

## REGULAR COUNCIL MEETING

February 14, 2012

### CALL TO ORDER

The regular council meeting was held Tuesday, February 14, 2012, in the City Council Room at City Hall. Mayor Butch Grenz called the meeting to order. Council members present were Dwayne Andrews, Roxanna Brush, John Hollowell, Mark Ahner, Jerry Partridge, John Uden, Bill Melnik and Sue Galbraith.

Also present were Fire Chief Dale Berg, Public Services Director Al Kelm, Grant Administrator Dawn Colton, City Planner Dianna Broadie and Council Recorder City Clerk Becky Stanton.

### PLEDGE OF ALLEGIANCE

Mayor Grenz led the Council in the Pledge of Allegiance.

### APPROVAL OF COUNCIL MINUTES

Regular Council Minutes – 1/24/12

\*\* *Councilperson Uden made a motion to approve the Regular Council Meeting Minutes of January 24, 2012, without any corrections, seconded by Councilperson Andrews; motion carried unanimously, 8 – 0.*

Special Council Minutes – 1/31/12

\*\* *Councilperson Partridge made a motion to approve the Special Council Meeting Minutes of January 31, 2012, without any corrections, seconded by Councilperson Brush; motion carried unanimously, 8 – 0.*

Special Council Minutes – 2/08/12

\*\* *Councilperson Brush made a motion to approve the Special Council Meeting Minutes of February 8, 2012, without any corrections, seconded by Councilperson Melnik; motion carried unanimously, 8 – 0.*

Finance Committee Minutes – 1/31/12

The **Finance Committee** met January 31, 2012, at 6:00 p.m. in the City Hall Conference Room. Present were Chairperson Mark Ahner, Committee Members Jerry Partridge, Bill Melnik and Roxanna Brush. Also present were Mayor Chris Grenz, Councilperson John Uden, Public Works Director Allen Kelm, Fire Chief Dale Berg, Police Chief Doug Colombik and Recorder/City Clerk Becky Stanton.

#### Selection of the Chairperson

\*\* *Committee Member Melnik moved to nominate Committee Member Ahner to be the Chairperson of the Finance Committee, seconded by Committee Member Brush. Motion carried unanimously, 4-0.*

#### Approval of Minutes of November 18, 2011, Meeting

\*\* *Committee Member Partridge moved to approve the Finance Committee minutes of November 18, 2011, seconded by Committee Member Melnik. Motion carried unanimously, 4-0.*

### **Review of DIS Technologies contract**

The Committee reviewed the above contract. It is for three years at a discounted rate of \$765 per month.

*\*\* Chairperson Ahner moved to recommend to the Council to approve this contract after legal review, then draft a Resolution, seconded by Committee Member Brush. Motion carried unanimously, 4-0*

### **Review of Resolution Salary for City Employees**

Chairperson Ahner explained that the Committee needs to see how these salaries in the Resolution compare with what is in the Budget. He compared it to the Budget book and has three questions which the City Clerk will research. The Human Resources Committee had approved the positions of Director of Public Services, Public Works Superintendent and Public Utilities Superintendent. Salaries had not been approved by Council. The Council had decided to wait for the structure change until the new mayor was in office.

*\*\* Committee member Brush moved to recommend to the Council to approve this Resolution with corrections, subject to approval by the Mayor and review by the City Attorney, seconded by Committee Member Partridge. Motion carried unanimously, 4-0.*

### **Recommendation for Captain and Lieutenant Salaries for Police Department**

This item was pulled from the agenda because the Human Resource Committee is going to review this item.

### **Discussion of Water/Sewer Rates**

Mayor Grenz had requested that Chairperson Ahner place this on the agenda to discuss lowering water rates. He had discussed this with Director Kelm who noted that the Waste Water Plant has estimated costs of six to eight million dollars to meet the new EPA standards. Chairperson Ahner noted that the public has been hit with an increase in water rates, street maintenance assessments and flood insurance premiums.

Mayor Grenz proposed to lower the water rates by 25% of the increase and then have a 2% increase annually thereafter, limiting any increase to only 2%. He then proposed to allocate the revenues raised from the 2% increase to necessary projects in the future, then increase the sewer rates 1% or 2% gradually for the next seven or eight years to set aside money for upgrades.

Committee member Uden expressed concern that the City would lower water and sewer rates and then have an increase in commercial building, which would require upgrades. These upgrades would then necessitate an additional increase in rates.

Director Kelm would like to go over the planned projects with the Mayor to review what is planned and the estimated costs.

*\*\* No motions were made.*

### **Swimming Pool Improvements**

Mayor Grenz had requested that Chairperson Ahner place this on the agenda to discuss improvements to the swimming pool. Councilperson Hollowell drew up some plans and rough estimated costs. Committee member Partridge inspected the pool last summer before it closed and it needs repair to the docks. The Council had set aside approximately \$6,000 for repairs, which is not enough money to complete the necessary repairs. A. C. Ronning and Councilperson Hollowell worked together to determine the solutions to the swimming pool repairs. They both recommended using concrete to replace the wood. Councilperson Hollowell explained in detail the construction process and the options. Option 1 repairs the two main docks and has estimated costs of \$19,100; Option 2 repairs the two main docks, plus closes in the first small area into a pool, and has estimated costs of \$77,410. Mayor Grenz recommended that the Committee authorize a Budget Amendment of \$100,000 to complete the upgrades and repairs to the pool; and any private money raised could be used to repair the bathhouse. Discussion followed. Councilperson Hollowell cautioned the Committee that there were costs to this project that were not included in his cost estimates, so it will cost more than noted above. Director Kelm explained the process to start this project.

*\*\* Committee member Brush moved to recommend to the Council approval to move forward with the funding of the repairs, maintenance, new diving board and the installation of a concrete pool as outlined in Options 1 & 2, seconded by Committee Member Partridge. Motion carried unanimously, 4-0.*

### Request of Citizens

None

There being no further business, the meeting was adjourned at 7:30 p.m.

- \*\* *Councilperson Ahner made a motion to approve the Finance Committee Meeting Minutes of January 31, 2012, without any corrections, seconded by Councilperson Andrews; motion carried unanimously, 8 – 0.*

### Public Safety Committee Minutes – 1/31/12

The **Public Safety Committee** met Tuesday, January 31, 2012, at 12:00 pm in the City Hall conference room. Present were Committee Chairperson John Uden and Committee Members Dwayne Andrews, Sue Galbraith and Mark Ahner. Also present were Mayor Chris Grenz, Police Chief Doug Colombik, Public Services Director Al Kelm, Grant Administrator Dawn Colton and Committee Recorder Connie Watts.

### Roll Call

Chairperson Uden called the meeting to order.

### Revisit Lighting Needs/Requirements for CTEP Riverside Park Project

Chairperson Uden reminded the Committee that it had passed recommendations for lighting preferences on the light fixtures. Grant Administrator Colton stated the final decision would be the architects'; however, they will go with the committee's recommendations as much as possible. She will need to do some research to get a budget amount.

The architects currently have two pathway designs, which will need to be approved soon. Committee Member Ahner said that should go to the Public Services Committee.

Chairperson Uden also explained the "town square" that is being planned for the Riverside Park area. The old water tower has four deep concrete footings that will not be removed when the water tower is taken down. They will be incorporated into a "town square" with reader boards, benches, etc., and some additional lighting will be installed there, as well as additional lighting around the restrooms.

\*\* *Committee Member Andrews moved to refer this issue to the Public Services Committee, seconded by Committee member Galbraith and, on roll call vote, passed unanimously 4-0.*

Chairperson Uden asked Mayor Grenz to advise the Public Services Committee that this issue needs to go before that committee, which he agreed to do. The suggested plans could then go to the council.

### Review Quiet Zone Potential for the City of Miles City

Administrator Colton and Police Chief Colombik were both at the Quiet Zone Committee meeting. Administrator Colton stated public concern is driving the current interest. A Federal Railroad Administration for Crossings representative; two BNSF representatives-- a rail manager and his project engineer; a local representative from BNSF who handled the electrical portion; the police chief and the fire chief and a Montana Department of Transportation representative attended the meeting, also. He stated the railroad does not want to have a quiet zone; they feel it is very unsafe. With regard to the 4<sup>th</sup> Street crossing, they felt it should be either excluded from the quiet zone or totally closed down. Chief Colombik said closure of course, is not an option, especially with regard to police and fire requirements. Administrator Colton's summary is as follows:

*BNSF, in the name of safety, wants the proposed Miles City Quiet Zone to have all the top-shelf measures in place. Obviously, this is way too expensive for Miles City. They will compromise and let us install the non-mountable medians at all proposed crossings. Three crossings will have to have measures installed to limit access from driveways or streets that are within 100 ft of the track intersection. Fourth Street will need the signals relocated to protect the sidings. Existing signals aren't simply relocated – new equipment and electronics are installed. Leighton crossing will have to have the electronics updated so that the Valley Drive intersection is cleared when a train passes. Median strips and extended curbs to limit access from driveways will suffice at the 8<sup>th</sup> Street and 10<sup>th</sup> Street crossings. 1.5 yrs to completion if all goes well. We will need lots of public support.*

*Medians should be non-mountable, 8" high. Width is minimal, but not defined. Length should be 60' or 100' long (determined by nearby access points), beginning 10' from c/l of nearest track.*

4<sup>th</sup> Street – BNSF's perfect world would close this crossing. Otherwise, signals have to be moved to include sidings. Driveways on both sides need to be blocked. Access points on south side may be gated and locked. Lonnie Leslie business may have to revise entry to current parking between buildings and track. BNSF & FRA do not agree on the minimum treatments at this crossing. Closing driveways is as simple as building a curb. Alternative may be to remove this crossing from Quiet Zone. West bound trains will start whistle just past 8<sup>th</sup> Street. BNSF & MDOT can provide small amount of cash if 4<sup>th</sup> St is closed.

8<sup>th</sup> St – extend curb on all sides to within 10' of C/L of nearest track. 100' median both sides.

10<sup>th</sup> St – Extend curbs on east side, both north and south. Shortcut street is OK. Median of 60' on North side, 100' on south side. Pedestrian warning signs to be installed.

Leighton – must have synchronized signal; 60' median on west side, 100' median on east side of track intersection.

CTEP funding might be available to help with constructing a quiet zone. Committee Member Ahner stated a cost estimate is needed for the quiet zone construction so the committee could see what it would cost.

\*\* Chairperson Uden moved this issue be tabled until Chief Colombik could get cost estimates for the quiet zone, seconded by Committee Member Ahner and, on roll call vote, passed unanimously 4-0.

#### **Revisit Arterial Streets under New Ordinance #1231**

Chairperson Uden explained that Miles City has never legally designated arterial streets. He distributed a list of the highest traffic count and usage streets with current speed limit signs. We need to get these streets covered, as well as those currently being considered for speed limit restrictions, under an ordinance so that our speed limits are legal.

\*\* Chairperson Uden moved to recommend to the Council acceptance of Ordinance 1231, seconded by Committee Member Andrews and, on roll call vote, passed unanimously 4-0.

**Request of Citizens.** There were no citizen requests.

#### **Adjournment**

\*\* Having no more business to come before the committee, Committee Member Ahner moved to adjourn, seconded by Committee Member Galbraith and passed unanimously. The meeting was adjourned at 12:45 p.m.

\*\* Councilperson Uden made a motion to approve the Public Safety Committee Meeting Minutes of January 31, 2012, without any corrections, seconded by Councilperson Hollowell; motion carried unanimously, 8 – 0.

#### **Human Resource Committee Minutes – 2/1/12**

The **Human Resource Committee** met Wednesday, February 1, 2012, at 12:00 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 Chris Grenz, Councilperson Jerry Partridge, Mark Ahner and Roxanna Brush, Police Chief Doug Colombik and Recorder HR/Payroll Officer Billie Burkhalter.

Chairperson Uden called the Human Resource Committee meeting to order.

#### **Roll Call**

All members of the Human Resource Committee were present.

#### **Review new Miles City Police Dept. recruitment and retention problems/issues**

Police Chief Colombik discussed with the Committee issues the Police Department is having with retaining Officers and the effort he has made to correct this issue with past Administration. He stated that, through the years, the department has seen a huge turnover, mainly due to low paying salary.

Chairperson Uden stressed to the Committee that the City needs to deal with the

problems associated with retention of existing officers and the recruitment of future officers. He explained the Miles City's Police Department is the lowest paid police department of all of the first, second, and third class Cities in the State of Montana.

Chief Colombik has contacted City Attorney Huss concerning employment contracts for hired police officers.

**Review approved promotions for the Miles City Police Dept. and establish base wages for Captains and Detective Lieutenant**

Chairperson Uden submitted a letter to the Committee with the recommendation of salary/wages for the officers of the Miles City Police Department. He explained the wages/salary would need a recommendation by the Committee and then set by Resolution with final approval from the City Council.

Mayor Grenz stated it is important to support this increase and act on it now. With the possible "boom" that may hit Miles City, the City cannot afford to be down officers and unable to recruit.

*\*\* Committee Member Hollowell made a motion to recommend to City Council to accept the following wage increase for the Miles City Police Department:*

<i>Probationary Patrolman:</i>	<i>Base wage: \$17.07</i>
<i>Confirmed Patrolman:</i>	<i>Base wage: \$19.60</i>
<i>Sergeant:</i>	<i>Base wage: \$21.53</i>
<i>Detective Lieutenant:</i>	<i>Base wage: \$23.50</i>
<i>Captain:</i>	<i>Base wage: \$25.00</i>
<i>Chief:</i>	<i>Base wage: \$27.17</i>

*Seconded by Committee member Melnik and, on roll call vote, motion carried unanimously 4-0.*

*\*\* Committee Member Hollowell made a motion to recommend to the City Council to have the wage increase effective February 23<sup>rd</sup>, 2012, seconded by Committee member Andrews and, on roll call vote, motion carried unanimously 4-0.*

*\*\* Councilperson Uden made a motion to approve the Human Resource Committee Meeting Minutes of February 1, 2012, without corrections, seconded by Councilperson Brush; motion carried unanimously, 8 – 0.*

Public Service Committee Minutes – 2/1/12

The **Public Service Committee** met Wednesday, February 1, 2012, at 6:00 pm in the City Hall conference room. Present were Committee Chairperson Jerry Partridge, Committee Members Sue Galbraith, John Hollowell and Roxanna Brush. Also present were Mayor Chris Grenz, Public Services Director Al Kelm and Committee Recorder Connie Watts.

**Selection of Chairperson**

The Committee chairperson will continue to be Committee Member Jerry Partridge until such time as the committee desires to elect a different chairperson.

**Request for Handicapped Parking by Duplex at 413 and 415 S. Center**

**Ralph Poffenberger**, 1809 Bridge Street, addressed the committee regarding his rental units at 413 and 415 S. Center. The renter in one of those units is a handicapped individual who uses a walker to get around, and who depends on rides from others to go to the grocery store, doctor appointments, etc. A neighbor of hers is constantly parking his vehicles in front of her unit, so she cannot access the street when she needs to get into a vehicle. Mr. Poffenberger has spoken to him repeatedly and has also contacted the Police Department for help. Many of the vehicles are not even used by him, but are just vehicles he buys and then sells eventually. The Police Department told him there is nothing they can do if the vehicles are licensed, which they usually are. He is, therefore, requesting a handicapped parking zone in front of her

residence. The police would then have cause to force him to move the vehicles.

Mayor Grenz suggested the City grant the handicapped parking permit, which could be then be revoked when it is no longer needed at that location.

Director Kelm said a handicapped permit such as this has been issued in the past, and the sign taken down and the permit pulled when the individual was no longer at the residence. He said it worked very well. The fine for unauthorized parking in a handicapped parking zone is \$100.

Committee Member Brush expressed concern about a handicapped designation versus a “no parking” or some other type of solution, as the individuals parking there to help her may also be subject to fines. Mr. Poffenberger has spoken to the police department and was told the individuals assisting the handicapped person are exempt from fines if they park there for the purpose of helping that person.

*\*\* Committee Member Galbraith moved to recommend to the Council to grant the handicapped parking request, on a temporary basis, as long as she is residing in that unit. The motion was seconded by Committee Member Hollowell and passed unanimously, 4 to 0.*

#### **Request of Citizens**

Mayor Grenz requested a meeting of this Committee to review the two walking paths being proposed for Riverside Park so the recommendation can come before the council.

Chairperson Partridge then set a meeting of the Committee for Thursday, February 9<sup>th</sup>, at 12:00 p.m.

#### **Adjournment**

*\*\* There being no further business to come before the committee, Committee Member Hollowell moved to adjourn the meeting, seconded by Committee Member Galbraith and the motion passed unanimously. The meeting was adjourned at 6:25 p.m.*

*\*\* Councilperson Hollowell made a motion to approve the Public Service Committee Meeting Minutes of February 1, 2012, without corrections, seconded by Councilperson Melnik; motion carried unanimously, 8 – 0.*

Swimming Pool Ad Hoc Committee Minutes – 2/7/12



Chairman Jerry Partridge opened the meeting. Present were Councilman Partridge, Mayor Chris Grenz, Councilman John Uden, Dawn Colton, Dan Rice, John Goff, Tyler Champion, Dorothy Lang, Sigrid Laird, Chad Sutter, AC Ronning, Brady Stone, Councilman Mark Ahner, Councilman John Hollowell, Butch Krutzfeld, Tanja Chapweske, Dustin Sloan, Alan Kelm, Brandan Janshen, Jenna Janshan, Bryant Martin, Andy Marun, and Barry Mathews.

Discussion concerning with whom the committee needs to partner with.

Al Kelm - explained committees proposal—remove wood and replace with concrete, Concrete pool in front of the polo pool (or concrete polo pool at a later time), new chlorinate filter, and new 3' boards.

John Hollowell explained non-slip decorative surface for concrete piers.

Dimensions—?? Not determined at this time.

Committee approved the concept and will take it to the Council next week. It is imperative to start now.

Kelm explained chlorination.

Uden asked about the possibility of a well

Ahner commented that he would like to see grass in the area in from of the concrete pool.

John Goff discussed a Splash Pad. He talked about combining a splash pad with the pool. In the future a water slide, etc. could be added. An artist rendering and engineering sketches of a water park were shared with the committee. He said that the estimated cost would be \$150,000 and that his group could raise that.

The Chair formed a committee to meet with the splash pool group. The committee will be—

Mark Ahner, Chair	Additional members:
John Hollowell	Sigrid Laird
Butch Krutzfeld	Alan Kelm
Chris Grenz	Brady Stone
A C Ronning	Dustin Sloan

The first meeting of the committee will be February 13<sup>th</sup> at 5:15 PM in the Council room.

Other items discussed were joining forces with the Fun-to-You group. Sigrid asked about CTEP funding. Mayor Grenz said that the city need to get information from MMIA on pool and/or water park insurance. Al needs to look for engineering help in order to secure DEQ permission for dredging the pool area in order to start right away. Timing is critical if the City is to have the pool ready by summer.

With no other business to transact the meeting was adjourned by Chairman Partridge.

Submitted by Sigrid Laird

**\*\*** *Councilperson Brush made a motion to approve the Swimming Pool Ad Hoc Committee Meeting Minutes of February 7, 2012, without corrections, seconded by Councilperson Hollowell; motion carried unanimously, 8 – 0.*

#### Public Service Committee Minutes – 2/9/12

The **Public Service Committee** met Thursday, February 9, 2012, at 12:00 pm in the City Hall conference room. Present were Committee Chairperson Jerry Partridge and Committee Members John Hollowell and Roxanna Brush. Committee Member Sue Galbraith was absent. Also present were Mayor Chris Grenz, Public Services Director Al Kelm, Grant Administrator Dawn Colton and Committee Recorder Connie Watts.

Chairperson Partridge called the meeting to order.

#### Request for Handicapped Parking at 1021 Woodbury

**Mr. and Mrs. Clayton Coles** came before the committee to request a handicapped parking zone in front of their house at 1021 Woodbury. Mrs. Coles stated she had a knee replaced in September and also

has back problems. Mr. Coles has back problems also, as well as being scheduled to replace one or both knees in the near future.

Mr. and Mrs. Coles said people park right in front of their house when dropping off or picking up kids from Garfield School, and they then have to park half a block or more away. They have qualified for a handicapped license plate from the state, which they currently have on all their vehicles.

Committee Member Brush noted that the crosswalk runs to the curb in front of their house.

*\*\* Committee Member Brush moved to recommend to the Council to allow a handicapped parking sign and markings at 1021 Woodbury, on the condition it does not interfere with the crosswalk. The motion was seconded by Committee Member Hollowell.*

*\*\* During discussion, Committee Member Hollowell moved to amend the motion to provide that the handicapped parking designation be on a temporary basis, i.e., only as long as Mr. and Mrs. Coles reside at that address. The motion was seconded by Committee Member Brush and passed 2-1, with Chairperson Partridge voting no.*

On the initial motion to recommend allowing the handicapped designation, as amended, *the motion passed 2-1, with Chairperson Partridge voting no.*

#### **Riverside Park Walking Path Proposals**

Dawn Colton, Grant Administrator, distributed two plans drawn up by the architects for the six-foot wide walking path. She noted that the concrete path across the park could be incorporated in Phase II, if that feature was desired later. The path on Sheet 2 follows the outer edge of the west side of the park, veering inward to go around the parking lot and to run by the gazebo, restrooms and the Lions Shelter, then continuing back inside the west perimeter to the end of the park. Phase II would then continue the path along the south edge of the park, where it would join with the sidewalk along Fifth Street.

After some discussion about the path being between Scanlan Lake and the Park service road, Mayor Grenz said he felt it would be safer inside the park, as people would have to cross the parking lot and the service road to reach the path. However, Chairperson Partridge said he feels many members of the council may object to the path "cutting into" the Park, rather than running alongside it.

In answer to the Mayor's question about whether the Rotary Club has seen the plans, Administrator Colton said no, but they will be given a copy soon. When asked about a third plan, Administrator Colton stated the grant limits the project to two designs.

*\*\* Committee Member Hollowell moved to recommend to the council acceptance of Plan #2, seconded by Chairperson Partridge. The motion then passed unanimously, 3-0.*

#### **Request of Citizens**

There were no requests of citizens.

#### **Adjournment**

*\*\* There being no further business to come before the committee, Committee Member Hollowell moved to adjourn the meeting, seconded by Committee Member Brush. The motion passed unanimously, 3-0. The meeting was adjourned at 12:35 p.m.*

*\*\* Councilperson Brush made a motion to approve the Public Service Committee Meeting Minutes of February 9, 2012, without corrections, seconded by Councilperson Uden; motion carried unanimously, 8 – 0.*

### **COMMITTEE REPORTS**

-None

### **SCHEDULED MEETINGS**



### **REQUEST OF CITIZENS**

District 4 Administrator of Montana Department of Transportation, Shane Mintz, and Jim Frank, District 4 Construction Engineer, spoke to the Council about funding options from the State available to the City. The City needs to initiate an Urban Plan for Transportation in order to be eligible for grant money.

Mark Browning, 309 S. Strevell, updated the Council and the Mayor about the Rotary Club Restroom project in Riverside Park. He reminded the Council that the Rotary Club is a financial partner in this project.

### **STAFF REPORTS**

-None

### **CITY COUNCIL COMMENT**

-None

### **MAYOR COMMENT**

Slough – Council Consideration for City to take over Slough

City Attorney explained the history of the slough and pointed out that the State of Montana owns the slough. There are two actions the City can take in dealing with the slough; can acquire ownership by purchasing it or doing a land exchange or the City can receive an easement from the State to use it. There are pros and cons with each choice. If the City purchases the slough, it has more control of the activity dealing with it but the City also assumes the liability that goes along with that choice such as pollution. With an easement, the City has less control but also less liability risk.

### **APPOINTMENTS**

Historic Preservation Committee.

Mayor Grenz requested to appoint Denise Hartse to the Historical Preservation Committee.

\*\* *Councilperson Partridge made a motion to approve the appointment of Denise Hartse to the Historic Preservation Committee, seconded by Councilperson Hollowell; motion carried unanimously, 8-0.*

### **PUBLIC HEARINGS**

**Ordinance No. 1231:** An Ordinance amending section 22-2(2) of the Code of Ordinances of the City of Miles City, Montana to provide a definition and designation of Arterial Streets with the City of Miles City. Public comment was called for.

Kathy Monnington, 1011 Knight Street, spoke on behalf of Trinity Lutheran Church and the necessity of a speed limit around the church because of the school children. The Church School currently has eighty students attending and the traffic speed makes crossing the street difficult and dangerous for parents and students along Pearl Street.

Hearing no other public comments, the public hearing closed.

**Ordinance No. 1232:** An Ordinance amending Section 4.7 of Ordinance No. 1205 to clarify provisions regarding Notice of Violations of the Miles City Floodplain Ordinance – **Pulled**

**Resolution No. 3461:** A Resolution adopting the Custer County, City of Miles City and Town of Ismay Predisaster Mitigation and Community Wildfire Protection Plan, Revision dated July 1, 2011.

Public comment was called for and upon hearing none, the public hearing closed.

## **OLD BUSINESS**

**Ordinance No. 1231: (Final Reading)** An Ordinance amending section 22-2(2) of the Code of Ordinances of the City of Miles City, Montana to provide a definition and designation of Arterial Streets with the City of Miles City.

*\*\* Councilperson Uden made a motion to approve Ordinance No. 1231, seconded by Councilperson Melnik.*

Councilperson Ahner requested that City Attorney Huss address his comments noted in the draft of Ordinance No. 1231. Attorney Huss stated his comments were the following:

In the bullet (1) **North 7<sup>th</sup> Street from its intersection with Yellowstone Boulevard to its intersection with Main Street.** Yellowstone Boulevard should be changed to Holly Street. Then in bullet (14) **South Winchester Avenue from its intersection with Main Street and merging with South Stacy Avenue continuing its intersection with Wilson Street.** Stacy should be changed to Cale. In bullet (29) **Pacific Avenue from its intersection with South 10<sup>th</sup> Street to its intersection with Tongue River Bridge.** 10<sup>th</sup> should be change to 8<sup>th</sup>. In bullet (31) **Bridge Street from its intersection with South 5<sup>th</sup> Street to its intersection with Main Street.** Main Street should be changed to South Montana Avenue and then add South Montana to Main Street.

*\*\* Councilperson Ahner made a motion to amend Ordinance No. 1231 with the above notations, seconded by Councilperson Galbraith; motion carried unanimously, 8-0.*

*\*\* On original motion; motion passed unanimously, 8-0.*

**Ordinance No. 1232: (Final Reading)** An Ordinance amending Section 4.7 of Ordinance No. 1205 to clarify provisions regarding Notice of Violations of the Miles City Floodplain Ordinance – **Pulled**

**Ordinance No. 1230:** An Ordinance amending the definition of “Kennel”, defining “Animal Rescue Shelters”, providing a Permitting Process therefor, Regulating Operations thereof, and providing an effective date therefor.

*\*\* Mayor Grenz referred Ordinance No. 1230 to the Zoning Committee.*

## **BID OPENING**

Bid openings for the 10” Water line under the Tongue River:

Director Kelm opened the two bids on this project; first bid opened was from Western Municipal Construction which had the 10% bond, addendums one and two, and noted for a total price of \$225,000: second bid from Macon Construction which had the 10% bond and addendums one and two, and noted for a total price of \$286,000.

Director Kelm noted that Kadrmas Engineer’s estimate was \$380,000 for completion of this project and he would like this item to go to the Finance Committee as well as for the Engineer to review the bids and check references on the bidders as well. The horizontal drillers had to be pre-qualified before they could even bid this project. FEMA will pay for 75% of this project and the State Emergency Services will pay for 25% of it.

\*\* *Councilperson Ahner made a motion to refer this item to the Finance Committee, seconded by Councilperson Uden; motion carried unanimously, 8-0.*

## **NEW BUSINESS**

**Ordinance No. 1233: (First Reading)** An Ordinance Authorizing and Establishing the Procedure and Imposition of Impact Fees to Fund Capital Improvements in the City of Miles City, establishing an Impact Fee Advisory Committee, and providing for an effective date therefor. **Pulled**

**Ordinance No. 1234: (First Reading)** An Ordinance Revising Title 2, Article III, Division 2 of the Code of Ordinances of the City of Miles City regarding the City Planning Board to conform to State Statute, Providing for Conditional Appointment of two Additional Members to the City Planning Board by the Custer County Board of Commissioners: and providing an effective date thereof.

\*\* *Councilperson Uden made a motion for the Council to approve Ordinance No. 1234, seconded by Councilperson Hollowell;*

Councilperson Ahner recommended to typing changes to the Ordinance. **Under Sec 2-284 -Vacancies** in the fifth sentence change “they” to “then” and **under Sec 2-285 Qualifications of citizen members; removal** in the second sentence change “An” to “A”.

\*\* *Councilperson Ahner made a motion to amend the previous motion to reflect the typing corrections noted above, seconded by Councilperson Andrews; motion carried unanimously, 8 – 0.*

\*\* *On original motion; motion passed unanimously, 8-0.*

**Resolution No. 3461:** A Resolution Adopting the Custer County, City of Miles City and Town of Ismay Pre-disaster Mitigation and Community Wildlife Protection Plan, revision dated July 1, 2011.

\*\* *Councilperson Brush made a motion to adopt Resolution No. 3461, seconded by Councilperson Andrews; motion carried unanimously, 8-0.*

**Resolution No. 3462:** A Resolution Authorizing a Grant Agreement with the Montana Department of Fish, Wildlife and Parks under the Recreational Trails Program for Improvements at Spotted Eagle Recreation Area and Authorizing the

Mayor to Execute such Agreement.

\*\* *Councilperson Ahner made a motion to send this Resolution to the Finance Committee, seconded by Councilperson Uden; motion carried, 7-1 with Councilperson Partridge voting nay.*

**Alcohol Variance Permit:**

Donna Holman – Pulled because Mayor has authority to approve.

**Whether Custer County may donate two parcels of land adjacent to the dike to the City of Miles City when the land is currently scheduled for a tax deed sale.**

\*\* *Councilperson Andrews made a motion for the Council to approve the donation of land, seconded by Councilperson Galbraith; motion carried unanimously, 8-0.*

**Consideration of DIS contract**

Pulled until February 28<sup>th</sup> when Resolution is completed.

**January Claims approval.**

\*\* *Councilperson Uden made a motion to approve the January claims, seconded by Councilperson Galbraith; motion carried unanimously 8-0.*

**PROCLAMATIONS**

-None

**ADJOURNMENT**

\*\* *Councilperson Ahner made a motion to adjourn the meeting, seconded by Councilperson Melnik. Motion carried unanimously.*

Meeting was adjourned 8:37 p.m.

\_\_\_\_\_  
C.A. GRENZ, Mayor

ATTEST:

\_\_\_\_\_  
BECKY STANTON, City Clerk