

PROCEEDINGS OF CITY COUNCIL MILES CITY, MONTANA

REGULAR COUNCIL MEETING

**February 25, 2014
7:00 p.m.**

CALL TO ORDER

The Regular Council meeting was held Tuesday, February 25, 2014, in the City Council 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, Mark Ahner, Sheena Martin, Ken Gardner, Jerry Partridge, John Hollowell and Dwayne Andrews. Sue Galbraith was absent.

Also present were City Attorney Dan Rice, Public Utilities Director Al Kelm, Public Works Director Scott Gray, Fire Chief Dale Berg, Police Chief Doug Colombik, Planner-in-Training/Grant Administrator Dawn Colton, Historical Preservation Officer Connie Muggli, Judge Al Homme, and City Clerk/Recorder Lorrie Pearce

PLEDGE OF ALLEGIANCE

Mayor Grenz led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

Amendment of Regular Council Minutes- 1/14/2014

** *Councilperson Brush moved to approve the amendment of the minutes of the Regular Council Meeting of January 14, 2014, seconded by Councilperson Gardner and passed unanimously, 7-0.*

Special Council Minutes – 2/13/2014

** *Councilperson Brush moved to approve the minutes of the Special Council Meeting of February 13, 2014, seconded by Councilperson Andrews and passed unanimously, 7-0.*

Finance Committee Minutes – 2/4/2014

Finance Committee Meeting February 4, 2014

The **Finance Committee** met Tuesday, February 4, 2014, at 6:00 p.m. in the City Hall Conference Room. Present were Committee members Sue Galbraith, Dwayne Andrews, John Hollowell and Sheena Martin. Also present were Councilperson Ken Gardner, Mayor C.A. Grenz, Utility Billing Clerk Patti Bishop, Fire Chief Dale Berg, Public Utilities Director Al Kelm, Public Works Director Scott Gray and Recorder/City Clerk Lorrie Pearce.

Bid Review and Recommendation for Collection Company

Clerk Pearce explained the difference of the collection bids between CPI (Collection Professionals, Inc.), DCI (DCI Credit Services, Inc.) and Main Street Business Services. The following was proposed for services on disputed accounts and legal collection: CPI would be 30/40%, DCI would be 33 1/3/50%, and Main Street Business Services would be 30/50%. After a short discussion, it was decided to stay with CPI.

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* * *Committee Member Andrews moved to remain with CPI. The motion was seconded by Committee Member Martin; the motion carried unanimously, 4-0.*

Discussion on Collection Policy for Sewer and Water Department

Billing Clerk Bishop explained the proposed changes on the new Collection policy.

- 1.0 **General:** Will stay the same, except that the City would be adopting the MCA code to make property owners responsible for old past due bills.
- 2.0 **Agreements:** The City would still have the Customer Information form to fill out. Proposed is the Landlord Rental Agreement form, which would be required by all landlords if they wish the City to bill the tenant.
- 3.0 **Service Lines:** Changed the wording from the property owner to the City being responsible for the curb stop if broken.
- 4.0 **Landlord/Tenant:** "The curb stop for the property must be in a proper working condition for the tenant to be billed", will be deleted. Proposed is that the final bill for all tenants will be sent in care of the landlord. The landlord will then have the thirty days to pay the final bill, and all past due charges left by tenant. If charges are not paid, the process in section 5.0 will then be followed. The property the charges were accrued on would then be noticed for termination of service. This would make someone responsible for the charges.
- 5.0 **Delinquencies:** Payment for water and sewer charges are due when billed and would become delinquent after 30 days from the date of the bill. It previously stated 60 days. Customer would now have forty eight hours to respond to the past due notice (door hanger). This would be changed from one week. Also added would be a \$ 20.00 charge for a late payment penalty fee, and the reconnect fee changed from \$18.00 to \$35.00. This cost was determined by calculating roll up cost of City employees that are involved in the process. Director Kelm thought that there should be a clarification added to the policy explaining that the \$ 20.00 fee would be waived to the Landlord if it wasn't paid by the tenant. Mayor Grenz suggested that something be added to specify what would happen to the charges if the landlord passes away. It was decided to ask the City Attorney if language should be added, or if MCA 7-13-4309 would cover this situation. Also, a clarification of no charges for turn on/turn off would be added. Billing Clerk Bishop explained that it wasn't in the old policy, but that is how the City is currently handling the situation.
- 6.0 **Discontinuation of Service:** MCA 7-3-4309 would be added to the first paragraph, and the re-connect fee was changed from \$18.00 to \$35.00.
- 7.0 **Deposits:** No change
- 8.0 **Turn-on/Turn-off** The reconnect fee would be changed from \$18.00 to \$35.00.
- 9.0 **Unlawful Acts:** No change
- 10.0 **Appeals:** Utility Billing Clerk would be added to the appeal process.

On the Agreement for Payment of Past Due Accounts form, the wording would be changed to determine that the landlord would be responsible for the entire amount due. The reconnect fee of \$35.00 would be added.

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On the Landlord Rental Agreement Form, in the section that states; "If water service is disconnected due to non-payment, service will not be resumed until all delinquent charges, including prior renter charges, together with any administrative fees are paid in full" was added. MCA -13-4309 would be adapted to the third bullet, and MCA 70-24-303g would be adapted to the sixth bullet.

On the Past Due Notice Letter a \$20.00 late payment penalty fee, a \$35.00 re-connect fee and a \$50.00 deposit would be added.

On the Final Disconnect Notice, the \$35.00 re-connect fee was changed from \$18.00 to \$ 35.00, and the \$20.00 penalty fee and credit cards accepted would be added.

Committee Member Hollowell suggested that, under the deposit section, the wording would be changed from "may be charged" to "shall be charged".

Director Kelm suggested placing notifications in the Miles City Star explaining the changes in the policy. He also suggested posting a notice in the water/sewer department.

* * *Chairperson Galbraith moved to make appropriate corrections and send to City Attorney Rice for approval. The motion was seconded by Committee Member Andrews; the motion carried unanimously, 4-0.*

Bid Review and Recommendation for Fire Alarms

Director Gray explained he received two quotes to install the fire alarm system in City Hall. He explained that the installation is behind in the process, and felt it should have been completed two years ago. The two quotes were from Kenco for an amount of \$13,993 and the Fire Company for an amount of \$9950. He felt that the quotes were very similar. The difference is the Fire Company has a 2-year warranty and provides a monitoring system for \$ 25.00 a month. Kenco states a 90-day warranty and provides a monitoring system for \$ 65.00 a month. He also stated Kenco's service is within their 30 mile radius. If it's outside the radius, there would be an additional charge. He recommended the City accept the Fire Company quote.

Chairperson Galbraith mentioned that the quotes were through the month of December. Gray explained that he didn't think the quote would change more than \$25.00 to \$30.00.

* * *Committee Member Hollowell moved to recommend to Council approval of accepting the Fire Company bid. The motion was seconded by Committee Member Martin; the motion carried unanimously, 4-0.*

Review Cash Report

Clerk Pearce explained all accounts that were in the negative. Most were taken care of or they will be taken care of after grants are received. The funds that will need to be looked at closer at budget time are:

1. Library- Mayor and City Attorney are meeting with the Library Foundation.
2. Emergency Disaster- Still waiting for reimbursement from the State. Clerk Pearce calls every two months to see if the monies are received. Tim Thennis from DESD reports that FEMA is so back logged, that it could be quite a while before the City receives the reimbursement. She also mentioned that FEMA will reimburse approximately \$60,000, which means the fund will be a negative \$20,000 when finalized.

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Discussion on Resolution 3662. A Resolution Pursuant To 7-6-4006 Of The Montana Code Annotated, authorizing Amendment of Final Budget For FY 2013-2014 For Allocation Of Personnel And Associated Costs Between The Fire Department and Ambulance Funds and Providing For Hearing Thereon

Chairperson Andrews asked why the Ambulance fund was not brought up as an issue during budget time. Mayor Grenz explained that it's an enterprise fund and it should stand on its own. He was more concerned about the General Fund. Chief Berg explained the fund is made to work with no more than 4 employees. It has had as low as two employees and as high as 7.5 employees. He said there have been too many employees for too long, and it needs to be changed. Councilperson Hollowell asked Chief Berg to explain the deficit. Chief Berg replied that it's very complicated and John Ungaretti from Solestone could explain much better. Councilperson Hollowell asked if the fund's cash is an accounting shortage. Councilperson Andrews commented that the fund is \$377,000 in the hole and that is the reality.

Mayor Grenz suggested asking the public whether or not they want to fund the ambulance.

Chief Berg suggested educating the public to not use the program for every cut and scrape.

Clerk Pearce said she would run some reports to help the Committee understand how the ambulance fund got to where it is.

Galbraith said the auditors reported to her that if the City shows we are trying to solve the problem, they will work with the City.

* * *Committee Member Hollowell moved to recommend that the City Council approve Resolution 3662. The motion was seconded by Committee Member Martin; the motion carried unanimously, 4-0.*

Request of Citizens

-None

Adjournment

There being no further business, *Committee Member Martin moved to adjourn the meeting, seconded by Committee Member Andrews.* The meeting was adjourned at 7:35 p.m.

** *Councilperson Andrews moved to approve the minutes of the Finance Committee Meeting of February 4, 2014, seconded by Councilperson Gardner and passed unanimously, 7-0.*

Human Resources Committee Minutes- 2/6/2014

Human Resources Committee February 6, 2014

The **Human Resources Committee** met Thursday, February 6, 2014, at 6:00 p.m. in the Conference Room at City Hall. Present were Committee Members Sheena Martin, Ken Gardner, Roxanna Brush and Mark Ahner. Also present was Mayor C.A. Grenz, Public Utilities Director Al Kelm and Committee Recorder HR/Payroll Officer Billie Burkhalter.

1. Election of Chairperson

** *Committee Member Ahner moved to elect Roxanna Brush as Chairperson of the Human Resources Committee. Motion seconded by*

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Committee Member Gardner and, on roll call vote, motion passed unanimously with Committee Member Brush abstaining.

2. Revised Customer Service job description

Director Kelm presented the Committee with an updated Customer Service job description marked Customer Service/HEO (Heavy Equipment Operator). He explained that the current Customer Service Foreman is retiring and he would like to do is make this position a Customer Service/HEO position, so that whoever applies for the position will also work with the Utility crew at the City shop during their down time. Committee Member Ahner questioned how much down time there is for this position. Director Kelm stated it all depended on the time of year, such as during spring and fall this position will be busy all day with lawn accounts. It will also be busy doing turn on's and off's for the Water department. The winter can be more of a down time for the position. Committee Member Ahner stated he liked that this position would be versatile, but questioned that, with this new description, if it goes in house the individual would request a pay raise due to extra duties. Director Kelm explained that creating this position will actually save the City money, as this will no longer be a Foreman position but would be at a lower HEO pay rate. Committee Member Ahner requested that the job title "Heavy Equipment Operator not be abbreviated but be spelled out on the job description.

*** Committee Member Ahner moved to approve the job description as presented for the Customer Service/Heavy Equipment Operator. Motion seconded by Committee Member Martin and, on roll call vote, motion passed unanimously.*

3. Recommendation by HR/Payroll Officer to eliminate the Employee Handbook in the Personnel Policy Manual

HR Officer Burkhalter explained that in the current Personnel Policy Manual there is a section called "Employee Handbook", and it is basically a condensed version of the manual. While currently trying to update the Personnel Policy Manual, she questioned why it was needed. The whole policy manual will be going out to employees and the Handbook is repetitive. It would be better to have a single document, as it is easier to maintain and there is less opportunity to interpret something different between the two documents. Committee Member Ahner questioned that, when the City gets a new employee, do he/she get the entire Personnel Manual? HR Officer Burkhalter stated she plans to email the manual if an email address is provided. Otherwise, she will give the employee a physical copy. Chairperson Brush stated it's been her experience that most employers only give out the Employee Handbook and not the whole Personnel Manual. HR Officer Burkhalter stated she has spoken with John Cummings, who is the HR and Risk Management Programs Manager with MMIA, the City's insurer, and it is his recommendation that the entire manual be provided. Committee Member Gardner stated if this helps clean the system up, he is for it as long as the same information is being provided.

*** Committee Member Ahner moved to recommend eliminating the Employee Handbook, as it is a duplicate in the Personnel Policy Manual. Motion seconded by Committee Member Martin and, on roll call vote, motion passed unanimously.*

4. Review and Recommendation of updated Family Medical Leave Act Policy

HR Officer Burkhalter stated that, after reviewing the City's current Family Medical Leave Act (FMLA) policy, she noted the policy was not helping anyone, whether

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Directors or employees, and is outdated with the Federal guidelines. The new proposed policy consists of a "Director FMLA Kit", an "Employee FMLA Kit" and a "FMLA Decision Tree", which makes it easier for Directors and employees to follow the policy, as it gives step-by-step instructions. HR Officer Burkhalter stated she had City Attorney Rice review this policy, and it meets with his approval.

*** Committee Member Ahner moved to recommend to City Council to approve the new Family Medical Leave Act policy as submitted by the Human Resource Officer. Motion seconded by Committee Member Martin and, on roll call vote, motion passed unanimously.*

5. Review and Recommendation of updated Employment Application

HR Officer Burkhalter stated that she had updated the City's Employment Application with format changes and added "Political Belief" to the Equal Opportunity Employer section, as per the recommendation of John Cummings, of MMIA. She also eliminated the phrase "GED" as it is not a term used anymore, and replaced it with "Equivalent". HR Officer Burkhalter explained that she does have plans to fully update the City's Employment Application, but in the meantime requested the Committee approve the minor changes, as this form can now be uploaded to the City's website and Job Service's website.

*** Chairperson Brush moved to approve the new Employment Application as presented. Motion seconded by Committee Member Martin.*

Committee Member Ahner questioned the language at the bottom of the application concerning falsification or misrepresentation of credentials, as the City has had this issue in the past. HR Officer Burkhalter stated the Committee had previously passed a very good Background Check Policy that would uncover any inconsistencies in the job application. Committee Member Ahner further questioned the need for the language of "Political Belief" and if it's in State Statue. HR Officer Burkhalter stated that it is in the Personnel Policy manual and is a recommendation of John Cummings, but is unsure about State Statue. She will find out more information concerning this for the Committee when she presents the in-depth employment application.

*** On roll call vote, motion passed unanimously.*

6. Request of Citizens

Chairperson Brush stated she will contact Labor Attorney Martin in regard to the current Grievances and let him know she is now the chair.

5. Adjournment

*** Committee Member Ahner moved to adjourn the meeting. The motion was seconded by Committee Member Martin and passed.*

The meeting was adjourned at 6:45 p.m.

*** Councilperson Ahner moved to approve the minutes of the Human Resources Meeting of February 6, 2014, seconded by Councilperson Martin and passed unanimously, 7-0.*

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Flood Control Committee Minutes – 2/13/2014

Flood Control Committee February 13, 2014

The **Flood Control Committee** met Thursday, February 13, 2014, at 6:00 p.m. in the City Hall Conference Room. Present were Committee Members John Hollowell, Dwayne Andrews, Ken Gardner and Sheena Martin. Also present were Councilperson Jerry Partridge, Councilperson Susanne Galbraith, Floodplain Administrator Sam Malenovsky, Public Works Director Scott Gray, Engineer Project Manager Carl Jackson with KLJ and Recorder HR/Payroll Officer Billie Burkhalter.

1. Election of Chairperson

*** Committee Member Andrews moved to nominate Committee Member John Hollowell as Chairperson of the Flood Control Committee, seconded by Committee Member Gardner; motion passed unanimously, 4-0.*

2. Requests of Citizens/Public Comment

-None.

3. Update on Public Information Meeting

Chairperson Hollowell moved this agenda item up for full discussion.

Carl Jackson, Project Manager, explained that the Public Informational Meeting is set for March 6, 2014, at Miles Community College. His firm will present Administrator Malenovsky with drafts of public notice advertisements consisting of media releases, mass mailings to the community and posters for her approval. They have also designed a web page specifically for this project that will be linked to the City of Miles City's website. This website will contain maps and public information as it becomes available. When it goes live, it will have the ability for the public to make comments or ask questions through the web page.

Carl Jackson, Project Manager, emphasized that this meeting is a Public Information meeting and they are intentionally not calling this a "Public Input" meeting, as they want to distinguish between the two. Carl Jackson explained this is a high level study and, at this point, they are not going to get into the fine details. He wants to make sure to let the public know that they are in the initial stages of this project. Ultimately, the first step is to analyze all the alternatives available to the City with a recommendation on how to move forward with flood control and insurance issues.

Carl Jackson explained that the general format of the meeting will have an introduction to his firm with a formal presentation of the project overview. Then he plans to break out the audience into their prospective wards, each with a facilitator to outline how their area is affected. He feels that this will be advantageous due to each ward having different issues and concerns. Once this is completed, they will all come back together as a whole group, and they will be provided an overview or summary of the questions and feedback they received. Administrator Malenovsky explained that each Ward is affected differently. By conducting the meeting as described, it will facilitate communication and make people more comfortable about asking questions on how their individual ward is affected.

Administrator Malenovsky explained that the final meeting will be scheduled sometime after the Flood Awareness Day in April, depending upon comments from DNRC (Department of Natural

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Resources and Conservation), USACE (United States of Army Corp of Engineers) and FEMA (Federal Emergency Management Agency).

Carl Jackson advised the Committee that he wanted this meeting to be as successful as possible and, if they had any ideas that would enable this, please contact Administrator Malenovsky.

Committee Member Gardner explained that his Ward, which is Ward I, is very concerned about the flood issue and will be very vocal at this Public Informational Meeting. He stated that he foresees three major questions being asked; first, does this affect my home; second, how much it is going to cost; third, how long is it going to take. Carl Jackson replied that one of their most important recommendations is to get aggressive with a strategy. This might be a combination of planning internally with the Community to see what funding mechanisms needed to be considered. There also needs to be a political strategy at a State and Federal level.

Councilperson Galbraith requested a cheat sheet be provided for the meeting for definitions on floodway, flood fringe, LOMA etc. Administrator Malenovsky advised the Committee that they are in the process of completing one and it will be available in time for the meeting.

3. Approval of Flood Plain Ordinance

Administrator Malenovsky explained to the Committee that the proposed Flood Plain Ordinance is from State and Federal regulations, and she has marked the amendments in the document that she feels are important for the City of Miles City. Chairperson Hollowell stated this is a new revised Flood Plain Ordinance that would repeal the old ordinance if adopted.

Due to time constraints, Committee Member Andrews stated it would be acceptable to have Administrator Malenovsky present the Committee with her changes and recommendations for the final Flood Plain Ordinance. Committee Member Gardner was in agreement. Chairperson Hollowell requested Administrator Malenovsky keep the proposed Ordinance intact and note any amendments off to the side of the document that she feels are necessary. Committee Member Martin agreed.

Administrator Malenovsky wanted to point out that a big issue between NFIP (National Flood Insurance Program) and FEMA is how they do not communicate very well together. She referenced the City's Ordinance currently reads if a homeowner completes a crawlspace, the crawlspace floor has to be at or above base flood elevation(BFE) with the lowest floor of the structure having to be at BFE plus two. The problem with that, insurance wise, is the lowest floor will be considered at BFE for insurance purposes. The proposed ordinance states the same as the current ordinance, with the one change being that the crawlspace enclosure must also meet wet flood proofing requirements. This means that now they have to put vents in that crawl space. With this addition of the wet proofing requirement, the next lowest floor, which is at BFE plus 2, will be used for insurance rating purposes.

*** Committee Member Martin moved to table approval of the Flood Plain Ordinance until the next scheduled meeting, seconded by Committee Member Andrews and, on roll call vote, motion passed unanimously, 4-0.*

5. Adjournment

*** Committee Member Martin moved to adjourn the meeting, seconded by Committee Member Gardner and passed unanimously, 4-0.*

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There being no further business, the Committee adjourned at 7:20 p.m.

- ** *Councilperson Gardner moved to approve the minutes of the Flood Control Meeting of February 13, 2014, seconded by Councilperson Hollowell and passed unanimously, 7-0.*

SCHEDULE MEETINGS

None

REQUEST OF CITIZENS & PUBLIC COMMENT

None

APPOINTMENTS

Assistant City Attorney: Shawn Quinlan

Mayor Grenz appointed Shawn Quinlan as Assistant City Attorney

PROCLAMATIONS

None

STAFF REPORTS

City Clerk Pearce announced the Planning Board agenda and minutes will be posted on the City's website.

Judge Homme explained to City Council the process of the judicial system. The highlights were from 2009-2013, revenues are up 61%. Fines haven't changed through legislature for several years, which means there are a larger number of tickets being written. He said there are twenty jury trials scheduled through May and five appeals. He really worries the City will lose cases because they are not being processed quickly enough.

Mayor Grenz added that Attorney Nobel's wages were cut \$5,000 about 12 years ago. Comparing his wages of \$30 an hour to a Public Defender wages of \$60 an hour, the City has gotten by real cheap for a long time.

CITY COUNCIL COMMENTS

John Hollowell

- Reminded everyone the Flood Information Meeting will be March 6, 2014, at Miles Community College. The meeting will be in rooms 106 and 107 and starts at 6pm.

Ken Gardner

- Added that the meeting is for information only and is not a public input meeting. He requested that other Council Members attend.

Jerry Partridge

- Mentioned again his concern of crude oil from the Bakken traveling through the City on BNSF tracks. He suggested passing an Ordinance controlling the speed of the trains. Attorney Rice said he would call BNSF and look into creating an Ordinance.

MAYOR COMMENTS

None

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COMMITTEE RECOMMENDATIONS

Finance Committee: 2/4/14: Recommendation to stay with CPI as the water/sewer collection company

- ** *Councilperson Hollowell moved to accept the Finance Committee's recommendation to approve staying with CPI as water/sewer collection company, seconded by Councilperson Ahner and Passed unanimously, 7-0.*

Human Resources Committee: 2/6/14: Recommendation to eliminate the Employee Handbook in the Personal Policy Manual

Councilperson Ahner explained having both the personal policy manual and the handbook is duplicating the information given to employees.

Councilperson Hollowell added that MMIA said the handbook is unnecessary.

- ** *Councilperson Ahner moved to accept the Human Resource Committee's recommendation to eliminate the employee handbook in the personal policy manual, seconded by Councilperson Brush and Passed unanimously, 7-0*

Human Resources Committee: 2/6/14: Recommendation to Approve Updated Employment Application

Councilperson Ahner stated the Human Resource Committee did not receive the State statues on political beliefs and suggested since there was not a copy of the application in the packet, it be tabled until City Council could look at the new form.

- ** *Councilperson Brush moved to accept the Human Resource Committee's recommendation to update the employment application, seconded by Councilperson Gardner.*
- ** *Councilperson Ahner moved to table the Human Resource Committee's recommendation to update the employment application until the City Attorney and Human Resource Officer has looked at the political belief issue, seconded by Councilperson Brush and Passed unanimously, 7-0*

PUBLIC HEARINGS

None

BID AWARDS

None

BID OPENING

Printing Contract

None received

Curb & Gutter at Triangle Park & along Montana Avenue

None received

UNFINISHED BUSINESS

None

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NEW BUSINESS

Resolution No. 3664: A Resolution Revising City of Miles City personnel Policy Manual Regarding Family And Medical Leave Guidelines

** *Councilperson Brush moved to adopt Resolution No. 3664 by title only, seconded by Councilperson Ahner. After a short discussion and on roll call vote, the motion **passed** by unanimous consent. **Resolution No. 3664 was adopted.***

Resolution No. 3665: A Resolution Authorizing The City of Miles City To An Agreement Entitled "City Agreement Cold Milled Bituminous Material" With The State Of Montana Department Of Transportation

** *Councilperson Ahner moved to adopt Resolution No. 3665 by title only, seconded by Councilperson Brush. On roll call vote, the motion **passed** by unanimous consent. **Resolution No. 3665 was adopted.***

Resolution No. 3666: A Resolution Approving and Adopting the Montana Municipal Interlocal Authority Revised and Restated Workers' Compensation Program Agreement

** *Councilperson Gardner moved to adopt Resolution No. 3666 by title only, seconded by Councilperson Brush.*

** *Councilperson Ahner moved to refer Resolution No. 3666 to the Finance Committee for recommendation, seconded by Councilperson Brush. After a short discussion and on roll call vote, the motion **passed** unanimously.*

Resolution No. 3667: A Resolution Authorizing the City of Miles City to an Agreement Entitled "State of Montana Agreement" with the State of Montana Department of Transportation for Partial Funding of the Historic Preservation Officer Position

Historical Preservation Officer Muggli explained the resolution should be amended to read, "Historic Preservation Office" instead of Department of Transportation. She added the grant is \$5,225 and the City has been accepting this grant since 1990. It funds a portion of the HPO operating expenses and the City's match is 40%.

Councilperson Ahner replied the City has more than matched the 40%.

** *Councilperson Partridge moved to adopt Resolution No 3667 with correction of reading from State of Montana to read Historic Preservation Office, seconded by Councilperson Andrews. On roll call vote, the motion **passed** by unanimous consent. **Resolution No. 3667 was adopted.***

Resolution No. 3668: A Resolution Authorizing The City Of Miles City To Enter Into An Agreement Entitled "Interlocal Agreement For Montana Firefighters Testing Consortium" With Certain Cities And Fire Districts In The State Of Montana

The resolution was pulled from the agenda.

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Resolution No. 3669: A Resolution Authorizing The City Of Miles City To Enter Into An Agreement With Lucas & Tonn, P.C., A Montana Corporation, For Providing Legal Services Of Assistant City Attorney.

Councilperson Ahner asked how the \$2,623 compensation per month that would be paid by the City compares to what it currently being paid to Attorney Noble.

Attorney Rice explained the \$2,623 would be \$2,250 a month, plus roll up costs. This doesn't include vacation and sick leave and Workers' Compensation. Right now Attorney Noble is getting paid \$30 an hour; if we were to add both salaries, it would still be less than what other prosecutors are receiving.

Councilperson Ahner wanted to make sure everyone understands the secretarial hours would increase from 15 hours to 20 hours a week, a cost increase of \$281 a month.

Mayor Grenz introduced Attorney Shawn Quinlan and welcomed him aboard.

**** Councilperson Brush moved to adopt the Resolution No 3669 by title only, seconded by Councilperson Gardner and Passed unanimously 7-0. Resolution No. 3669 was adopted**

Approval of Reimbursement to City Court for \$100 Cash Loss

City Clerk Pearce explained cash would not balance at close-out February 7, 2014. City Court Clerk Percy and Deputy Court Clerk Krezelak spent the next Monday trying to balance cash, with no explanation of the loss. City Clerk Pearce said the \$100 would be charged to City Court's operating expense.

**** Councilperson Hollowell moved to approve the reimbursement to City Court for \$100 cash loss, seconded by Councilperson Andrews and Passed unanimously 7-0**

Kron Boundary Line Adjustment

Planner-in-Training/Grant Administrator Colton explained Mrs. Kron is asking to adjust the current boundary line between the Kron's home and the Paco Packers/Crystal Pistol. The purpose is to sell the Crystal Pistol portion of the building. Administrator Colton noted that Mrs. Kron is not creating any new lots.

**** Councilperson Ahner moved to approve the Kron Boundary line adjustment, seconded by Councilperson Hollowell and Passed unanimously, 7-0.**

Final Plat Approval of Horizon Park Subdivision

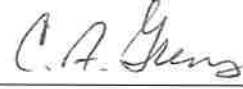
This item was pulled from the agenda.

ADJOURNMENT.

**** Councilperson Ahner moved to adjourn the meeting, seconded by Councilperson Gardner and passed unanimously, 7-0.**

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The meeting was adjourned at 8:08 p.m.



C.A. Grenz, Mayor



**Lorrie Pearce
City Clerk**