

# PROCEEDINGS OF CITY COUNCIL MILES CITY, MONTANA

## REGULAR COUNCIL MEETING      March 8, 2016 7:00 p.m.

### CALL TO ORDER

The Regular Council meeting was held Tuesday, March 8, 2016, in the City Hall Conference Room at City Hall, 17 S. 8<sup>th</sup> Street, Miles City, Montana. Mayor John Hollowell called the meeting to order. Council Members present were John Uden, Rachel Sloan, Dwayne Andrews, Susanne Galbraith, Brant Kassner, Ken Gardner, Jeff Erlenbusch and Kathy Wilcox.

Also present were Police Chief Doug Colombik, Fire Chief Gary Warren, Public Utilities Director Al Kelm, Public Works Director Scott Gray, Battalion Chief Branden Stevens, Grant Writer/Historic Preservation Administrator Connie Muggli and City Clerk/Minute Recorder Lorrie Pearce.

### PLEDGE OF ALLEGIANCE

Mayor Hollowell led the Council in the Pledge of Allegiance.

### APPROVAL OF COUNCIL & COMMITTEE MINUTES City Council Minutes: 2/23/2016

\*\* Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of February 23, 2016, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 8-0.

### SCHEDULE MEETINGS

Finance Committee

March 17 at 6:00pm

Human Resource Committee

March 17 at 6:30pm

### REQUEST OF CITIZENS & PUBLIC COMMENT

John Goff-Representative for MCL<sub>2</sub>, presentation of designs for amphitheater at Riverside Park

John Goff, Vice President of Milestown Community Improvement Incorporated, presented to Council for approval, the final design to build an Amphitheater in Riverside Park. The engineering drawings are final and now it's ready to go out for bids. The money for the amphitheater is one hundred percent secured. And he assured the Council if any other expenses arise, they have the money to cover it. The Amphitheater would be built on the South side of the Park where there is not much traffic at this time. There would be a path from the Lions building to the Amphitheater. A ramp in the back would be poured to make it easier to haul items in and out of the structure. Sidewalks would be poured around the structure and back to the tennis courts. The old tether pole area would be transformed into a handicap pad. Motion sensor lights would be installed. He felt the entire construction would be about a month and a half from start to finish. There would be non-potable water available.

Brandon Janssen, MCL<sub>2</sub> Member, explained that the structure would be metal and the overall size is 24 feet deep and 36 feet wide. Colors selected would be in the browns and greens. In front of the structure there would be an 18 inch raised platform and in the back a ramp. The motion sensor lights would shine 60' from the building to help people exit an event. An electrical panel and outlets would be installed to supply energy for any event.

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\*\* Councilperson Galbraith moved to accept the donation of the amphitheater and proceed further, seconded by Councilperson Uden and on roll call vote passed 8-0.

### APPOINTMENTS

Urban Renewal District Agency Board- Kevin Raasch  
Urban Renewal District Agency, Technical Advisor- Kasey Krueger

\*\* Councilperson Uden moved to approve the appointments of Kevin Raasch and Kasey Krueger, seconded by Councilperson Sloan and on roll call vote passed 8-0. Mayor Hollowell swore both appointees into their office.

### PROCLAMATIONS

Mayor Hollowell read the Governor's proclamation to lower the flag flown at City Hall to half-staff on Monday 7, 2016 in honor and memory of First Lady Nancy Reagan.

### STAFF REPORTS

Director Kelm informed Council that the Cenex Zip Strip will be asking Council for approval on its site plan. The City has decided to come across South Gate storage facility because it has a higher pressure zone. The City would come from the main line at Super 8, go under the highway to the West side of Highway 59 South. This will help the fire department because of the higher pressure and volume. That proposal will come in front of Council next meeting. Everything will be engineered to DEQ specification and signed off by DEQ. Once the line is installed the City will take ownership.

Chief Warren reported the fire and ambulance had 19 calls from January 1<sup>st</sup> to date, 18 of them were ambulance, 1 for the fire department.

Battalion Chief Steven said the letter he wrote to the Editor was intended to support the crews and volunteers who work out in the field, and in no way was it intended to offend anyone on the Council.

### CITY COUNCIL COMMENTS

Councilperson Uden acknowledged the two firemen who delivered the baby on the highway.

Councilperson Andrews said there was a general consensus at the action review of a major accident that the Miles City crew did an excellent job.

Councilperson Andrews reported that a citizen called on the safety of Jack's Body Shop employees crossing Highway 7. They asked if a cross walk could be built from Hubble to Seventh Street. Director Gray said the State owns Highway 7. Mayor Hollowell said he would make a request to the State Department for the crosswalk.

Councilperson Andrews added that Spotted Eagle is a mess. He said the restrooms have not been cleaned in months, and limbs are lying all around. He thought the Parks crews could perform some of these things when they are not busy. Also, Milwaukee Park could use some cleaning.

### MAYOR COMMENTS

Reminded everyone that RSVP is having a Soup Supper at the Range Riders Museum March 10<sup>th</sup> from 5pm to 6:30pm.

### STANDING COMMITTEE RECOMMENDATIONS

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Finance Committee- Recommended approval of sending Ambulance bills for an amount of \$13,765.50 to collections.

\*\* *Councilperson Galbraith moved to send the ambulance bills to collection, and seconded by Councilperson Sloan. The motion passed 8-0*

## BID OPENINGS

No bids were received on three cabins and a boxcar

## BID AWARDS

None

## PUBLIC HEARINGS

**A. ORDINANCE NO. 1303: An Ordinance Amending Section 2-59 of the Code of Ordinances of the City of Miles City, Montana, to Include the Preparation of Council Meeting Agendas as a Power and Responsibility of the Mayor**

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

**B. ORDINANCE NO. 1302: An Ordinance Amending Section 2-106(7) of the Code of Ordinances of the City of Miles City, Montana, With Regards to the Mayor's Veto of Resolutions and Ordinances**

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

## UNFINISHED BUSINESS

**A. ORDINANCE NO. 1303: (Second Reading) An Ordinance Amending Section 2-59 of the Code of Ordinances of the City of Miles City, Montana, to Include the Preparation of Council Meeting Agendas as a Power and Responsibility of the Mayor**

\*\* *Councilperson Galbraith moved to approve the Ordinance, by title only, seconded by Councilperson Kassner and on roll call vote passed 8-0. Ordinance No. 1303 passed*

**B. RESOLUTION NO. 3889: (Second Reading) A Resolution Pursuant to 7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FT 2015-2016 to Increase the Budgeted Amount in Fund # 1000-014-4604445-360 For Repairs to Swimming Pool Decking**

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

Councilperson Erlenbusch asked if the decking was covered by warranty. Director Gray said the decking was covered by warranty, but the joist underneath is the issue. The joist is always covered by water, making them swell and rot, and that would be the area that would receive the 1/4" protective spray. He added that there will be a 5/16" gap allowed for air flow and a 1/4" hole drilled in the planks to help with air flow.

Mayor Hollowell said the quote states up to a 1/8" protective spray. Director Gray said the manufacture recommends 1/4".

\*\**Councilperson Galbraith moved to amend the resolution to state that the polyurea application will be 1/4" thick and to change \$12,000 to \$18,550, seconded by*

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*Councilperson Gardner.*

**\*\*On roll call vote the Original and Amended motion passed 8-0. Resolution No. 3889 passed**

### NEW BUSINESS

**A. RESOLUTION NO 3890- A Resolution Establishing a Fund to be Known As the Downtown Urban Renewal District Agency Fund**

**\*\* Councilperson Gardner moved to approve the Resolution, by title only, seconded by Councilperson Wilcox. On roll call vote the motion passed 8-0 Resolution No. 3890 passed**

**B. RESOLUTION NO 3891- (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 the Budgeted Amount in Fund # 2310-383000 (101000) as the Result of the Downtown Urban Renewal District Agency Receiving a Façade Improvement Grant**

**\*\* Councilperson Galbraith moved to approve the Resolution, by title only, seconded by Councilperson Erlenbusch.**

Administrator Muggli explained the resolution is making funds available by transferring \$10,000 from General Fund to the MCDURD fund. This would allow the fund to reimburse the money in a timely manner to the recipient, because the grant gets reimbursed by the State two times. The first being in November. Once the money is dispersed to the City, the money would be transferred back immediately to General Fund. She thought the resolution should state that the MCDURD fund will transfer back the money to General Fund because the fund is a Special Revenue fund.

**\*\* On roll call vote passed 8-0. Resolution No. 3891 passed first reading**

**C. RESOLUTION NO. 3892- A Resolution Authorizing the City of Miles City to Enter Into an Agreement Entitled "State of Montana Agreement" With the State of Montana Historic Preservation Office for Partial Funding of the Historic Preservation Officer Position**

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

Administrator Muggli said that this agreement provides funding for the Historic Preservation fund and has received it since 1989.

**\*\* On roll call vote the motion passed 8-0 Resolution No. 3892 passed**

**D. RESOLUTION NO. 3893- A Resolution Authorizing the City of Miles City to Enter Into an Onix Networking Government Customer Agreement with Onix Networking Corporation**

**\*\* Councilperson Uden moved to approve the Resolution, by title only, seconded by Councilperson Sloan.**

Clerk Pearce explained that Google has hired 4-5 companies to process the billing of Google e-mail.

**\*\* On roll call vote the motion passed 8-0. Resolution No. 3893 passed**

### **E. Approval of Claims**

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*\*\* Councilperson Uden moved to approve February claims, seconded by Councilperson Andrews and on roll call vote passed 8-0.*

## ADJOURNMENT

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

The meeting was adjourned at 8:10 p.m.



**John Hollowell, Mayor**



**Lorrie Pearce, City Clerk**