

PROCEEDINGS OF CITY COUNCIL

MILES CITY, MONTANA

REGULAR COUNCIL MEETING April 28, 2015 7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, April 28, 2015, 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 John Hollowell, Roxanna Brush, Mark Ahner, Dwayne Andrews, Ken Gardner, Jerry Partridge and Susanne Galbraith. Sheena Martin was excused.

Also present were City Attorney Dan Rice, Public Works Director Scott Gray, Public Utilities Director Al Kelm, Police Chief Doug Colombik, Fire Chief Gary Warren, Fire Captain Cameron Duffin, Grant Administrator /Historic Preservation Officer Connie Muggli, Grant Writer/Planner in Training Dawn Colton, City Clerk Lorrie Pearce and Deputy City Clerk/Minute Recorder Connie Watts.

PLEDGE OF ALLEGIANCE

Mayor Grenz led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 4/14/2015

****** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of April 14, 2015, subject to any changes, and seconded by Councilperson Gardner. The motion **passed** by unanimous consent, 7-0.*

SCHEDULE MEETINGS

The following meetings will be held in the City Hall Conference Room:

- Flood Control: Wednesday, May 6th @ 6:00 p.m.
- Planning Board: Wednesday, April 29th @ 6:00 p.m.
- Finance Committee: Thursday, May 30th @ 5:00 p.m.

REQUEST OF CITIZENS & PUBLIC COMMENT

Knights of Columbus: Knights of Columbus representative Tony Sandau, 509 Ponderosa, Miles City, wanted to let the Council know that the Knights will be painting the inside of the Riverside Park Shelter as a community service project. He also thanked ProBuild for donating all the paint and supplies for this project.

Keep Miles City Beautiful: Janelle Grant, President of *Keep Miles City Beautiful*, was not able to attend the meeting, so Dawn Colton, City Planner-in-Training and a member of the KMCB group, reported to the Council.

- **Great American Cleanup of Miles City 2014:** 200 individual volunteers from 17 groups participated to clean up 38 sites.
- **Lend a Helping Hand Program:** 5 elderly persons in need of assistance were provided with a one-time service of hauling trash, raking leaves and hauling items to recycling.
- **Festivals:** Provided recycling containers in the park during Bucking Horse Sale's Saturday's activities and participated in the parade.
- **Litter Index Survey:** Conducted in April to determine 50 sites for the May cleanup.
- **Beautification Project:** Painted the Grandstand.

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- **America Recycles Day:** Partnered with Pacific Steel and Recycling to put on another electronic recycling collection for the public. Over 6,000 pounds of electronics were collected.
- **Recycle Bowl:** A recycling collection contest was sponsored for the elementary schools with almost 2,000 pounds of recyclables collected in the one-month contest.
- **Grants:** An Anheuser Busch grant was obtained to spruce up the grandstand area of the fairgrounds
- **Trash Walk:** People participated in a walk with a trash bag and picked up trash along their routes. 60 to 70% of the participants are doing it again this year.

Colton asked for the support of the City Council on its projects this year, and invited everyone to join them May 9th at Riverside Park for the Great American Cleanup Day.

APPOINTMENTS

Library Board of Trustees: Kim Feil

Mayor Grenz appointed Kim Feil to the Library Board.

** *Councilperson Brush moved to approve the mayor's appointment to the Library Board, seconded by Councilperson Galbraith and passed unanimously, 7-0.*

PROCLAMATIONS

None

STAFF REPORTS

Fire Captain Cameron Duffin: Captain Duffin explained that Ambulance #20 broke down about a month ago and he has been researching ways to replace or repair the vehicle. After bringing the issue to the Finance Committee, the following options have been suggested:

1. Sprinter – out of town transport ambulance \$90,000
 - a. Would need an InterCap loan, and the current loan would need to be paid off. There are three payments left on that loan, August of 2015, February 2016 and August, 2016. The payments are approximately \$13,000 each.
 - b. Take out a second loan for \$90,000 @ 7 years in the amount of \$7,482 payments twice a year.
2. Replace engine: About \$16,000 + labor - total amount less than \$20,000
3. Bariatric Ambulance: \$240,000 – Grant Administrator Muggli is researching grants for this item

Mayor Grenz asked for a straw poll from the Council. Most were in favor of replacing the engine, with a look at purchasing a bariatric ambulance in the future.

Captain Duffin mentioned that, since the restructuring of the ambulance fund and the increase in rates, the ambulance fund has gained about \$90,000.

Public Works Director Scott Gray: Director Gray mentioned the May 1st and 2nd play, "Always," which is a fundraiser to restore the Stacy Memorial Fountain in Wibaux Park. The comedy stars Sharla Jerrel and Bobbie Jo Krutzfeldt, and is organized by Lilly Cruise.

Public Utilities Director Al Kelm: Director Kelm noted that his department will be starting to replace some sewer lines in some alleys, particularly targeting the problem areas that they have been able to identify with the new sewer camera.

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CITY COUNCIL COMMENTS

Jerry Partridge: Asked if the State Legislature's failure to pass a large infrastructure bill today will have any effect on the City. Mayor Grenz and Public Utilities Director Kelm said it would have an effect.

MAYOR COMMENTS

- Asked for a moment of silence in memory of Councilperson Susanne Galbraith's father, who passed away last week.
- Wells Fargo wants to donate a house to the City. Although "not much of a house," he said he would like to sell it and use the money to help purchase a new ambulance.
- Said he has been working on securing a \$40 million loan at 1.25% interest from the State Revolving Fund for over a year, and thinks the City will be successful.

STANDING COMMITTEE RECOMMENDATIONS

Finance Committee: April 27, 2015

- *Recommendation on Water Accounts at Alta Trailer Court*

Public Utilities Director Kelm explained that sewer charges are normally calculated on a customer's water usage for the months of December, January, February and March, which is typically the months of lowest water usage. In the case of Alta Trailer Court, however, that is the period of highest usage, as most of the residents in the trailer court leave their water trickling through those months to prevent their pipes from freezing. The owner of the trailer court had spoken to the Finance Committee about changing this method of calculation so that sewer charges for his trailer court would be paid on actual monthly water usage. Director Kelm recommended the method be changed, and the Finance Committee approved this recommendation.

****** *Councilperson Galbraith moved to approve the Committee's recommendation, seconded by Councilperson Hollowell and passed unanimously, 7-0. The Finance Committee's recommendation was approved.*

CDBG & DNRC \$17,500 Grant Match

Grant Administrator/Historic Preservation Officer Muggli explained that two consulting agreements will soon be coming before the Council. These agreements will be for consulting services from KLJ and Carl Jackson, for a combined amount of \$75,000 over a 15-month period. \$40,000 of this will be paid for by the CDBG grant in the amount of \$30,000 and the DNRC grant for \$10,000. The Flood Committee's proposal for the \$35,000 match is to split this amount with Custer County, or \$17,500 each. The County Commissioners will be addressing this issue at their meeting on Thursday.

The Council will act on this recommendation after the County Commissioners make their decision on Thursday. **This issue will be placed on the next Council agenda.**

BID OPENINGS

Spray Injection Patcher

Two bids were received, as follows:

- 1.) Normont Equipment: \$64,885
- 2.) Brock White: \$59,870

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**** Councilperson Ahner moved to refer the bids to the Finance Committee, seconded by Councilperson Brush and, on roll call vote, passed unanimously, 7-0. The bids were referred to the Finance Committee.**

Janitorial Proposals

Bids were received from the following:

<u>Bidder</u>	<u>City Hall</u>	<u>City Shop</u>	<u>Police Dept.</u>	<u>Library</u>
Dale's Cleaning	\$600/month	\$300/month	0	\$400/month
Marilynn Foreman	0	\$250/month	\$350/month	0

**** Councilperson Ahner moved to refer the bids to the Finance Committee, seconded by Councilperson Gardner and, on roll call vote, passed unanimously, 7-0. The bids were referred to the Finance Committee.**

BID AWARDS

Arrowhead Drive, SID #211: Paving

Public Works Director Gray reported the City received one bid, which was from Century Construction. The bid was for 600 tons of asphalt at \$115 per ton, for a total amount of \$69,000. He felt this was a good price and noted that the property owners are very anxious to get the paving done.

**** Councilperson Andrews moved to accept the bid from Century Construction in the amount of \$69,000, seconded by Councilperson Galbraith and, on roll call vote, passed unanimously, 7-0. The Bid from Century Construction in the amount of \$69,000 was approved.**

PUBLIC HEARINGS

- A. **ORDINANCE NO. 1289:** An Ordinance Enacting Section 17-114 Of The City Code Of The City Of Miles City, Montana, So As To Require Liability Insurance In Specified Amounts Prior To Issuance Of A Park Use Permit

Mayor Grenz called for comments from proponents; the following spoke in favor of Ordinance No. 1289:

John Menyhart, Caroline Fleming and Dixie Riger. Mr. Menyhart reported that he had suggested some revisions to the City, and those suggestions are reflected in a handout to Council members. The new revisions called for a tier system of insurance requirements, depending on the size of the group, whether alcohol is involved and other risk factors as set out in the "MMIA Hazard Schedule" of October, 2014.

Mayor Grenz called for comments from proponents two more times, then opponents three times and, hearing no more comments, the hearing was closed.

- B. **ORDINANCE NO. 1292:** Ordinance Revising Section 2-246(A) Of The Code Of Ordinances Of The City Of Miles City, Montana, With Respect To Advertisements For Bids

Mayor Grenz called for comments from proponents three times, then opponents three times and, hearing none, the hearing was closed

- C. **ORDINANCE NO. 1293:** An Ordinance Pursuant To MCA 7-4-4201 Establishing Wages For The Mayor, City Judge, And City Treasurer, Effective January 1, 2016

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Mayor Grenz called for comments from proponents three times, then opponents three times and, hearing none, the hearing was closed.

UNFINISHED BUSINESS

A. **ORDINANCE NO. 1289:** *(Second Reading)* An Ordinance Enacting Section 17-114 Of The City Code Of The City Of Miles City, Montana, So As To Require Liability Insurance In Specified Amounts Prior To Issuance Of A Park Use Permit

** *Councilperson Galbraith moved to adopt Ordinance 1289, read by title only and seconded by Councilperson Hollowell.*

City Attorney Rice recommended the Council not approve the version of the Ordinance as presented in the packet, as the revisions that had been discussed in subsequent meetings and which were handed out to the Council were substantially different. He recommended sending the Ordinance back to the Finance Committee.

* *Councilperson Ahner then moved to amend Councilperson Galbraith's motion to adopt the new language as recommended by staff and handed out to the Council tonight. The motion was seconded by Councilperson Partridge and, on roll call vote, passed unanimously, 7-0.*

** *Councilperson Galbraith moved to send Ordinance No. 1289 back to the Finance Committee for review and recommendation on the proposed changes. The motion was seconded by Councilperson Andrews and, on roll call vote, passed unanimously. Ordinance No. 1289 was referred back to the Finance Committee.*

B. **ORDINANCE NO. 1292:** *(Second Reading)* An Ordinance Revising Section 2-246(A) Of The Code Of Ordinances Of The City Of Miles City, Montana, With Respect To Advertisements For Bids

** *Councilperson Gardner moved to adopt the Ordinance, read by title only, seconded by Councilperson Galbraith and, on roll call vote, passed unanimously, 7-0. Ordinance No. 1292 was adopted.*

C. **ORDINANCE NO. 1293:** *(Second Reading)* An Ordinance Pursuant To MCA 7-4-4201 Establishing Wages For The Mayor, City Judge, And City Treasurer, Effective January 1, 2016

** *Councilperson Galbraith moved to adopt the Ordinance, read by title only, seconded by Councilperson Gardner and, on roll call vote, passed unanimously, 7-0. Ordinance No. 1293 was adopted.*

NEW BUSINESS

A. **ORDINANCE NO. 1294:** *(First Reading)* An Ordinance Relating To The Creation Of The Miles City Downtown Urban Renewal Urban Renewal District; And Adopting An Urban Renewal Plan, Including A Tax Increment Provision

** *Councilperson Brush moved to approve the Ordinance on first reading, read by title only, seconded by Councilperson Andrews and, on roll call vote, passed unanimously, 7-0. Ordinance No. 1294 passed on first reading.*

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B. RESOLUTION NO. 3786: Adopting a Purchasing Policy for the City of Miles City, Montana

****** *Councilperson Galbraith moved to approve the Resolution, read by title only and seconded by Councilperson Hollowell. On roll call vote, the motion passed by unanimous consent, 7-0. **Resolution No. 3786 was adopted.***

C. RESOLUTION NO. 3794: *(First Reading)* A Resolution Pursuant To §7-6-4006 Of The Montana Code Annotated, Authorizing Amendment Of Final Budget For FY 2014-2015 To Appropriate Unanticipated Revenues To Ambulance Fund No. 5510

****** *Councilperson Brush moved to approve the Resolution, read by title only and seconded by Councilperson Galbraith. On roll call vote, the motion passed by unanimous consent, 7-0. **Resolution No. 3794 passed on first reading.***

D. RESOLUTION NO. 3796: *(First Reading)* A Resolution Pursuant To §7-6-4006 Of The Montana Code Annotated, Authorizing Amendment Of Final Budget For FY 2014-2015 To Increase The Budgeted Amount In Fund # 1000-005-420140-214 For The Purchase Of Body Cameras And Office Furniture For The Miles City Police Department.

****** *Councilperson Gardner moved to approve the Resolution, read by title only and seconded by Councilperson Galbraith. On roll call vote, the motion passed by unanimous consent, 7-0. **Resolution No. 3796 passed on first reading.***

E. Permission to Close Natural Oasis on July 30th from 4:00 to 8:00 p.m. For Remembrance Services for Sigrid Laird

****** *Councilperson Galbraith moved to give permission to close the Natural Oasis on July 30th from 4:00 to 8:00 p.m. for remembrance services for Sigrid Laird. The Motion was seconded by Councilperson Andrews and **passed unanimously, 7-0.***

F. American Association of University Women: "Shakespeare in the Park"

****** *Councilperson Hollowell moved to give permission for the American Association of University Women to hold "Shakespeare in the Park" at Pumping Plant Park on July 7th, 2015, at 6:30 p.m. The motion was seconded by Councilperson Brush and **passed unanimously, 7-0.***

ADJOURNMENT

****** *Councilperson Galbraith moved to adjourn the meeting, seconded by Councilperson Hollowell and passed unanimously.*

The meeting was adjourned at 8:35 p.m.



C. A. Grenz, Mayor



Lorrie Pearce, City Clerk