

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

**REGULAR COUNCIL MEETING October 13, 2015**

**7:00 p.m.**

**CALL TO ORDER**

The Regular Council meeting was held Tuesday, October 13, 2015, in the City Hall Conference Room at City Hall, 17 S. 8<sup>th</sup> Street, Miles City, Montana. Mayor C. A. Grenz called the meeting to order. Council Members present were Ken Gardner, Jerry Partridge, Dwayne Andrews, Susanne Galbraith, John Hollowell and Roxanna Brush and Mark Ahner.

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

Others present were City Consultant Dave DeGrandpre and Custer County Commissioners Jason Strouf and Keith Holmlund.

**PLEDGE OF ALLEGIANCE**

Mayor Grenz led the Council in the Pledge of Allegiance.

**APPROVAL OF COUNCIL & COMMITTEE MINUTES**

**City Council Minutes: 9/22/2015**

**\*\*** *Councilperson Gardner moved to approve the minutes of the Regular Council Meeting of September 22, 2015, and seconded by Councilperson Galbraith. The motion **passed** by unanimous consent, 7-0.*

**Human Resource Committee Minutes: 9/16/2015  
Human Resources Committee  
September 16, 2015**

The **Human Resources Committee** met Wednesday, September 16, 2015, at 6:00 p.m. in the Conference Room at City Hall. Present were Chairperson Roxanna Brush, Committee Members Mark Ahner and Ken Gardner. Also present was Deputy City Clerk/Committee Recorder Linda Wilkins. No Audience

Committee Chairperson Brush called the meeting to order.

**1. Approval of Deputy City Clerk/Human Resource Officer job description.**

Chairperson Brush asked Deputy City Clerk Linda Wilkins to speak on the subject:

She stated it is a good practice to have a separation of duties between Human Resources and the Payroll Clerk. This new Job description combines duties of of the Deputy City Clerk and HR Officer, ensuring the city is in compliance with state, federal, and local regulations.

There was discussion regarding the wording of the job description. Committee Member Ahner went through the language of the job descriptions and changes were made to the language and noted by Recorder Linda Wilkins.

**\*\*** *Committee Member Ahner moved to approve The Deputy City Clerk/Human Resource Officer job descriptions with changes that were discussed during the course of the meeting. The motion was seconded by Committee Member Gardner.*

There was discussion concerning City Attorney Dan Rice reviewing the job description and the committee members determined this was not necessary. Committee Member Gardner agreed the separation of duties would provide good checks and balances.

**\*\*** *On original motion, motion passed unanimously.*

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## 2. Approval of Accounting/Payroll Clerk job description

There was discussion regarding the wording of the job description. Committee Member Ahner went through the language of the job descriptions and changes were made to the language and noted by Recorder Wilkins.

*\*\* Committee Member Ahner moved to approve the Accounting/Payroll Clerk job description with changes as recommended. The motion was seconded by Committee Member Gardner. Motion passed unanimously.*

## 3. Request of Citizens

None

## 4. Committee Member Comments

None

## 5. Adjournment

*\*\*Chairperson Brush moved to adjourn the meeting. The motion was seconded by committee Member Gardner and passed.*

The meeting was adjourned at 6:28 p.m.

*\*\* Councilperson Brush moved to approve the minutes of Human Resource Committee Meeting of September 16, 2015, and seconded by Councilperson Ahner. The motion passed by unanimous consent, 7-0.*

## Public Service Committee Minutes: 9/16/2015

### Public Services Committee Meeting September 16, 2015

The Public Services Committee met Wednesday, September 16<sup>th</sup>, 2015, at 6:00 pm in the Council Chambers. Present were Committee Members Jerry Partridge, John Hollowell and Susanne Galbraith. Councilperson Duane Andrews was excused. Also present was Utility Works Director Scott Gray and Committee Recorder/City Clerk Lorrie Pearce.

Committee Member Partridge called the meeting to order.

## 6. First Interstate Bank: Building Site Plans on Haynes Avenue

*\*\* Committee Member Galbraith moved to recommend to Council approval of the street access plan. The motion was seconded by Committee Member Partridge.*

First Interstate Vice President of Corporate Real Estate Stephen Nesterak explained the process of building the new branch on Haynes Avenue:

- Land was bought this past spring
- Working with Miles Community College and adjoining neighbors to build a road to where everyone would have access to it
- Submitted a request to the Department of Transportation for approval of a new curb cut to grant wider easement. Request was submitted last week and will take approximately 30 days for an approval
- Created an alignment for a suitable access street for Miles Community College and the bank
- 60 foot wide easement on Southside was the long term goal of the College, but the land was purchased by someone else
- 400 feet is the length of the road that First Interstate would build and then be dedicated to the City upon completion

*\*\* Committee Member Galbraith moved to recommend to Council approval of the street access plan. The motion was seconded by Committee Member Partridge.*

Committee Member Hollowell asked if there was going to be parking on the street. Representative Nesterak said that there will be no parking on the street.

Director Gray said that he liked the plan and the 60 foot easement would allow for a wide enough street for access and the drainage ditch would help with water and snow removal problems. The road will bring traffic right into the College and the City would be able to receive extra gas tax revenue for the street. He also mentioned that there will be an increase of traffic, and though the College would be acceptable to it.

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Director Gray added that the Council cannot accept the street until the Platt is approved.

*\*\* Motion then passed unanimously.*

### 7. Closure of Bridge Street:

County Commissioner Jason Strouf asked the City to permanently close one block of Bridge Street where it intersects with 10<sup>th</sup> street and over to 11<sup>th</sup> street. The reasons are the following:

- Negative to business impact
- Taking spaces for surrounding business's and Courthouse
- Safety for the Senior Citizens at the Drop in Center when traveling from their vehicle to the center. He said the traffic coming around the corner is a hazardous situation, and also the traffic exiting the law center on the south side would be backing into the street area as an exit
- Could create 55 parking spot, with the intent of Courthouse employees parking there

Committee Member Hollowell thought it would help free up the parking around the Courthouse, but would miss using the street.

Committee Member Partridge said if the closure is for the safety of elders, then is the City and County going to close all streets for safety purposes.

County Commissioner Kevin Krausz said that there is a 10 mile an hour speed limit, but no one abides by it. He thought that was a safety hazard for the senior citizens crossing the streets.

County Commissioner Keith Holmlund added that the gravel road would stay open.

Committee Member Galbraith said that she would support the closure at this time and let Council decide.

Director Gray said that the 10 mile per hour speed limit was established for a reason and needs to be enforced. He added that the cut across road could be taken away at any time, and closing the road would cause three more turns for drivers coming from Bridge Street going to North Montana. He said every time that a turn is added, you add the increase of an accident.

*\*\* Committee Member Galbraith moved to recommend to Council approval of the closure of Bridge Street. The motion was seconded by Committee Member Hollowell. The motion passed 2-1, with Committee Member Partridge voting no.*

### 8. REQUEST OF CITIZENS/PUBLIC COMMENT:

-None.

### ADJOURNMENT

*\*\* Having no further business, Committee Member Galbraith moved to adjourn, seconded by Committee Member Hollowell and passed unanimously, 3-0. The meeting was adjourned at 6:25+ p.m.*

*\*\* Councilperson Galbraith moved to approve the minutes of the Public Service Committee Meeting of September 16, 2015, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 7-0.*

### Finance Committee Minutes: 9/22/2015

#### Finance Committee Meeting September 22, 2015

The Finance Committee met Wednesday, September 22, 2015, at 6:00 p.m. in the City Hall Conference Room. Present were Committee Chairperson Susanne Galbraith and Committee Members Dwayne Andrews and John Hollowell.

Also present were Public Works Director Scott Gray, Grant Writer/City Planner in Training Dawn Colton and Committee Recorder/City Clerk Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

### 1. Request of Citizens:

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-None-

### 2. Discussion and recommendation on quotes to purchase pickup to replace Public Works van for Engineering & Operations

Director Gray said that the purchase of the pickup was approved in his budget for \$40,000. He received three bids:

- Notbohm- A 2015 Chevrolet Silverado 1500 4WD for an amount of \$35,480.00
- Deluxe Motors- A 2015 Ram 1500 Crew Cab 4x4 for an amount of \$31,861
- Mac's Frontierland- A 2015 F-150 4x4 Supercrew for an amount of \$34,581

He felt the specifications were comparable, but only the Chevy and Dodge would fit into The City's garage. He recommended to the Committee to purchase the Dodge Ram.

\*\* *Committee Member Andrews moved to approve the purchase of the Dodge Ram for an amount of \$31,861. The motion was seconded by Committee Member Galbraith. The motion passed 3-0*

### 3. Discussion and recommendation on quotes to purchase tractor with tiller attachment for Parks Department

Director Gray said that the purchase of the tractor was approved in his budget for \$20,000. He asked for three bids, and received two, one from Horizon Implement/John Deere for an amount of \$14,273.00 and one from Bobcat/Kioti for an amount of \$12,500. He did not receive a third bid from Kubota. Although the John Deere was higher, he felt the motor was better and would last more years than the Kioti, so he recommended to the Committee to purchase the John Deere.

\*\* *Committee Member Hollowell moved to approve the purchase of the John Deere tractor for an amount of \$14,273. The motion was seconded by Committee Member Andrews. The motion passed 3-0*

### 4. Discussion and recommendation on quotes to purchase mower with bagger attachment for Parks Department

Director Gray said that the purchase of the mower with bagger attachment was approved in his budget for \$20,000. He received three bids:

- Horizon Implement/John Deere for an amount of \$13,425.05
- Bobcat/Gravely for an amount of \$17,998.00
- Midland Implement/Toro for an amount of \$19,892

He explained that the Gravely brand and the Toro were diesel and the John Deere was gas. He recommended to the Committee to purchase the John Deere.

\*\* *Committee Member Hollowell moved to approve the purchase of the John Deere mower with bagger attachment for an amount of \$13,425.05, seconded by Chairperson Andrews. The motion passed 3-0*

### 5. RESOLUTION NO. 3854: A Resolution Approving A Short Form Of Agreement Between Owner And Engineer For Professional Services Between The City Of Miles City, Montana, And Interstate Engineering, Inc., For Development Of The Miles City Long Range Transportation Plan

Grant Writer Colton explained that the traffic study was approved in the budget for an amount of \$150,000. She added that Montana Department of Transportation will pay 80% of the study and she had applied for a \$20,000 grant from CDBG.

Committee Member Andrews asked if the City was committed to the whole \$122,000. Grant Writer Colton said yes.

Mayor Grenz asked why now, and will the traffic study get us more grants.

Grant Writer Colton explained that if the City completes the study, it will help with getting more grants by showing a commitment to the project. She said the study will cover traffic on Haynes Avenue, Horizon Parkway and Highway 59, and these roads were never studied by the State.

\*\* *Committee Member Hollowell moved to recommend to Council to approve the Resolution, seconded by Chairperson Galbraith. The motion passed 3-0*

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## 6. **Adjournment**

\*\* *Committee Member Andrews moved to adjourn the meeting, seconded by Committee Chairperson Galbraith and passed unanimously, 3-0.*

The meeting was adjourned at 6:30 p.m.

\*\* *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of September 22, 2015, and seconded by Councilperson Andrews. The motion **passed** by unanimous consent, 7-0.*

## **Finance Committee Minutes: 10/1/2015**

### **Finance Committee Meeting October 1, 2015**

The Finance Committee met Wednesday, October 1, 2015, at 6:00 p.m. in the City Hall Conference Room. Present were Committee Chairperson Susanne Galbraith and Committee Members Dwayne Andrews and John Hollowell.

Also present were Public Utilities Director Al Kelm, Fire Chief Gary Warren Water/Waste Water Plant Supervisor Dave Harris, Mayor Grenz, Historic Preservation Officer/Grant Writer Connie Muggli and Committee Recorder/City Clerk Lorrie Pearce. Committee Chairperson Galbraith called the meeting to order.

## **6. Request of Citizens:**

-None.

## **7. Discussion and recommendation on quotes to purchase sludge pump for Water Treatment Plant**

Supervisor Harris said that the sludge pump at the water treatment plant was over forty years old and had a hole or crack in the drive shaft. He received an estimated bid to repair the pump for \$10,000. Two bids were received for a new one:

- Power Service: \$10,145 plus shipping \$450 for a total of \$10,695
- Falcon: \$14,861- this includes shipping

Director Kelm said they were both exact pumps, and recommended purchasing the pump from Power Service because the company is local.

\*\* *Committee Member Andrews moved to approve the purchase of the pump. The motion was seconded by Committee Member Hollowell. The motion passed 3-0*

## **8. Discussion and recommendation on ambulance write offs**

Clerk Pearce said that there was \$13,765.50 of new write offs to send to collections.

\*\* *Committee Member Hollowell moved to recommend to Council to approve sending the ambulance write offs to collection. The motion was seconded by Committee Member Andrews. The motion passed 3-0*

## **9. ORDINANCE NO. 1299: An Ordinance Adopted Pursuant to the Montana Interim Zoning Statute Contained in Section 76-2-306 MCA Extending Interim Zoning Ordinance 1290 Pertaining to the Zoning of Sexually Oriented Businesses**

Grant Writer Muggli said that the Ordinance replaces and extends the Ordinance that was passed April 14, 2015 for one year. The extension allows time to study all areas within City limit until an area is found to zone for this type of business. She said four areas had been identified that may be appropriate, but after a survey was completed, three areas had been omitted and the one area that fit all the Supreme Court criteria's is behind four bees. She added that Supreme Court ruling says that the City has to allow the business to be somewhere in the City limits.

\*\* *Committee Member Hollowell moved to recommend to Council approval of Ordinance 1299, seconded by Chairperson Galbraith. The motion passed 3-0*

## **6. Adjournment**

\*\* *Committee Member Hollowell moved to adjourn the meeting, seconded by Committee Member Andrews and passed unanimously, 3-0.*

The meeting was adjourned at 6:20 p.m.

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*\*\* Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of October 1, 2015, and seconded by Councilperson Andrews. The motion passed by unanimous consent, 7-0.*

### SCHEDULE MEETINGS

Study Commission Meeting

October 15, 2015

### REQUEST OF CITIZENS & PUBLIC COMMENT

Becky Willis 802 Silversage said there was a trailer that moved in the area that violated a lot of their covenant. The owners are using the alley as a toilet and they are known to party. She was worried that the neighborhood would not stay nice and safe. Also, this resident had hooked up to City water illegally.

Attorney Rice explained that the City can enforce City Ordinances, but cannot enforce subdivision covenants, such as the color of a house or the age of a trailer. If residences wanted to do anything about those types of complaints the subdivision would have to file a suit in District Court. With the public urination or loudness, they would have to call 911.

Director Kelm explained that the City shut their water off in late September, and the owner hooked it up again. He had been working with a police officer in the investigation of the violation and a City employee went out today to shut off the water and tack weld the source.

Betsy Schell 809 Silversage asked what the definition of a good habitat is. She said the trailer is not skirted, and a window was broken out and covered with plywood. She added that the structure is pretty much a free standing shell.

Director Gray explained that the zoning laws give owners 60 days to skirt a trailer.

Attorney Rice added that the Building Inspector will be addressing the problems that apply to the City.

### APPOINTMENTS

Urban Renewal Agency Board of Commissioners – Permanent Term Appointments

Todd Gillette, President, Community 1<sup>st</sup> Federal Credit Union – 1 year term  
Amy Rolandson, Commercial Loan Officer, Stockman Bank – 2 year term  
Brady Patch, Commercial Loan Officer, First Interstate Bank – 3 year term  
Brent Leischner, Commercial Loan Officer, US Bank – 4 year term

*\*\* Councilperson Galbraith moved to approve the appointments and seconded by Councilperson Andrews. The motion passed 7-0*

The City and fellow Board members would like to recognize and thank Blake Mollman for his year of service as a member of the Miles City Interim Tax Increment Finance District Committee.

The URA Board of Commissioners will publish a request for letters of interest for one four year term.

### PROCLAMATIONS

None

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### STAFF REPORTS

Chief Colombik had Mayor Grenz pull the winning names for the following raffles:

- New Colt M4 Carbine 5.56 mm Semi Auto Rife (Donated by Dr. Jeff Williams)- Winner was Allen Kelm
- .388 Laupua Mag Rifle with 8-32 X 56 mm Scope (Donated by Chip Homme)- Winner was Tim Stoltz

Chief Colombik said that law enforcement had sold 248 tickets which would allow the police force to purchase 5 tasers.

Grant Writer Colton reported that the City will receive a \$20,000 CDBG grant for the transportation study, and is looking at recruiting one person from the County and one person from the Council to sit on the board.

Clerk Pearce asked the Council to pencil in December 11, 2015 at 10 am for a Special Council meeting to hear a grievance. She said that the hearing would take most of the day.

### CITY COUNCIL COMMENTS

Councilperson Hollowell said he had been informed by the Flood Administrator that the City had been selected for Section 205.

Councilperson Brush said there is a building east of St. Vincent's that had windows broken out and pigeon were living in it. Mayor Grenz said that the Building Inspector had been looking into the situation. Councilperson Brush added that Zip Trip on Haynes Avenue is moving dirt and was wondering if the County is reviewing the project.

### MAYOR COMMENTS

Reported on progress of funding for the dike:

- City was accepted for SRF funds. With the help of Director Kelm, hopefully they have convinced SRF that these funds can be used for construction of the levy since both the water and sewer infrastructure are in the floodway and the cost of changing the location of these building would be astronomical. At the worst, the interest rate would be 2.5% at the best 1.5%. The difference of 1% for every million is \$10,000
- DNRC and the Flood Administrator are working together on receiving a 10 million dollar grant
- May qualify for TSEP funds
- Flood Administrator said insurance rates are going through the roof

### STANDING COMMITTEE RECOMMENDATIONS

**Public Service Committee** –Permanent closure of Bridge Street

Councilperson Ahner did not understand why there is a safety concern. He never knew there was a problem. He felt the street is a paved street and should stay open to the public.

Director Gray said by closing the street it would cause a safety hazard by adding more turns which would cause slower traffic, and the City would lose dollars from the gas tax.

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County Commissioner Jason Strouf explained why the County would like Bridge Street closed.

- The speed limit in the area is 10 miles per hour, so he felt the City already recognized that there was a safety issue
- All intersections that traffic would have to detour to are controlled by either a stop sign or stop light.
- There would be two roads left, one paved and one that had been widen
- He had talked to a representative of Rolling Rubber that said closing the road would not affect their business
- It is a safety hazard to the Senior Citizens

Director Gray added that the widen street is not a platted City street and it is on BN's property and they could close it at any time.

*\*\* Councilperson Hollowell moved to send the closure to Resolution and seconded by Councilperson Gardner. The motion failed 2-5, with Councilperson Brush, Ahner, Partridge, Gardner and Galbraith voting no.*

**Finance Committee-** Approval of purchase of sludge pump for Water Treatment Plant

*\*\* Councilperson Galbraith moved to accept the recommendation to approve the purchase and seconded by Councilperson Andrews. The motion passed 7-0*

**Finance Committee-** Approval on sending ambulance write offs to collection

*\*\* Councilperson Galbraith moved to approve sending the ambulance write offs to Collections and seconded by Councilperson Hollowell. The motion passed 7-0*

### BID OPENINGS

None

### BID AWARDS

None

### PUBLIC HEARINGS

- A. **RESOLUTION NO. 3850: A Resolution Pursuant to 7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2015-2016 to Increase Budgeted Amounts in the Treasurer Fund 1000**

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

- B. **RESOLUTION NO 3851: A Resolution Pursuant to 7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2015-2016 to Increase Budgeted Amounts in the City Hall Maintenance Fund 1000**

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



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**C. ORDINANCE NO. 1299: An Ordinance Adopted Pursuant To The Montana Interim Zoning Statute Contained in Section 76-2-2006 MCA Extending Interim Zoning Ordinance 1290 Pertaining to the Zoning of Sexually Oriented Businesses**

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

**UNFINISHED BUSINESS**

**A. RESOLUTION NO. 3850: (Second Reading) A Resolution Pursuant to 7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2015-2016 to Increase Budgeted Amounts in the Treasurer Fund 1000**

**\*\*** *Councilperson Galbraith moved to approve the resolution by title only and seconded by Councilperson Brush. The motion passed 7-0*  
**Resolution No. 3850 passed**

**B. RESOLUTION NO 3851: (Second Reading) A Resolution Pursuant to 7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2015-2016 to Increase Budgeted Amounts in the City Hall Maintenance Fund 1000**

**\*\*** *Councilperson Gardner moved to approve the resolution by title only and seconded by Councilperson Galbraith. The motion passed 7-0*  
**Resolution No. 3851 passed**

**C. ORDINANCE NO. 1299: (Second Reading) An Ordinance Adopted Pursuant To The Montana Interim Zoning Statute Contained in Section 76-2-2006 MCA Extending Interim Zoning Ordinance 1290 Pertaining to the Zoning of Sexually Oriented Businesses**

**\*\*** *Councilperson Galbraith moved to approve the ordinance and seconded by Councilperson Brush. The motion passed 7-0*  
**Ordinance No. 1299 passed**

**NEW BUSINESS**

**A. COUNCIL HEARING: Interview for Ward II Council Vacancy**  
Mayor Grenz announced that Gary Mathews withdrew his candidacy for the Ward II Council Vacancy.

Councilperson Ahner asked Rachel Sloan if she was selected, would she entertain running for the position when it comes up for re-election. Mrs. Sloan said yes, she would run for Council again when it expired.

**\*\*** *Councilperson Ahner moved to appoint Rachel Sloan as new Council Member to replace Sheena Martin's vacancy, seconded by Councilperson Hollowell and on roll call vote passed 7-0.*

**B. RESOLUTION NO. 3856: (First Reading) A Resolution Pursuant to 7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2015-2016 to Increase Budgeted Amounts in the City Shop Fund 6040**

**\*\*** *Councilperson Galbraith moved to approve the Resolution, seconded*

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*by Councilperson Hollowell and on roll call vote passed 7-0.*

## Resolution No. 3856 passed first reading

### C. RESOLUTION NO. 3857: A Resolution of Intention of the City Council of the City of Miles City, Montana to Adopt the City of Miles City Growth Policy Update

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

Consultant Dave DeGrandpre presented a power point on Miles City 2015 Growth Policy Update. The subjects discussed were:

- ❖ What is a Growth Policy
- ❖ How are Growth Policies used
- ❖ Why the City needs a Growth Policy now
- ❖ Growth Policy structure
- ❖ Growth Policy contents
- ❖ Key Growth Policy Topics
- ❖ Growth Policy Survey Results
- ❖ Population change from 1950-2010
- ❖ Land Use- Key Issues and Trends
- ❖ Future Land Use
- ❖ Potential Annexation Areas
- ❖ Public Facilities- Key Issues and Trends
- ❖ Economy- Key Issues and Trends
- ❖ Housing- Key Issues and Trends
- ❖ Coordination between City and County

Councilperson Gardner asked if the City passed the intent resolution does the City have 30 days to change anything.

Consultant DeGrandpre said nothing is set in stone at this point. Even if the final policy is passed, it too could be changed at any point.

Councilperson Ahner asked if the Annexation Plan is separate from the Growth Policy.

Consultant DeGrandpre said they were, and explained that the Annexation Plan was more specific.

Councilperson Brush said at the Planning Boards Public hearing there were three Southgate residents not in favor of the Growth Policy.

- ✓ Mr. Rude said it lacked an action plan, needed to hold neighborhood meetings, give information upfront and opposed the plan in current form.
- ✓ Mrs. Jewel said that there are issues with adhering to the Growth plan, frustrated with zoning issues, procedures needed to be specific, and asked not to approve the plan.
- ✓ Mr. Jewel is not for or against the growth plan. He suggested additional language regarding storm water run offs, needed to have a knowledgeable person guide the City with obtaining and enforcing DEQ permits, and said the City was violating State laws.

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Gary Ryder said in 2008 there was a Growth plan in place with some general principles that were very well thought out. It included requiring the developers pay a portion of the cost to collect the input from surrounding land owners. People should not have to hire a private attorney to do a public function of endorsing adopted laws. He thought what was neglected when it comes to growth policies and land issues are that you have residents used to their quality of life and then you put an industry not compatible in their neighborhood. The City somehow should retake consensus between the land owner and the developers. Citizens are upset that the City's zoning laws are not being enforced and thought there needed to be cooperation between the City and County.

Councilperson Brush said that this is a growth policy, a plan for growth and nothing is set in stone. Making those changes to the growth policy would not bear much because they are already in the City ordinances.

*\*\*By roll call vote the motion passed 6-1, with Councilperson Partridge voting no. Resolution No. 3857 passed*

D. **RESOLUTION NO. 3858: A Resolution Providing for a Capital Improvement Fund for the Airport Service of the City of Miles City**

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

Councilperson Ahner was concerned that the airport was limiting their source of revenue by naming just the terminal, hanger garage rent and payment for gravel all received by Century Company in Lewistown, Montana.

Airport Committee Chairperson Doug Phair said the Airport is looking for other sources of revenue and didn't mean to limit it to the revenues being received from Century. He said the Airport itself is really self sustained, but the buildings are in dire need of repair to a sum of \$300,000.

Mayor Grenz said the airport had been neglected for 25 years. In the last year there has been a huge improvement on the buildings but it ran out of money. That is why the CIP is being started.

*\*\* Councilperson Galbraith amended her original motion to delete the entire description of a. and replace with "Any non-aeronautical sources of revenue, designated by the Airport Commission" and deleting entirely b, seconded by Councilperson Gardner.*

*\*\* On roll call vote the amended motion passed 7-0.*

*\*\* On roll call vote the original motion passed 7-0. Resolution No. 3858 passed with corrections.*

E. **LETTER OF SUPPORT: Letter of Support for Montana Main Street Program application to the National Main Street Center asking for sponsorship of a two-day "placemaking" workshop entitled, Cultivating Place in Main Street Communities in Montana. The sponsorship will include access to national expertise, and paid lodging for attendees from Montana Main Street communities, including Miles City.**

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*\*\* Councilperson Galbraith moved to approve the letter of support, seconded by Councilperson Andrews and on roll call vote passed 7-0.*

**F. APPROVAL OF SEPTEMBER CLAIMS**

*\*\* Councilperson Hollowell moved to approve September claims seconded by Councilperson Galbraith and on roll call vote passed 7-0.*

**ADJOURNMENT**

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

The meeting was adjourned at 9:15 p.m.

  
C. A. Grenz, Mayor

  
Lorrie Pearce, City Clerk