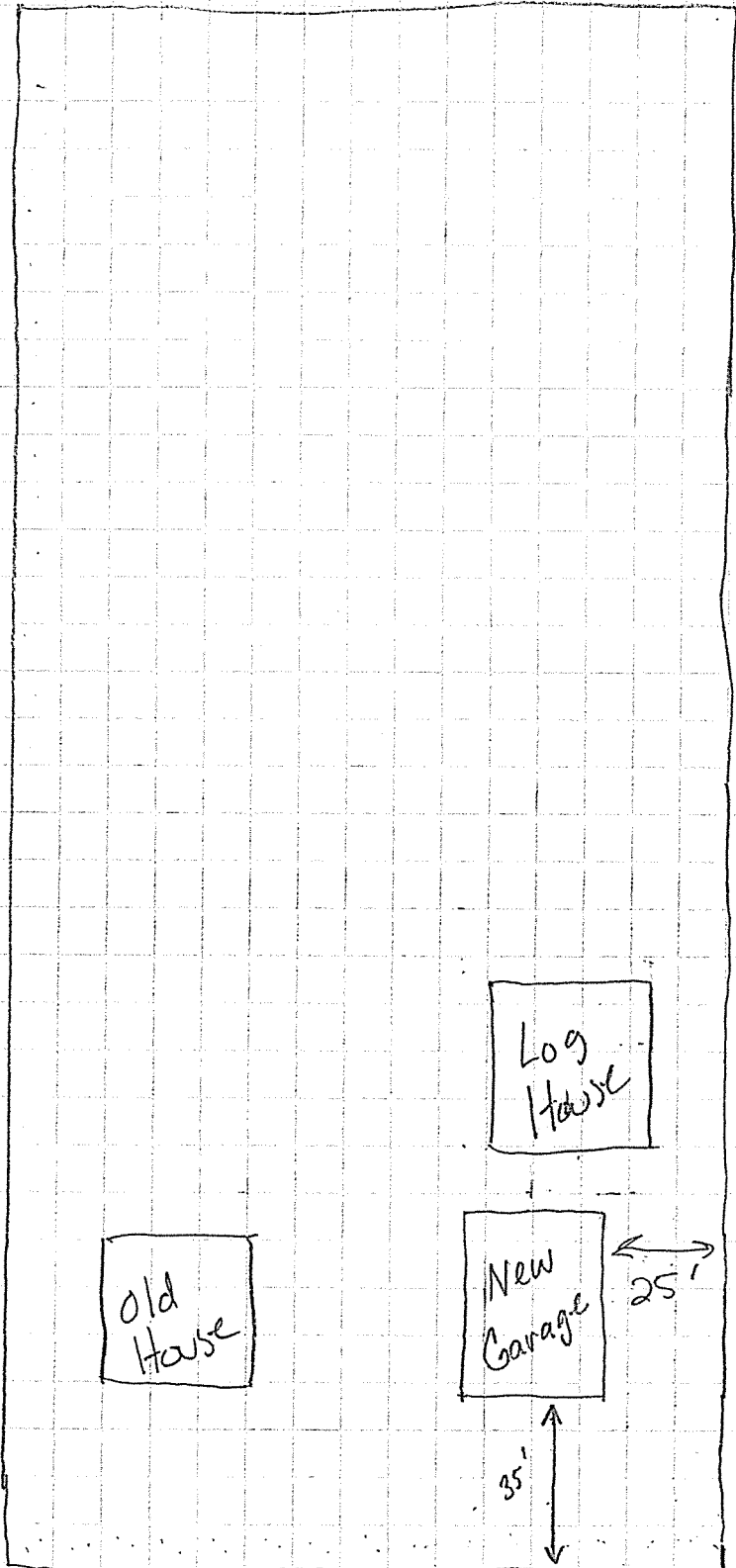
More information needed: _____

Denied.

PUBLIC HEARING scheduled for _____

Dated this ___ day of _____, 201__.

Signed by _____
Fromberg Mayor



330'

Log House

old House

New Garage

25'

35'

145'

TOWN OF FROMBERG

APPLICATION FOR A BUSINESS LICENSE

TO THE TOWN COUNCIL:

Name of Applicant Daniel J. Auch Date 7/30/23

Permanent Residence Address 8 Mine Spur Loop S,
Fromberg, MT 59029

Local Business Name/Address Misson Freedom LLC
8 Mine Spur Loop S
Fromberg, MT. 59029

Previous License (if any) held at: 3433 Glenfinner Rd. Billings, MT 59101

Description of business and activities Light Manufacturing of Ammunition
to be sold at local shops, ranges and gun shows (FFLO6)
Firearms and accessories to be sold online and at
gun shows. (FFLO1)
* Looking into business grant for Buck + mortar...

Is applicant acting as Principal or Agent? Principal

If acting as agent, Name/Address of Principal _____

If acting as Agent, a Letter of Authorization from Principal must accompany application.

*****Town Clerk use only below this line*****

Presented to Council on: _____.

Approved _____ Rejected _____ Postponed, awaiting more information _____

If postponed council re-considered application on : _____ Approved _____ Rejected _____

Applicant informed of council decision on: _____.

Via Phone _____ Mail _____ Email _____ Fax _____ Other _____

Business License Application

Please Fully Complete Application, Including Renewals

Town of Fromberg PO Box 236 Fromberg, MT 59029

New

Renewal

Transient

Business Name: Mission Freedom LLC

Business Physical Address: 8 Mine Spur Loops

City, State, Zip Code: Fromberg, Montana 59029

Website Address: www.missionfreedom.us

Mailing address (if different): ^{Temporary} 3433 Glenfinner Rd Billings, MT 59101

Business Phone: 707-280-6271 Date Business Opened: N/A

Business Owner's Name: Daniel J. Auch

Business Owner's Address: 8 Mine Spur Loops, Fromberg, MT 59029

Owner's Phone: 707-280-6271 Email address: dan@missionfreedom.us

After Hours Emergency Contact Name / Number: 707-280-2070

Type of Business Conducted: FFL01 Firearm Sales FFL06 Ammunition Mfg

Sanitation Permit # (if applicable): _____

List all Hazardous Materials such as any flammable or explosive materials, corrosive liquids, chemicals, lubricants, solvents, aerosols, compressed gases, that may be used or stored on the premises. Attach separate list if needed.

Smokeless Powder
Cartridge Primers

Complete page 2 of application

Please check one of the following boxes which apply to your business, # of Employees

Type of Business		Type of Business	
Home Based	X	11-20 Full Time Equivalents	
1-4 Full Time Equivalents		21-40 Full Time Equivalents	
5-10 Full Time Equivalents		41 or more Full Time Equivalents	

If applying for an Itinerant or Transient Business License, complete the following:

Type of Business Conducted: _____

Location where you will be conducting your business: _____

Dates selling in Fromberg: _____

Copy of seller's driver's license attached?

DECLARATION: Under the penalty of perjury, I declare that I am the legal owner of this business and all information provided is true and correct. This application is made subject to all the terms and conditions of the Town of Fromberg Municipal Code including all zoning, building codes, plumbing codes, and sign ordinances. All annual licenses begin on July 1, and expire the following June 30. Quarterly licenses may be issued the first day of each quarter and expire on the first day of the next quarter

Owner's Signature Daniel J. Auch

Date Signed 7/30/23

Owner's Printed Name Daniel J. Auch

FOR OFFICIAL USE ONLY

Business Property is Zoned C-1 ___ C-2 ___ C-3 ___ R-1 ___ R-2 ___ LI ___ PL/I ___ County Zoning ___

Conditional Use Permit Required? Yes ___ No ___ If Yes, Date Approved by Planning & Zoning Board ___-___-___

If Conditional Use Permit is required, Date Approved by the Town Council ___-___-___

Zoning approval: _____ Date ___-___-___ Building

Official Review: _____ Date ___-___-___ Amount

Paid: _____ Payment Method Cash ___ Check ___ Date Paid ___-___-___

Business License issued by: _____ Date ___-___-___

Copy to Town of Fromberg Fire Department Y / N Copy to Fromberg Police Department Y / N

CARBON COUNTY
OFFICE OF THE ELECTION ADMINISTRATOR
PO BOX 887
RED LODGE, MT 59068
PHONE: 406-446-1220
FAX: 406-446-2640
EMAIL: elections@co.carbon.mt.us

September 7, 2023

Town of Fromberg
PO Box 236
Fromberg, MT 59029

Greetings,

This letter is to inform you that at the end of write-in candidate filing, September 5, 2023 at 5:00pm, the number of candidates filing for office for Councilmembers of the Town of Fromberg, was equal to or less than the number of positions to be filled. Per MCA 7-5-4110, the governing body of a municipality may cancel a general election, by resolution, if the number of candidates filing for the election is equal to or less than the number of positions to be filled.

If the Town of Fromberg would like to cancel their General Election, please forward a resolution to the Election's office no later than September 29, 2023. If resolutions are not received by 5:00pm on this date, the ballots will be sent to print. All fees incurred will be the responsibility of the entity.

Below are the current candidates for office.

Councilmembers:

Taylor, Tammy D (Write-In)
Ventling, Michael J (Write-In)

Please contact our office with any questions or concerns. Thank you and have a great day.



Crystal Roascio
Elections Administrator
17 11th Street West
PO Box 887
Red Lodge, MT 59068
Direct Line – (406) 445-7289
Phone - (406) 446-1220
Fax – (406) 446-2640
elections@co.carbon.mt.us