

CITY OF THOMPSON FALLS

Zoning COMMITTEE MEETING MINUTES

Month: Feb, Day: 12, 2024

Council Members Present:

Shawni Vaughn, Mark Sheets
Eugene Powell, Toby Leivestad
Katherine Mandrone, Gussie O'Conner
Raoul Ribeiro, Harry Lark

City Officials Present:

Mayor Rusti Leivestad

Meeting opened at 5:15 p.m.

Others Present:

Attached

Action/Motion made:

No motions made as per Tim Boen
said we had to look at codes to approve
changing zoning to allow - Daycares, Pre-
schools and removing Adult Shops.

()
5:45

Meeting adjourned at ~~7:30~~ 5:45 p.m.

Sign: Shawni Vaughn

Print: Shawni Vaughn, Zoning Committee Chair

ATTEST: Chelsea Peterson
Chelsea Peterson, City Clerk/Treasurer



City of Thompson Falls City Council Meetings



Zoning Committee Meeting

City Hall, 108 Fulton Street, Thompson Falls, MT

Monday, February 12, 2024 @ 5:15 P.M.

and

Public Hearing regarding updated Fee Schedule

City Hall, 108 Fulton Street, Thompson Falls, MT

Monday, February 12, 2024 @ 5:55 P.M.

and

Regular City Council Meeting at the

City Hall, 108 Fulton Street, Thompson Falls, MT

Monday, February 12, 2024 @ 6:00 P.M.

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NAME (Please Print)	WOULD YOU LIKE TO ADDRESS THE COUNCIL DURING PUBLIC COMMENT PERIOD AND IF YES WHAT AGENDA ITEM NUMBER? √ = yes	WOULD YOU LIKE TO ADDRESS THE COUNCIL DURING <u>Unscheduled</u> Public Comment Period?	Street Address
Please Print			Please Print ~ thank you
Stephanie Webb	✓		39 Silcox Park Ln, FF
David Abbott			408 Madison St FF
Steven Taylor			307 Washington St
Judy Johnson	✓		661 Rowland Dr FF 59873
Julie REPP			211 CLAY ST. 59873

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<p>Please Print</p>			<p>Please Print ~ thank you</p>
<p>Cindy Bronner</p>		<p>✓</p>	<p>93 Cherry Creek Rd</p>
<p>WILLIAM KENYON</p>			<p>78 Fir Drive</p>
<p>Tobias Leavelle</p>			<p>Maple St. TF</p>
<p>Gay Hinkle</p>		<p>✓</p>	<p>5 Gable</p>
<p>GREG HINKLE</p>			<p>5 Gable Rd</p>
<p>Azhen Jensen</p>			<p>24 Park Pl TF</p>

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<p>Catherine Dewitt</p>			<p>102 N. Gallatin T.F.</p>
<p>Tracy Scott</p>			<p>Valley Pines Plains</p>
<p>Steve Oswald</p>			<p>203 S. Gallatin TF</p>
<p>Leslie BRANT</p>			<p>441 Cherry Cr. Rd</p>
<p>John Susk</p>			<p>1206 H. Log Ave</p>
<p>LINDA ERIN Weygint</p>			<p>504 Cherry Crk</p>
<p>HOWARD JAMES</p>			<p>2503 Mossy Rock Ct</p>
<p>FRANK ROBERTS</p>			<p>117 WOODLAND T.F.</p>
<p>Anne Woody</p>			<p>Ledge</p>
<p>Rick A Price</p>			<p>110 CLAY ST. TF</p>

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<p>David Henderson</p>			<p>707 Blue Slide Rd</p>
<p>MARK sheets</p>			<p>215 Grove St.</p>
<p>James White</p>			<p>3220 US 93 South</p>
<p>TAMBA Anderson</p>	<p>✓</p>	<p>✓</p>	<p>704 Maiden Lane</p>
<p>Guscia Connor</p>			
<p>Krista wing</p>	<p>All</p>	<p>yes</p>	
<p>Rick & Lesley Frisbren</p>			<p>1417 Maiden Lane</p>
<p>Karen Higgins</p>			<p># 7 Fawn Lane</p>
<p>Mike Wells</p>			<p>51/cox Ln.</p>
<p>Lynette Elliott</p>		<p>✓</p>	<p>1014 Maiden</p>

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Terry Volkman			110 clay St. T.F.
Nancy Johnson	✓	✓	Res of TF
Dean Johnson	✓	✓	Res of TF
Jason Vanhook			Res of TF
Tony Cox		✓	212 1/2 Lincoln
Melinda Thompson			219 Park
Randy D. Cobb			219 Park
Randy Wynn			TF 13
David A. McCall			15 Osprey Dr. E. TF
Mark Brenner	✓		93 cherry ckr TF

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Vill Fairbank			507 Preston
Tobi Wickett			60 East Steamboat Way
JASON STEVENSON			
Donna McQueen			
Nadean Nelson			207 Woodland
Philip Williamson			1219 MAIN ST.
Joa Henderson			12 Gilead Lane
ROB CLARK			409 ADAMS ST.
Ricki Clark			ADAMS ST.
MARY DUNN	✓		SILCOX Lane

Zoning meeting

Donna McQueen- asked if dispensaries were included in adult shops.

Mary Dunn- I have a question about your most recent portrayal on the orchard and the need for the Forest Service to make the request in order to rezone not sure exactly the info I got from Missoula Lolo or Heather Berman who I spoke to today neither one of those people has directly told me that is a requirement in order to manage the rezoning in that area I want to put that out publicly that what you just said has not been confirmed by the federal forest service, and are you taking notes and all that?

Kristin wing- in reading the ordinance there is nothing about home business, I have a nail salon in my house and there is nothing in there about that, can you put home businesses, for 112 years Thompson falls has gone without zoning so I curious and I've asked this question before how many acres are left for development, that why do we need zoning all of a sudden when the town is pretty much built out. So that is a question I have asked how many acres are left for development.

Tamara Shear- I was referred to the zoning committee about four months ago about my concern and I'm still waiting to hear back for when I get put on the agenda, I'm just waiting for you guys to put me on the agenda put me on the list too whatever the list is

Mark Bronner- I also talked to heather today and she said as far as zoning goes the city and the forest service have nothing in common and it's the city's opportunity to zone whatever they want to zone and no relation with the forest service what so ever so as far as they are concerned there is no jurisdiction in the mule pasture and the orchard or anything that's in county yet or in forest service federal or state land so if we can have the zoning board ixnay the orchard and mule pasture as far as any incorporated zoning within the city at all that would be great.

Beth Junge- I was curious about assisted living we have one assisted living closed and one that is currently for sale that it's time for being grand fathered in is up July of 2024, side note as well you have dry cleaning I am originally from Billings there's a lot of chemicals and a dry cleaning operation went array in billings the EPA hazmat had to come in it is a nightmare I suggest you take it off the list because not many people dry clean but if you have to do it take it to Annie at the ledger and send it off to have the risk with all those chemicals is not worth it.

Helen Jensen- my question is about the dispensary on that in the beginning the rumor was that it would be and then it wouldn't be that it would be something else and low and behold the sign went up and it is and there was one just outside of town I just see it as a terrible lurer for young people so I'm very concerned about that.

Howard Inks- what's this about adult shops? This is the first I heard of this is this considering having porn shops in town is that what it is we shouldn't allow it that's not what we need our children being exposed to thank you.

Cindy Bronner- What I don't understand how you can take the zoning ordinance from Hot Springs and copy it into Thompson falls without reading it, I think it's a very big issue and you need to talk to the community regarding what they want because they are the ones that live in the community they should decide what the zoning is and I'm in favor with the person that mentioned we don't really any zoning

because there isn't any room to grow out we've done very well in our community without the zoning and now we've got this and a lot of people are disenchanting with what has happened within our city limits.

Stephanie Webb- I just wanted to say it just seem disingenuous in my opinion to put on an idea that you are interested in what the community has to say when for the last several meetings there was been a lot of interest and we're trying to cram all these people into one room there are other venues where you could have the meetings and to me it would say to the community which you represent and voted you in that you are interested in what they have to say and to be crammed in this room I just find that unacceptable and I find it disingenuous as I said

Melinda Thompson- I guess my comment is passionate, I spoke with Rusti actually at length over the Mule Pasture and the Orchard and this is several meetings now down the road and there has been a lot of community unrest as we spoke about Rusti and people calling other people rabbit holers or doomsayers or pot stirrers or whatever it is but the whole reason why this keeps going on your refusing to get to the bottom of this subject and I do believe there is you have an opportunity to do that and its very simple just take the zoning away from it you don't need to zone that and I think that mistake as you call it or over looked has really caused so many peoples feelings and trust to be hurt and you're still not addressing it and I'm very frustrated with that and I was really looking forward to the zoning meetings where I actually could speak about that and were told what we can and can not talk about and it's the elephant in the room so I really hope that you will take the chance to actually listen to your community cause we are screaming at the top of our lungs to have this addressed so please let do it

Cindy Bronner- Thank you Melinda very well put and for the record we now have 50 more signatures from our citizens so we are up to 850 signatures to have the Orchard and Mule Pasture 850, I think that's almost 50 percent and we haven't even been pounding the pavement these are people that are coming to different businesses and have the petition and are signing it without hitting the pavement if we were all to hit the pavement it'd be more than 800

Gunner Junge- I want to acknowledge the City Council after several months to finally address the Adult book stores and it's finally happening which I'm over joyed with I remember talking to Mark several months ago at a City Council meeting saying that's not right for Thompson Falls that's not why we live here so at least patience having its perfect work were finally getting that addressed and hopefully getting rid of it, how that happens inadvertently I don't know but it did so just a couple of things that I'm glad are on the agenda or topics it's a short list of topics and I noticed that assisted living isn't on there living in a retirement community with a lot elderly I would think that would top the list as one of the most important things that should be addressed and so I would hope that would get addressed also there is a issue with the zoning and the new laws anyone that's read the Montana code it states publicly that you can not have residential that doesn't include duplexes and so that would something that I had raised a question about before because zoning A doesn't currently allow duplexes so I would like to see that addressed as well.

Tony Cox- I am kind of wearing two hats the first one I would comment on behalf of the County we've looked at possibly trying to purchase buying adjoining property possibility of office space, parking or storage and now that parking and storage could be in jeopardy when communities develop there's going to be more parking, the town pump is building and I'm sure they are putting in a huge parking lot and it's going to be needed and I think that parking is stretched and my other comment I guess would be I

have been saying it for months and nobody listen you can zone anything you want but you need to get your legal advice I don't believe you have any enforcement to zone federal property which includes the orchard and mule pasture nor the railroad which you have zoned the rail road the rail road is going to do what they want they are under the federal railroad authority they're not going to listen to the city council in thompson falls nor should they and I guess my final comment would be I know you have a difficult job I'm in the same seat and its not fun but ultimately private property rights should be more important to people to make their own decisions as long as you're not harming the air or the ground water or whatever it's just sad that the zoning is causing a huge fight in the community and I wish you well and hope you do the best thing, thank you

Linda Wiengard- I'm curious as if the council and committee had any correspondence with the school district, fire department, the ambulance service which all would be impacted if that were zoned residential I retired from school district and I know from experience that growth hurts the community we pay were senior citizens we pay over a \$1,000.00 a year for school taxes it will go up and up and up it's not just a city decision its going to impact everyone of us in this room

Kristin Wing- read a letter submitted by Lark Chadwick and Jim Greaves

Nancy Johnson- I would like to request and make known the Rex Theater has offered several times to the City Council a venue that would house this type of situation they said it would be available Tuesdays, Wednesdays, and Thursdays during the month it would conflict with your typical Monday night meeting which you would need to adjust to an alternative night of the month since it's only one night of a month that were talking about so it will seat the necessary number of people that would like to attend this meeting from time to time I would propose to the City that they would take that under consideration and consider what the Rex Theater is willing to give freely to this community thank you for your attention

Fwd: regarding zoning in Thompson Falls

Cindy Bronner <bronner@cindysthrows.com>

Mon 02/12/2024 15:59

To: Kristen Wing <kristen_wing@msn.com>

----- Forwarded message -----

From: **Cindy Bronner** <bronner@cindysthrows.com>

Date: Sun, Feb 11, 2024 at 3:23 PM

Subject: Re: regarding zoning in Thompson Falls

To: Lark Chadwick <larkwick@blackfoot.net>

Got it will do 👍

On Sun, Feb 11, 2024 at 2:45 PM Lark Chadwick <larkwick@blackfoot.net> wrote:

Dear Council and Mayor, *thank you for hearing our comments.*

Private property is the foundation not only of prosperity but of freedom itself.

Private Property ownership comes with many rights that are too often eroded and superseded by local zoning ordinances. Zoning regulations impose restrictions on how private property can be used and establish requirements such as building heights and setbacks and increased fees. Property owners view these ordinances as an infringement upon their constitutional right to personal property. Constitution, Amendments 5, and 14, as cited by SCOTUS.

The proper role of government is protection of citizens' rights, not the incremental 'taking' by ordinances. Proper role of government is not to take away the peoples' right to life, liberty and property.

Thomas Jefferson when he drafted the Declaration of Independence, stated the issue simply: "Lives, Liberties, and Estates, which I call by the general Name, Property." And James Madison, the principal author of the Constitution, echoed those thoughts when he wrote, "as a man is said to have a right to his property, he may be equally said to have a property in his rights."

I oppose zoning ordinances as an overreach of the proper role of government.

Lark Chadwick and Jim Greaves
108 Woodland St
Thompson Falls, MT 59873
406 827-7104

When people sleep the wheels of Government still grind to eat away at their freedom. ~ LC

February 12, 2024

To the Mayor and City Council,

"I hope we can all keep an open mind about the concerns raised by citizens regarding the orchard and mule pasture zoning, I believe that with transparency, we can address and resolve these issues.

I've heard the concerns of the people in Thompson Falls, per their requests, we can clear things up. I'm sickened by all the confusion and misleading stories in our community. People have been mis-lead, and it's time to produce public truth."

As someone dedicated to our community, I find myself disillusioned with the gossip and the pervasive darkness that seems to shroud our community. It's apparent that people have been deceived and manipulated, and it's time to lift the veil of deception.

I want to set the record straight regarding the minutes from the December 11th, City Council meeting. The minutes stated: 'Cindy Bronner questioned the budget and said she was a CPA.' I want to clarify that I am not a CPA, nor do I aspire to be one and request posted corrections on the minutes.

Regarding the City Council Board and its representation of the people of Thompson Falls, it's essential to rectify these inaccuracies and ensure that the city collaborates with the residents to eliminate any misconceptions.

Sincerely,


Cindy Bronner