

**PROCEEDINGS OF CITY COUNCIL
MILES CITY, MONTANA**

**REGULAR COUNCIL MEETING August 25, 2015
7:00 p.m.**

CALL TO ORDER

The Regular Council meeting was held Tuesday, August 25, 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 Mark Ahner, Ken Gardner, Jerry Partridge, Sheena Martin, Dwayne Andrews, Susanne Galbraith, John Hollowell and Roxanna Brush.

Also present were City Attorney Dan Rice, Fire Chief Gary Warren, Police Chief Doug Colombik, Public Works Director Scott Gray, Public Utilities Director Allen Kelm, Historic Preservation Officer/Grant Writer Connie Muggli, Library Director Sonja Woods, Utility Billing Clerk Patti Bissell and City Clerk/Minute Recorder Lorrie Pearce.

PLEDGE OF ALLEGIANCE

Mayor Grenz led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 8/11/2015

** *Councilperson Ahner moved to approve with corrections, the minutes of the Regular Council Meeting of August 11, 2015, and seconded by Councilperson Brush. The motion **passed** by unanimous consent, 8-0.*

SCHEDULE MEETINGS

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

- Human Resource Committee - September 9th @ 6:00pm
- Planning Board Committee- August 26th @ 6:00pm
- Public Safety Committee- August 27th @ 6:00pm

REQUEST OF CITIZENS & PUBLIC COMMENT

Utility Clerk Patti Bissell said that she could only assume that the letter to the Editor from the Mayor was about her position. She explained that the Mayor was invited to attend the hiring interviews, but did not attend. She felt that the letter to the editor was one more stab at the previous City Clerk. She added that she had saved the City about \$30,000.

Mayor Grenz said that he attends department head interviews, and the Human Resource Committee performed the screening. He added that he did not mention any names in his letter, and the letters purpose was to state the positive changes at City Hall.

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

None

CITY COUNCIL COMMENTS

Suzanne Galbraith: City employees were very frugal last fiscal year, there was \$273,820 cash carry over in General Fund.

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MAYOR COMMENTS

None

STANDING COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

- A. RESOLUTION NO. 3795: An Amended Resolution of Intent and Final Resolution Levying an Assessment Upon Benefitted property in the City of Miles City, Montana, Special Improvement District 211, to Defray the Cost of the Paving of Arrowhead Lane**

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

- B. RESOLUTION NO. 3821: A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2015-2016 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon**

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

- C. RESOLUTION NO. 3822: A Resolution Pursuant to 15-10-203 of The Montana Code Annotated, Authorizing The Budgeting of an Increased Amount of Ad Valorem Tax Revenues in FY 2015-2016 in Excess of The Property Tax Revenues For The Prior Fiscal Year and Providing for Hearing Thereon**

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

- D. RESOLUTION NO. 3823: A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 165 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**

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

- E. RESOLUTION NO. 3824: A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 167 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**

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

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- F. RESOLUTION NO. 3825: A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 171 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**

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

- G. RESOLUTION NO. 3826: A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 172 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**

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

- H. RESOLUTION NO. 3827: A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 195 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**

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

- I. RESOLUTION NO. 3828: A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 202 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**

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

- J. RESOLUTION NO. 3829: A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 173 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**

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

- K. RESOLUTION NO. 3830: A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 204 To Defray The Cost of Maintaining The Improvements**

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in The Said Maintenance District No. 204 for the Fiscal Year 2015-2016

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

L. RESOLUTION NO. 3831: A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 205 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 205 for the Fiscal Year 2015-2016

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

M. RESOLUTION NO. 3832: A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 207 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 207 for the Fiscal Year 2015-2016

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

UNFINISHED BUSINESS

A. Offer of Amendments to FY 15/16 Preliminary Budget

****** *Councilperson Galbraith moved to approve the Amendments listed on the budget amendment request page dated 8/25/2015 minus the first 2 items and seconded by Councilperson Brush. After a short discussion, the motion passed 7-1 with Councilperson Ahner voting no.*
Amendments passed

****** *Councilperson Brush moved to remove line item 1000-009-410540-143 (Health Insurance) for an amount of \$7,726 seconded by Councilperson Ahner.*

Councilperson Brush said that she did not feel that it was right to offer the Treasurer insurance.

Councilperson Galbraith said that the Treasurer opted to take a \$2,000 decrease in his pay for the insurance.

Mayor Grenz said that the City needs to start looking at ways to save the City money because there are a lot of things coming down the track.

- A lawsuit
- A wage and benefit survey
- Corp of Engineers study
- City's carpet needs replaced (badly) and the building is literally falling apart
- New jail taxes
- Water/Sewer increased \$9.00 a month this year and another \$9.00 next year

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*** The motion failed with a vote of 3-5. Councilpersons Galbraith, Martin, Partridge, Hollowell and Andrews voting no and Councilperson Gardner, Ahner and Brush voting yes. Treasurer's Health Insurance stays in the budget*

*** Councilperson Hollowell moved to add \$8,646 for the support of the SEMEDC program to line item 1000-002-470300-350 for a total of \$13,646, seconded by Councilperson Brush.*

Councilperson Hollowell said that Julie Kurkow is leading the finance part of our dike study and he would hate to lose their support. They would not be able to do what they do without our support. For the amount of money that the City has given them over the last few years approximately (\$100,000) they have returned to the Community over \$13 million. When we are looking for money, why would we turn away something that generates so much?

Councilperson Ahner said that over the years he has supported the membership. He approached the Budget Committee this year and recommended to reduce the budget by \$8,646 to that particular organization. There has been a real lack of support to the City of Miles City. Dollar for dollar the City of Miles City expends more than any other member of that Economic Council. Custer County provides about \$3,000 a year and yet it seems as though most all the effort goes toward the county. He feels that they have not been very responsive working with the City. Representative from the Economic Development meets with the County Commissioners weekly, the City sees them once or twice a year, and that is at budget time. He felt that they should meet with City staff at least once or twice a month.

Councilperson Partridge said that he has heard a lot talk and no action from them.

Mayor Grenz said that Julie Kurkow did help with the Coal Board Grant. When the City started to support the program he thought that the money paid to them would help with grant writing. That did not happen and the City had to hire its own grant writer.

*** The motion failed with a vote of 2-6. Councilpersons Galbraith, Gardner, Martin, Partridge, Ahner and Andrews voted no and Councilperson Hollowell and Brush voted yes. **Motion failed***

B. RESOLUTION NO. 3795: (Second Reading) An Amended Resolution of Intent and Final Resolution Levying an Assessment Upon Benefitted Property in the City of Miles City, Montana, Special Improvement District 211, to Defray the Cost of the Paving of Arrowhead Lane

*** Councilperson Galbraith moved to approve the Resolution and seconded by Councilperson Gardner and passed 8-0 **Resolution No. 3795 passed***

CONSENT AGENDA

*** Councilperson Brush moved to suspend rules for a consented agenda, to approve items C thru L, seconded by Councilperson Galbraith. Councilperson Ahner objected to M being included in the motion.*

*** Councilperson Brush amended her original motion to state items C thru L and N, seconded by Councilperson Galbraith. The motion passed 7-1, with Councilperson Ahner voting no*

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****** *Councilperson Hollowell moved for the approval of consented agenda C thru L and N skipping M, seconded by Councilperson Brush. The motion passed 7-1, with Councilperson Ahner voting no*

****** *Councilperson Brush's original motion passed 7-1, with Councilperson Ahner voting no*

- C. RESOLUTION NO. 3821:** *(Second Reading)* **A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2015-2016 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon**
- D. RESOLUTION NO. 3822:** *(Second Reading)* **A Resolution Pursuant to 15-10-203 of The Montana Code Annotated, Authorizing The Budgeting of an Increased Amount of Ad Valorem Tax Revenues in FY 2015-2016 in Excess of The Property Tax Revenues For The Prior Fiscal Year and Providing for Hearing Thereon**
- E. RESOLUTION NO. 3823:** *(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 165 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**
- F. RESOLUTION NO. 3824:** *(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 167 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**
- G. RESOLUTION NO. 3825:** *(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 171 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**
- H. RESOLUTION NO. 3826:** *(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 172 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**
- I. RESOLUTION NO. 3827:** *(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 195 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**
- J. RESOLUTION NO. 3828:** *(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement**

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Lighting District No. 202 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016

K. RESOLUTION NO. 3829: (Second Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 173 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016

L. RESOLUTION NO. 3830: (Second Reading) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 204 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 204 for the Fiscal Year 2015-2016

Resolution No: 3821, 3822, 3823, 3824, 3825, 3826, 3827, 3829, 3830 passed.

M. RESOLUTION NO. 3831(Second Reading) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 205 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 205 for the Fiscal Year 2015-2016

**** Councilperson Galbraith moved to approve the Resolution by title, and seconded by Councilperson Andrews.**

Councilperson Ahner asked for someone to explain how the numbers were calculated on District No. 205

Clerk Pearce said that the tax payers were taxed last year for the Safe Route to School project, so she had to decrease the appropriations by the amount of the cost for the project so the taxpayer wouldn't be taxed again for the project in FY2015-2016.

**** The motion passed 8-0. Resolution No. 3831 passed**

N. RESOLUTION NO. 3832: (Second Reading) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 207 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 207 for the Fiscal Year 2015-2016

Resolution No. 3832 passed by consent agenda.

NEW BUSINESS

A. Poll Election Versus Mail Election

With very little information available, the consensus of the Council was to keep the voting to a poll election.

B. RESOLUTION NO. 3819: A Resolution Approving and Adopting a Final Budget For the City of Miles city for FY 2015-2016; Authorizing Procedure for Adjustments to Appropriations for Certain Fee Based Budgets; Authorizing Procedure for Transferring Appropriations Between Items Within the Same

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Fund

****** *Councilperson Galbraith moved to approve the Resolution, seconded by Councilperson Gardner and on roll call vote passed 8-0.
Resolution No. 3819 passed*

C. RESOLUTION NO. 3820: A Resolution Electing to Operate Under the All-Purpose Mill Levy and Fixing the Tax Levy for the General Fund, Ambulance Fund and Airport Fund to be Levied and Assessed on all the Taxable property in the City of Miles City for Fiscal year 2015-2016

****** *Councilperson Gardner moved to approve the Resolution, seconded by Councilperson Andrews. By roll call vote the motion passed 8-0 **Resolution No. 3820 passed***

D. RESOLUTION NO. 3836: A Resolution Authorizing Multi-Jurisdictional Application with Community Development Block Grant-Economic Development Program

****** *Councilperson Brush moved to approve the Resolution, seconded by Councilperson Gardner. By roll call vote the motion passed 8-0
Resolution No. 3836 passed*

Being the last meeting for Councilperson Martin, the Mayor and Council wished her luck on her new endeavors.

ADJOURNMENT

****** *Councilperson Ahner moved to adjourn the meeting, seconded by Councilperson Brush, and passed unanimously.*

The meeting was adjourned at 8:15 p.m.



C. A. Grenz, Mayor



Lorrie Pearce, City Clerk