

REGULAR COUNCIL MEETING

October 23, 2012
7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, October 23, 2012, in the City Hall Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana. Mayor C. A. Grenz called the meeting to order. Council members present were Roxanna Brush, John Hollowell, Mark Ahner, Jerry Partridge, Bill Melnik and Sue Galbraith. Council members Dwayne Andrews and John Uden were absent.

Also present were City Attorney Jerry Huss, Fire Chief Dale Berg, City Planner Dianna Broadie, Police Chief Doug Colombik, Public Utilities Director Al Kelm 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 – 10/09/2012

** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of October 09, 2012, with a correction, seconded by Councilperson Brush. The motion then passed unanimously, 6-0.*

Finance Committee Meeting – 10/10/12

The **Finance Committee** met October 10, 2012, at 12:00 p.m. in the City Hall Conference Room. Present were Chairperson Mark Ahner and Committee Members Bill Melnik, Jerry Partridge and Roxanna Brush. Also present were Councilperson John Uden, Councilperson Sue Galbraith, Mayor Chris Grenz, Public Utilities Director Al Kelm, Grant Administrator Dawn Colton, City Planner Dianna Broadie, Police Captain Mark Reddick and Recorder City Clerk Becky Stanton.

Bid review for Riverside Park Restroom Project:

Chairperson Ahner requested Grant Administrator to explain the CTEP Project Budget Estimates for Phase I. The City's contribution amount is \$55,949. Dowl HKM has increased their costs due to the extra work involved with all the changes, but CTEP will cover that increase. The Rotary Club donation is \$100,000 and not \$105,000, which increased the City's contribution by \$5,000. There was discussion as to whether this cost should come out of the Parks Department budget or the General Fund Capital account. It was determined to charge the General Fund Capital account.

** *Chairperson Ahner moved to recommend to Council to approve the costs as outlined of \$55,949 and approve the contract with the Jackson Group, the lowest bidder for the Riverside Park Restroom Project, to proceed with the bid award. The motion was seconded by Committee Member Melnik, and on roll call vote, the motion carried unanimously, 4-0.*

Resolution No. 3550 – A Resolution Establishing Wages and Salaries for City Employees for Fiscal Year 2012-2013.

Chairperson Ahner explained that he had verified each of the salaries and that this Resolution is required by State Statute. He explained that the Legal Intern to the City Attorney was for Erica Griffith until she passed the Bar Exam, which she has done. She now becomes the Assistant City Attorney. The salaries for each position are listed in the Resolution. The Director of Public Works is listed at the Wage

Analysis Study salary. The Program Administrator's wage is shown as the base wage. He was comparing them to the budgeted salary spreadsheets.

* * *Committee Member Brush moved to recommend to the Council to approve the Resolution. The motion was seconded by Committee Member Melnik, and on roll call vote, the motion carried unanimously, 4-0.*

Resolution No. 3553 – Amendment of Final Budget to Purchase a Prisoner Transport Van

There was discussion where the funds should be taken from, the Police or the Capital Improvements Fund. It was decided to use the Capital Improvements Fund.

* * *Chairperson Brush moved to recommend to the Council to approve the Resolution. The motion was seconded by Committee Member Melnik, and on roll call vote, the motion carried unanimously, 4-0.*

Resolution No. 3556 – Request for Lease Assignment from Bullis – Graves to Big Sky Cremation Services LLC

City Planner Broadie explained that Big Sky Cremation Services LLC was actually Stevenson's and the use of the facility would remain the same, along with the terms of the lease.

Chairperson Ahner recommends reviewing this lease when it renews to standardize it to match other City leases. He questioned the lease amount, to which City Planner Broadie said it was slightly less. He suggested reviewing the lease amount at renewal, also.

* * *Chairperson Brush moved to recommend to the Council to approve the Resolution. The motion was seconded by Committee Member Melnik, and on roll call vote, the motion carried unanimously, 4-0.*

Review Printing Contract Prices

Chairperson Ahner said it was state statute to have a printing contract. Committee Member Partridge stated it was part of the City's Resolution to have a contract. City Clerk Stanton said that Chairperson Ahner had mentioned it in the last two years of budget meetings and she felt it was a good idea. This year after the budget meeting for the Finance Department, she contacted the Directors and asked for the items that are printed. She received bids from Star Printing and BOSS Office Supply, and Star Printing was the most reasonably priced.

* * *Chairperson Ahner moved to recommend to the Council and the City Clerk's office that a printing contract with Star Printing be prepared for the Council's approval. The motion was seconded by Committee Member Melnik, and on roll call vote, the motion carried unanimously, 4-0.*

Request of Citizens

Dorothy Armstrong, 1018 S. Stacy Avenue, questioned the 6" and the 4" sidewalk. Chairperson Ahner said that may be the depth of the sidewalks and not the width of them.

There being no further business, the meeting was adjourned at 12:40 p.m.

** *Councilperson Brush moved to approve the minutes of the Finance Committee Meeting of October 10, 2012, seconded by Councilperson Melnik. The motion then passed unanimously, 6-0.*

Special Council Minutes – 10/15/2012

** *Councilperson Brush moved to approve the minutes of the Special Council Meeting of October 15, 2012, seconded by Councilperson Galbraith. The motion then passed unanimously, 6-0.*

Finance Committee Meeting – 10/17/12

The **Finance Committee** met October 17, 2012, at 6:00 p.m. in the City Hall Conference Room. Present were Chairperson Mark Ahner and Committee Members Bill Melnik, Jerry Partridge and Roxanna Brush. Also present were Mayor Chris

Grenz, Public Utilities Director Al Kelm, Grant Administrator Dawn Colton, and Recorder City Clerk Becky Stanton.

Review of Resolution No. 3551: Work Plan and Budget for FY 2012-2013 for Tourism Business Improvement District No. 101

Chairperson Ahner explained the work plan, budget and the certificate of liability. He also explained Jerry Huss' memo about passing the method of assessment after approving the work plan.

* * *Committee Member Brush moved to recommend to Council to approve the Resolution. The motion was seconded by Committee Member Melnik, and motion carried unanimously, 4-0.*

Request to Increase Contract Payment to Dowl HKM Engineering by \$13,799 for Riverside Park Restroom Project.

Chairperson Ahner explained that the increase needed to be reviewed because it was a contract amendment. Dowl HKM engineer, Andy Marum, explained the reasons for the increased costs for the restroom. He explained that the City had requested tighter plans and manual in order to lessen the chance of a change order occurring. He had budgeted 101 hours, but his actual time is about 300 hours. The budget overage has been discussed with CTEP.

* * *Chairperson Ahner moved to recommend to the Council to approve the request to increase the preliminary engineering budget in the amount of \$13,799.12 by Dowl HKM. The motion was seconded by Committee Member Brush, the motion carried unanimously, 4-0.*

Request to Expend Funds for Manhole Restoration and Water Meter Projects

Director Kelm explained the cement or brick manhole restoration process extends its life by 30 to 40 years. The City restores 2 or 3 manholes a year. The City will be able to split mobilization costs with the Town of Wibaux.

Director Kelm explained that the City needed to purchase water meters for the Steadman apartment complex in Milestown Estates, for which construction has started. Per Resolution, the City will provide water meters. This matter was brought to the Finance Committee to follow the City's purchasing policy.

* * *Chairperson Ahner moved to recommend to the Mayor to approve the above requests. The motion was seconded by Committee Member Brush, the motion carried unanimously, 4-0.*

Request of Citizens

Director Kelm asked Mayor Grenz if he approved of the purchase of the water meters and manhole restoration and he said yes.

There being no further business, the meeting was adjourned at 6:28 p.m.

** *Councilperson Ahner moved to approve the minutes of the Finance Committee Meeting of October 17, 2012, seconded by Councilperson Melnik. The motion then passed unanimously, 6-0.*

SCHEDULE MEETINGS

Finance Committee Meeting: Tuesday, October 30, at 12:00p.m.

REQUEST OF CITIZENS & PUBLIC COMMENT

Jim Atchison of Southeastern Montana Economic Development Corporation (SMEDC) thanked the City of Miles City for supporting them and renewing its membership with SMEDC. He then presented Mayor Grenz with a Certificate of Appreciation for the City of Miles City.

PROCLAMATIONS

-None

STAFF REPORTS

DAWN COLTON, Grant Administrator – Update on Riverside Restroom Project: Administrator Colton was on vacation, but City Planner Broadie reported that the Pre-Construction meeting was scheduled for Wednesday, October 24, 2012, at 1:00 p. m. Everything appears to be on schedule.

AL KELM, Public Utilities Director – reported on the Wastewater **Effluent** Building progress and then reported on the difficulties for finding a location for the new lift station at North Haynes Avenue. It has since been resolved.

Director Kelm wanted to commend street sweeper Wayne Nile, who found a wallet lying in the street and turned it over to the police who then found its owner. There was not anything missing from the wallet and the owner wrote a nice thank you note.

CITY COUNCIL COMMENTS

Councilperson Ahner – asked if the City was moving forward with the speed limit signs in the school zones. City Attorney Huss is involved and Director Kelm said it will cost \$3.00 a sign for 80 signs. It was suggested that whenever someone was ticketed, part of the fine could be designated to help pay for the signs.

Councilperson Brush – explained that the growth policy she mentioned at the last Council meeting was brought up because the Planning Board needs Council approval in order to review the Growth Policy.

Councilperson Galbraith – thanked City employees Scott Gray, Jim Garza, Bill Ronning and Tina Schmidt for their work on the dike repair. She also wanted to thank Bill Ronning and Wayne Nile for their work sorting out the rip rap.

Councilperson Hollowell – wanted to thank the above City employees as well. Floodplain Administrator Malenovsky mentioned that these employees had noticed through constant watching, a slough on the Yellowstone River dike which was undercutting the bank. He also wanted to thank DES Coordinator, Jim Zabrocki, for writing a grant which gives all City and County vehicles new radios and will allow for a frequency for Disasters. The Coal Board granted \$60,000 towards the Custer County Jail Assessment which, along with Custer County and the City of Miles City's donations, will enable it to begin. He wanted to thank SMEDC grant writer Julie Kurkow, Custer County Sheriff Tony Harbaugh and Councilperson Ahner for their help in obtaining the funds.

MAYOR COMMENTS

There will be a Mapping Your Neighborhood for Emergency Preparedness Disaster session scheduled at Miles Community College on

Thursday, November 8th, at 7:00pm. It aids in getting neighborhoods organized during a disaster.

He also wanted to post the Water Department Utility Billing Clerk's position this week. City Clerk Stanton stated that the job position was ready to post.

PUBLIC HEARINGS

-None

OLD BUSINESS

RESOLUTION NO. 3550: A Resolution Establishing Wages And Salaries For City Employees For Fiscal Year 2012-2013

** *Councilperson Galbraith moved to approve the Resolution, seconded by Councilperson Melnik. On roll call vote, the motion passed unanimously, 6-0.*

RESOLUTION NO. 3551: A Resolution Approving The Work Plan And Budget For Fiscal Year 2012-2013 For Business Improvement District No. 101

** *Councilperson Ahner moved to approve the Resolution, seconded by Councilperson Brush. On roll call vote, the motion passed unanimously, 6-0.*

RESOLUTION NO. 3552: A Resolution Levying An Assessment For Fiscal Year 2012-2013 Upon All Property In Business Improvement District No. 101 And Determining The Method Of Such Assessment.

** *Councilperson Ahner moved to approve the Resolution, seconded by Councilperson Galbraith.*

Councilperson Ahner explained that City Attorney Huss had sent a memo to all the Councilpersons stating this Resolution needed to be adopted after Resolution No. 3551 was adopted. This Resolution is being presented again for approval.

** *On roll call vote, the motion passed unanimously, 6-0.*

RESOLUTION NO. 3553: A Resolution Pursuant To §7-6-4006 Of The Montana Code Annotated, Authorizing Amendment Of Final Budget For FY 2012-2013 To Appropriate Unappropriated Cash Balances From The Capital Improvement Fund No. 4000 For The Purchase Of A Prisoner Transport Van

** *Councilperson Brush moved to approve the Resolution, seconded by Councilperson Melnik. On roll call vote, the motion passed unanimously, 6-0.*

RESOLUTION NO. 3556: A Resolution Authorizing The Assignment From Bullis-Graves Memorial Chapel/Eastern Montana Cremation Service To Big Sky Cremation Services, L.L.C. Upon Lots 4 And 5 Of Tract E Of The Industrial Site Owned By The City Of Miles City, Montana;

** *Councilperson Ahner moved to approve the Resolution, seconded by Councilperson Brush.*

Councilperson Ahner mentioned that the Finance Committee has recommended to the Mayor that the City needs to have proof of insurance listing the City of Miles City as an additional insured before signing the lease

** *On roll call vote, the motion passed unanimously, 6-0.*

BID AWARDS

-None

BID OPENING

Bid Item #8 – 2 Air Conditioners were bid on by Craig Dalakow twice. One bid was for \$25 and other was for \$20. Mayor Grenz said he had put a bid in for him.

** *Bid was awarded to the highest bidder, Craig Dalakow, for \$25.*

Item #12 – Chair with broken arm was bid on by Linda Wildman for \$10. There were no other bids

** *Bid was awarded to Linda Wildman for \$10.*

No other items were bid on by anyone.

NEW BUSINESS

RESOLUTION NO. 3558: A Resolution Approving An Agreement With The State Of Montana Department Of Environmental Quality (DEQ) For The City Of Miles City To Review Certain Water Supply, Wastewater, Solid Waste And Stormwater Systems In Subdivisions And Providing For Reimbursement To The City For Such Services.

** *Councilperson Brush moved to send the Resolution to the Finance Committee, seconded by Councilperson Galbraith.*

Councilperson Ahner inquired if this was a new process? Director Kelm explained that the City has not had this before and it gives the City Sanitarian the ability to sign off on water, sewer and stormwater systems in subdivisions under 20 acres. They would not have to be signed off on by DEQ. The City Sanitarian, Mike Rinaldi, is named specifically in the above contract. Councilperson Ahner is concerned about the extra work load to the City Sanitarian and the cost to the City. Would the reimbursement cover the costs? Mayor Grenz said the City would receive the fee normally paid to DEQ.

On roll call vote, the motion passed unanimously, 6-0.

RESOLUTION NO. 3559: A Resolution Authorizing An Ambulance Billing Services Agreement Between The City Of Miles City And Montana Emergency Health Care Consultants, Inc., A Montana Corporation, Doing Business As Solestone Reimbursement Services.

** *Councilperson Galbraith moved to send the Resolution to the Finance Committee, seconded by Councilperson Brush. On roll call vote, the motion passed unanimously, 6-0.*

RESOLUTION NO. 3560: A Resolution Authorizing An Amendment To The Agreement With DOWL LLC, An Alaskan Limited Liability Company, Doing Business As DOWL HKM, For Engineering Services For The Riverside Park Path Project.

** *Councilperson Ahner moved to approve the Resolution, seconded by Councilperson Brush.*

Councilperson Ahner explained that this was a request by Dowl HKM for an additional \$13,799.12 of which CTEP will pay \$11,947.00. The remaining \$1,852.12 will be paid for by the City. The increased costs are for an increase in hours from 101 to 300, and this is due to a request by the City for a manual for the construction project to be written so tightly in order to avoid any change orders.

** *On roll call vote, the motion passed unanimously, 6-0.*

APPOINTMENTS

-None

ADJOURNMENT

** *Councilperson Galbraith moved to adjourn the meeting, seconded by Councilperson Melnik and passed unanimously, 6-0.*

The meeting was adjourned at 7:37 p.m.

C.A. GRENZ, Mayor

Becky Stanton, City Clerk