

## REGULAR COUNCIL MEETING

November 27, 2012  
7:00 p.m.

### CALL TO ORDER

The Regular Council meeting was held Tuesday, November 27, 2012, in the City Hall Conference Room at City Hall, 17 S. 8<sup>th</sup> Street, Miles City, Montana. Mayor C. A. Grenz called the meeting to order. Council Members present were Dwayne Andrews, Roxanna Brush, Mark Ahner, Jerry Partridge, John Uden, Bill Melnik and Sue Galbraith. John Hollowell was excused.

Also present were City Attorney Jerry Huss, Deputy City Attorney Erica Griffith, Fire Chief Dale Berg, City Planner Dianna Broadie, Police Chief Doug Colombik, Public Utilities Director Al Kelm, Dispatch Supervisor Heather Roos, Parks Supervisor Brady Stone and Council Recorder City Clerk Becky Stanton.

### PLEDGE OF ALLEGIANCE

Mayor Grenz led the Council in the Pledge of Allegiance.

### APPROVAL OF COUNCIL & COMMITTEE MINUTES

#### **Regular Council Minutes – 11/13/2012**

\*\* *Councilperson Brush moved to approve the minutes of the Regular Council Meeting of November 13, 2012, seconded by Councilperson Galbraith. The motion then passed unanimously, 7-0.*

#### **Human Resource Committee Meeting – 11/20/12**

The **Human Resource Committee** met Tuesday, November 20, 2012, at 6:00 p.m. in the Conference Room at City Hall. Present were Chairperson John Uden, Committee members Dwayne Andrews, Bill Melnik, and John Hollowell. Also present were Mayor C.A. Grenz, Councilperson Sue Galbraith, City Clerk Becky Stanton, Deputy City Clerk Linda Wildman, Ambulance Billing/Finance Clerk Connie Watts, Auto Cad Technician/Flood Plain Administrator/Asst. to Public Works & Public Utilities Administrator Samantha Malenovsky, Grant Administrator Dawn Colton, Public Works Foreman Scott Gray and Recorder HR/Payroll Officer Billie Burkhalter.

**1. Roll Call:**

- Noted above

**2. Discussion on proposed mediation relating to requests for wage/salary enhancements:**

Chairperson Uden explained that the four people who have filed a grievance have requested mediation. The entire Committee was in favor of the mediation.

Mayor Grenz explained that there has been a request to have the mediation take place in Billings, but he feels that it should take place in Miles City because the lasting effects are going to be here. He further stated that the whole Council needs to be a part of this mediation, along with the press and Attorney Janette Jones. He feels the cost to the City would be too great for everyone to travel to Billings. Chairperson Uden agreed. HR/Payroll Officer Burkhalter pointed out that City Laborer Negotiator Larry Martin's business is located in Billings and it would cost the taxpayer's \$200 an hour to have him travel all the way from Billings and attend the mediation, further clarifying that the Grievants had not agreed to Attorney Jones as a mediator and therefore could cut the costs by having a Billings mediator. City Clerk Stanton stated that legal counsel would have to agree to have the whole Council in attendance because, as per the City's Personnel Policy, the Human Resource Committee would be presiding over the mediation. She further questioned having press in attendance. Chairperson Uden stated the mediation would be an open meeting. City Clerk Stanton and HR/Payroll Officer Burkhalter disagreed. City Clerk Stanton felt that this was a

form of intimidation and that the Grievants were requesting mediation in good faith.

ACT/FPA/APW&PUA Malenovsky stated she is representing herself in this mediation and would prefer it to take place in Miles City. She further stated that in the past few weeks her situation concerning the grievance has changed and is different than the three other grievants and she does not feel she needs to go to Billings for mediation.

Chairperson Uden stated his preference would be to have it in Miles City due to one of the Committee members being employed full time and the Mayor owning a business here in town. Committee Member Melnik agreed.

*\*\* Chairperson Uden moved to recommend to the Council that the City enter into mediation concerning the grievances filed by the four City employees and it be held as soon as possible to bring this to an end. The motion was seconded by Committee Member Andrews and, on roll call vote, passed unanimously, 4-0.*

*\*\* Chairperson Melnik moved to recommend to the Council that the mediation be held in Miles City. The motion was seconded by Chairperson Uden.*

Committee Member Andrews stated he had a problem with having the whole Council in attendance at the mediation and felt that policy states the Human Resource Committee only and the policy needs to be followed as it is there to treat people fairly. There was discussion concerning how a decision would be made without the City Councils benefit of hearing the mediation. HR/Payroll Officer Burkhalter pointed out the Council makes decisions all the time based on recommendations from Committees without hearing it first-hand.

*\*\* On roll call vote, the motion failed, 2-2, with Committee Member Andrews and Hollowell dissenting.*

*\*\* Committee Member Andrews moved to recommend to the Council that the mediation be held in Billings. The motion was seconded by Committee Member Hollowell. On roll call vote, motion failed, 2-2, with Chairperson Uden and Committee Member Melnik dissenting.*

*\*\* Chairperson Uden moved to refer this issue to Council as a whole to determine where this grievance hearing will be held. The motion was seconded by Committee Member Hollowell and, on roll call vote, passed unanimously, 4-0.*

Committee Member Andrews requested a cost be given to the Council for having the mediation in Miles City verses Billings.

ACT/FPA/APW&PUA Malenovsky requested her mediation be held separate from the other grievants and held in Miles City.

*\*\* Councilperson Andrews moved to recommend to Council to have Auto Cad Technician/Flood Plain Administrator/Asst. to Public Works & Public Utilities Administrator Samantha Malenovsky's grievance held in Miles City. The motion was seconded by Chairperson Uden.*

Committee Member Hollowell stated that where the mediation is being held cannot be just from the view point of financial costs but to consider the Grievants view points. If the Grievants feel they are being intimidated then mediation won't work.

*\*\* On roll call vote, the motion passed unanimously, 3-0, with Committee Member Hollowell abstaining.*

Chairperson Uden withdrew the formal hearing date until mediation is completed.

### **3. Review job descriptions of Deputy City Clerk and Finance Clerk and compensation recommendations:**

Mayor Grenz had some issues concerning the revised Deputy City Clerk job description.

Chairperson Uden asked City Clerk Stanton if they included in the position description for the Deputy City Clerk to take Council minutes would it alleviate her work load. City Clerk Stanton replied that she currently takes Council minutes and would like to keep the right to direct her staff when she needs them to take minutes. Per statue, this is her responsibility. Mayor Grenz pointed out that Ambulance Billing/Finance Clerk Watts currently prepares Council agendas and, since her position is going to be eliminated, he wants that to be in the Deputy City Clerk's position. City Clerk Stanton pointed out those duties have already been added into the Deputy City Clerk's job description.

Mayor Grenz stated he wants everything that was put in the revised Deputy City Clerk position to be placed in the current job description. He also, wants to add "any other duties assigned" under Job Requirements. Under Education and Experience, he wants "Preference will be given to Certified Municipal Clerks" to be deleted. Committee Member Andrews questioned why. Mayor Grenz explained he feels this statement limits his choice in applicants. City Clerk Stanton questioned that if an applicant comes in with municipal experience and governmental background, why wouldn't he/she be given preference? Mayor Grenz asked City Clerk Stanton if when she was hired, if she had that experience. Deputy City Clerk Wildman pointed out, that to become a certified municipal clerk, there is a strenuous accreditation to go through and for continuity that background should be in the job description. When City Clerk Stanton was hired there was no one with that background who had applied. City Clerk Stanton stated she could not understand why the preference wouldn't be considered.

Councilperson Galbraith stated she felt adding in "any other duties as assigned" was far too general to have in a position description. HR/Payroll Officer Burkhalter pointed out that the job description already has this statement under "Areas of Accountability and Performance" in General Duties, and felt it would be repetitive to place it in the description twice. HR/Payroll Officer Burkhalter also questioned why a preference for municipal clerk would be taken out of a job description, as it is a standard practice to have preference for an applicant who has previous experience. Committee Member Hollowell asked Mayor Grenz why he would want to add "other duties". Mayor Grenz responded that it will stop stubborn employees who are directed to do something and say that it is not in their job description.

Committee Member Andrews stated the City Clerk supervises the Deputy City Clerk. If there is something the Mayor or Council wants the Deputy to do, they would go through the City Clerk, and she will decide to assign the duties.

Chairperson Uden stated the reason they are going to a full time Deputy Clerk is so there will always be a Clerk or Deputy in the Finance office to perform the clerk's duties. City Clerk Stanton stated she was gone for two weeks in March and the Finance Office did not miss a beat.

Mayor Grenz discussed the "preference" in the job description, stating if the previous City Clerk applies for this position and she was the only one who had experience in this job, would he have to give her preference? City Clerk Stanton explained that was only part of the consideration. References and past work history would be factored into that, too. Mayor Grenz stated its things like this that can get the City sued. City Clerk Stanton stated this is the reason for documentation on why not to hire that individual. Mayor Grenz stated he is going to be doing the hiring, with the approval of the Council, and it hamstrings what he has to look at. HR/Payroll Officer Burkhalter stated she felt it was reasonable to keep this in the job description. Chairperson Uden and Committee Member Andrews both stated they were in favor of keeping the preference in the job description. Committee Member Hollowell questioned what the definition of "preference" to the City Clerk was. City Clerk Stanton explained that it was part of the big picture; it will get your foot through the door for an interview, but does not mean you will be hired solely on that qualification.

Mayor Grenz requested that under "Job Performance Standards" be added "Deals tactfully and courteously with other City employees and Supervisors", and at the bottom of that it add "Maintains confidentiality of sensitive information". It was pointed out that this was already in both job descriptions.

Committee Member Andrews stated that people who do the job, who know the job, are the people who put this revised job description together and he is sure they did a thorough job on what the requirements are. He is perfectly comfortable with the revised description.

There was continued discussion concerning the Deputy City Clerk position description and, due to the confusion, it was decided the Committee would set another meeting to clarify what changes had been made to the job description and what changes Mayor Grenz wants. City Clerk Stanton stated that was fine, as long as she gets a say in her department.

#### **4. Review job description for Public Works Director/Flood Plain Administrator and compensation recommendations:**

Committee Member Andrews stated he needed clarification on the reasons for combining these two positions. He stated the Public Works Director is a managerial position that oversees and manages other positions, while the Flood Plain Administrator is a project-oriented position that has responsibilities with it, but is not a supervisor position. He feels these two positions do not relate to each other, and are distinctively different and should remain separate. Committee Member Andrews stated another big concern he has is that the two positions together will be too much work for one person, especially with all the new flood regulations. Committee Member Andrews further explained that the City has already interviewed two internal applicants for the

Directors position and it was determined that they were not minimally qualified for the job. This brings up the question as to why they were even interviewed? Then the City turns around and tries to change the job description in the middle of the advertising process. He believes this could open up the City to a lawsuit.

Committee Member Hollowell disagreed with Committee Member Andrews in that the positions do go together. He cited that when Pat Rogers held the Public Works position the flood plain was included. He stated that the Public Works Director will be directing the maintaining of the dike, and the Public Works employees will be doing that work. Committee Member Hollowell explained that combining these two positions make sense as the Flood Administrator's has a high level of responsibility, their decisions cannot be overridden by Council due to the Flood Plain Ordinance. Only the Board of Appeals can do so, to a certain degree.

Mayor Grenz stated that if you read the job description for the Floodplain Administrator you will see that she is already doing half the work of the Public Works Director.

Foreman Gray questioned whose idea this was to combine the two positions.

City Clerk Stanton stated for a point of clarification the position for the Finance Clerk had not been discussed and questioned when this would be addressed. Chairperson Uden stated he would prefer to address that position at the next meeting along with the Deputy City Clerk position. City Clerk Stanton questioned if Mayor Grenz had rewritten this position also? Mayor Grenz stated he had not.

Committee Member Andrews reiterated the question of Foreman Gray, requesting who had decided on changing this position description. Mayor Grenz stated it came from him trying to solve the dilemma of looking at the two applicants who had applied and the legality of the situation. He further stated that Miles City is the only City in the State that had its own Flood Plain Administrator, and looking at the amount of work being done in her job description, he felt combining the two positions would save the City 20 to 30 thousand dollars a year. Chairperson Uden stated that financially it would benefit the City to have these two positions combined.

Committee Member Andrews questioned what would happen with the other duties that are held by the Flood Plain Administrator. He further stated he is just looking out for what is best for the City of Miles City, and doesn't believe overloading an employee is for the best.

Foreman Gray stated he was informed after his interview that the Directors position would go out-of-house for external applicants, but he would still be kept under consideration. HR/Payroll Officer Burkhalter stated it had not been advertised externally.

ACT/FPA/APW&PUA Malenovsky stated that combining the positions was not her idea and she is not trying to swing this position in any way. Chairperson Uden reiterated that this was brought up to save the City money.

Chairperson Uden stated that he was not aware that the Director's position had not been advertised outside of the City, and he believes this should be done.

*\*\* Chairperson Uden moved to create the position of Public Works Director/Flood Plain Administrator and combine into one position.*

Committee Member Hollowell stated he believes this position should be combined regardless of the situation and questioned the Committee if he could act on this motion. Chairperson Uden felt that it was a conflict of interest and the Committee was in agreement

*\*\* The motion died without a second.*

Chairperson Uden recommended that the Director of Public Works be advertised outside of the City. If there are no candidates found who are qualified, then this issue would come back to the Committee. He also requested different people conduct the interview so that there would not be any preconceived ideas. Committee Members Andrews and Hollowell were both in agreement that if there are no qualified outside candidates, the Public Works Directors position description would need to be brought back to the Committee for amendment and review.

Chairperson Uden recommended that the salary be set for \$5,000 less a year than what Public Utilities Director is making for the probationary period. Committee Member Hollowell pointed out the Salary Survey has been adopted, and the salary is at entry level wage. HR/Payroll Officer Burkhalter stated that the Salary Resolution states \$4,872.40 monthly, which follows the adopted salary survey, which is an annual salary of \$58,468.80. Chairperson Uden agreed.

City Clerk Stanton stated she had received an email from the Mayor that this

position would not be advertised externally and requested Mayor Grenz send a follow up email authorizing her department to do this.

**5. Recommendations to create position of Public Works Director/Flood Plain Administrator and to fill said position:**

- None

**6. Request of Citizens**

- None

**7. Adjournment**

\*\* *Committee Member Andrews moved to adjourn the meeting. The motion was seconded by Committee Member Hollowell and passed. The meeting was adjourned at 7:55 p.m.*

\*\* *Councilperson Uden moved to approve the minutes of the Human Resources Committee Meeting of November 20, 2012, seconded by Councilperson Melnik. The motion then passed unanimously, 7-0.*

### **Public Safety Committee Meeting – 11/21/12**

The **Public Safety Committee** met Wednesday, November 21, 2012, at 12:00 pm in the City Hall Conference Room. Present were Committee Chairperson John Uden and Committee Members Sue Galbraith, Duane Andrews and Mark Ahner. Also present were Mayor C.A. Grenz, Police Captain Mark Reddick, 911 Coordinator & Lead Dispatcher Heather Roos, Public Utilities Director Al Kelm and Committee Recorder Connie Watts.

#### **REVIEW FOR SPEED BUMPS IN 100 BLOCK OF NORTH CENTER**

Jim Dighans, 107 N. Center Avenue, asked to address the committee to request speed bumps be placed on the 100 block of North Center. He said that traffic goes way too fast around that corner and he is concerned that a vehicle will end up in somebody's yard.

Utilities Director Kelm had contacted Montana Municipal Insurance Authority, the City's insurance carrier, who said they were not in favor of speed bumps. If they were to cause an accident or damage to someone's car, the City would be liable for those damages. He says there is also a lot of maintenance with the speed bumps, and they do cause problems with snow plowing and street sweeping. MMIA suggested an increase in police patrols in that area.

Some other suggestions included a 15 mph speed limit and/or stop signs at that intersection on both the north/south Center Street and the east/west Pleasant Street, closing the street, and parking an unmanned police car along that route.

Chairperson Uden asked for a motion to install speed bumps as requested by Mr. Dighans. No motion was offered.

\*\* *After further discussion, Committee Member Dwayne Andrews moved to recommend installing a stop sign on Pleasant Street at the intersection of Pleasant and Center, and also a stop sign on Center Street at that same intersection. Committee Member Galbraith seconded the motion which, on roll call vote, passed unanimously, 4-0.*

Mr. Dighans also expressed concern about police officers "letting someone go" after issuing a ticket for no insurance. Chairman Uden said he would discuss the issue with the police chief and his administrative staff.

#### **REVIEW POSSIBLE AMENDMENTS TO ARTERIAL STREETS IN ORDINANCE NO. 1231**

Captain Reddick distributed Ordinance 1231 with his suggested changes highlighted in yellow with explanations on the side margin. A copy of this proposed revised ordinance is attached to these minutes and is made a part thereof.

Captain Reddick noted that #'s 5 and 33 were jurisdictional questions, because part of the designations were in either private land or county/state jurisdiction. He suggested that an exclusion outlining the jurisdictional discrepancy could be made a part of the wording.

#17 references "Wibaux Park Drive", which he suggested be changed to "South Wibaux Park Drive" and "North Wibaux Park Drive." After discussion, it was noted that "South Wibaux Park Drive" should read "Pearl Street" and "North Wibaux Park Drive" should read "Fort Street."

Captain Reddick noted that the signs on Stower Street by the Rib & Chop House are turned parallel with the street instead of perpendicular and, therefore, are not easily discernable. He asked if Director Kelm could look into this.

Numbers 34 through 38 were added by Captain Reddick, as these sections of street had never been designated as arterial streets and so the City would not be able to put 15 mph speed limit signs there.

It was brought to the attention of the Committee that #36 deals with US Highway 59 North, which is a State highway, and the City has no jurisdiction.

\*\* *Chairperson Uden moved to recommend amending Ordinance 1231 with the highlighted areas set forth by Captain Reddick, with the exclusions inserted for those areas not in the City's jurisdictions. The motion was seconded by Councilperson Galbraith and, on roll call vote, passed unanimously 4-0.*

#### **REVIEW ISSUES RELATIVE TO SCHOOL ZONE SPEED LIMITS AND CONSIDER ENGINEERING AND TRAFFIC STUDY/INVESTIGATION OF ALL SCHOOL ZONES**

Chairperson Uden referenced the information from the Police Department, City Judge and Attorney Huss regarding citations that have had to be dismissed because officers had been using violation of school zone speed limits as probable cause for the stops. The minimum fine in a school zone is \$75, versus \$45 in a normal 15 mph speed zone. This higher amount for school zones must be posted along with the 15 mph speed limit sign. The school zones in Miles City do not have the penalty signs posted.

As a separate but related issue, Section 61-8-310 MCA states that school zones need to be established "on the basis of an engineering and traffic investigation..." Attorney Huss does not believe any 15 mph *school zone* in Miles City was based on a traffic study. Normal 15 mph designations, however, may be established by the City on "arterial streets." Arterial Streets were established by Ordinance No. 1231.

Utility Director Kelm said that, while he was talking to the people at MMIA, he asked them about having to do a traffic study around the schools in order to set a 15-mph zone. They told him they had never heard of it. If the Council would want to reduce the speed limits around a school as a *designated School Zone*, a traffic study would need to be done. He also visited with Attorney Huss about this, and he is going to research this issue. Before deciding anything on a traffic study, Director Kelm would like to wait until he hears back from Attorney Huss.

Committee Member Andrews said that, according to Attorney Huss's opinion, it is possible to designate 15 mph speed zones around schools, even if the additional notification of an increased fine was not noted. It would be simply a "15 mph zone" instead of a "15 mph School Zone." Chairperson Uden wished to table this issue until more information is received from the City Attorney. The Committee was agreeable to this.

Captain Reddick has instructed officers not to reference "school zone" in 15 mph speed zones until Attorney Huss gives his opinion and this issue is settled.

#### **REVIEW RETENTION/STAFFING PROBLEMS IN EMERGENCY DISPATCH AND RECOMMENDATIONS FROM THE DISPATCH SUPERVISOR**

911 Coordinator/Lead Dispatcher Heather Roos addressed the Committee regarding the high turnover in the dispatch center and the issue of only one person available to handle all the calls at the same time. She had addressed the issue at budget time this year, but the funding was not provided at that time. There is also the issue of retaining, hiring and training part-time dispatchers. There have been five dispatchers who have left the City over the past two years, most for full-time jobs. Ms. Roos would like to restructure her department to do away with part-time positions all together, and hire two new full-time dispatchers, with some overlapping shifts. The restructure would cost between \$25,000 and \$35,000 per year, most of which would be for employee benefits.

Ms. Roos said that 911's funds are being almost totally used up on operations, with the increase in call volume. The majority of the increase is coming from out-of-state cell phone calls, which are not funded by 911. So the 911 funds are not increasing, but the call volume is.

Committee Member Ahner noted that dispatch is entirely in the general fund. He also said the Custer County Commissioners normally contribute approximately 25% of the cost of dispatch wages. .62 FTE's is actually the total that would be added, after eliminating the three part-time positions and increasing the full-time staff by two.

\*\* *Chairperson Uden moved to recommend that the dispatch staff be allowed to increase its personnel by .62 FTE's - eliminate three part-time and add two full-time*

positions. The motion was seconded by Committee Member Galbraith and, on roll call vote, the motion passed unanimously, 4-0.

#### **Adjournment**

\*\* Having no more business to come before the Committee, Committee Member Andrews moved to adjourn, seconded by Committee Member Galbraith and passed unanimously. The meeting was adjourned at 1:25 p.m.

\*\* Councilperson Ahner moved to approve the minutes of the Public Safety Committee Meeting of November 21, 2012, seconded by Councilperson Andrews. The motion then passed unanimously, 7-0.

### **SCHEDULE MEETINGS**

**Finance Committee Meeting:** Wednesday, December 5, at 12:00p.m. - Noon

**Planning Committee Meeting:** Tuesday, December 4, at 6:00p.m.

**Human Resource Committee Meeting:** Tuesday, December 4, at 12:00p.m. - Noon

### **REQUEST OF CITIZENS & PUBLIC COMMENT**

John Menyhart, 1520 Main St, explained that the Kiwanis would like to make repairs to the Wibaux Park Shelter. The Kiwanis Board started the project out with a \$500 donation. They have many volunteers who want to help, including the Boy Scouts who will be led by Eagle Scout Candidate Chris Austin. At this time, the total costs are estimated to be \$12,181.

### **APPOINTMENTS**

-None

### **PROCLAMATIONS**

-None

### **STAFF REPORTS**

-None

### **CITY COUNCIL COMMENTS**

Councilperson Melnik – Will go to Colstrip for an Economic Development meeting and then return that evening to attend the jail facility meeting.

### **MAYOR COMMENTS**

A citizen approached the Mayor about having taxi service on Sundays. She was wondering if the City would start a transit system for Sundays. No decision was made on this matter.

### **PUBLIC HEARINGS**

-None

### **OLD BUSINESS**

-None

## **BID AWARDS**

-None

## **BID OPENING**

1983 GMC S15 Pickup

Justin Miller bid \$10  
Marvin Meidinger bid \$125  
Benny Battaglia bid \$220  
Murvin Brown bid \$500  
Craig Dalakow bid \$317  
Marc Aberg bid \$425  
Justin Miller bid \$55  
Dan Leidholt bid \$337

The pickup will be awarded to Murvin Brown for his bid of \$500.

## **NEW BUSINESS**

### **Discussion on Tatro Street Project**

Mayor Grenz said the County had asked him if the City still wanted to put in water and sewer lines while Tatro Street was being repaired. He is checking with the Council to see if there is enough money to do this.

Councilperson Brush said that most of those residents are on septic systems and, once those fail, they would need to be hooking into City water and sewer.

Councilperson Galbraith said that it would be foolish not to do it when the street is being repaired if the City has the money to do it.

Councilperson Ahner wondered how many properties would be affected and whether there is an estimate of the cost of the water and sewer lines.

Public Utilities Director Kelm explained that the \$3 increase in sewer rates was just to cover the debt payments for the \$1.8 million dollar loan of Phase One for the North Haynes lift station and the Waste Water Plant Building. The City still has to fund Phase Two for the Bio-Solids and Phase Three for the Ultraviolet Disinfection. These two projects are going to cost about \$8 million.

Public Utilities Director Kelm suggested that since most of those residents are in the County and not the City limits, the County should apply for a CDBG assessment of the area and project. Mayor Grenz will check with the County and MCEDC (Miles City Economic Development Corporation).

### **Discussion on CTEP Funds**

Mayor Grenz referred to a document in the packet. Grant Administrator Colton had received a letter from Montana Department of Transportation (MDT), which is included in the packet. It explains that the new Transportation Bill (MAP-21) recently enacted by Congress will bring changes to the current CTEP program. A new program called Transportation Alternatives (TA) will replace CTEP. It requires that any funds allocated prior

to October 1, 2009, are not committed to a project by September 30, 2013, be rolled back to MDT. The City of Miles City has been allocated \$47,915.96 for 2012 and currently has a total of \$380,503.15 available to fund CTEP eligible projects. Mayor Grenz is asking the Council for ideas for projects for the CTEP money.

Mayor Grenz said an estimate to pave the sidewalks from Milwaukee Street to North Montana Street is \$255,000 for the City's portion only.

Councilperson Uden mentioned lighting on Woodbury to Seventh Street on the Tatro Street project. Councilperson Ahner requested that Public Utilities Director Kelm research this project.

Councilperson Andrews mentioned a pedestrian crossing repair that is needed on the west side of the old Milwaukee Railroad on North Montana could be a possible project. It is in terrible shape.

**ORDINANCE NO. 1248:** An Ordinance Amending Section 22-2(2) Of The Code Of Ordinances Of The City Of Miles City, Montana Amending The Designation Of Arterial Streets Within The City Of Miles City.

\*\* *Councilperson Uden moved to approve the Ordinance, seconded by Councilperson Melnik. On roll call vote, the motion passed unanimously, 7-0.*

Approval To Increase Dispatch Personnel by .62 FTE's

\*\* *Councilperson Uden moved to approve to increase Dispatch personnel by .62 FTE's, seconded by Councilperson Brush.*

Councilperson Uden explained that during the last Public Safety meeting, Dispatch Supervisor Roos and Police Captain Reddick presented information on the turnover for part-time dispatchers and the cost to the City. They are recommending two full-time dispatchers, which would increase costs by \$30,000, mostly due to increased benefits. It is expensive to train personnel and then lose them to different full-time positions elsewhere. There has been an increase in 911 calls from out-of-state for which the City does not get reimbursed. Also, during an emergency, it would help to have two dispatchers on duty for about 10 hours a day.

\*\* *On roll call vote, the motion passed, 6-1 with Councilperson Partridge voting nay.*

**Mediation** – Mayor Grenz said that at the last Human Resources meeting it was decided to ask the Council about where to hold the mediation for the grievances. Councilperson Uden said he had made the comment that as it was only mediation and not a hearing, it would be open to the Council as a whole. He said two of the grievants did not think the entire Council should be there. Councilperson Uden said the City Attorney had told him that, since it was only mediation and not a formal hearing, the entire Council could be in attendance if they chose to be and could ask questions relevant to the mediation. He asked City Attorney if that was correct. City Attorney Huss said it depends on how the mediation is set up. If the Committee was going to be there, it would be a public meeting, since a quorum would be present.

Councilperson Galbraith asked City Attorney Huss if union negotiations were public. City Attorney Huss said they were.

City Clerk Stanton wondered why mediation was being discussed, since it was not on the agenda.

City Attorney Huss said they had asked a question of legal counsel and are not taking any action on anything, so it is permitted.

### **APPOINTMENTS**

-None

### **ADJOURNMENT**

\*\* *Councilperson Brush moved to adjourn the meeting, seconded by Councilperson Galbraith and passed unanimously, 7-0.*

The meeting was adjourned at 8:00 p.m.

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**C.A. GRENZ, Mayor**

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**Becky Stanton, City Clerk**