

**REGULAR COUNCIL MEETING May 24, 2016
7:00 p.m.**

CALL TO ORDER

The Regular Council meeting was held Tuesday, May 24, 2016, in the City Hall Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana. Council President Galbraith called the meeting to order. Council Members present were John Uden, Rachel Sloan, Brant Kassner, Jeff Erlenbusch, Ken Gardner and Kathy Wilcox. Mayor Hollowell and Councilperson Andrews were excused.

Also present were Police Chief Doug Colombik, Public Utilities Director Allen Kelm, Fire Chief Gary Warren, Historic Preservation officer/Grant Writer Connie Muggli, Building Inspector Dennis Hirsch, Firefighter Sarah Lewin and City Clerk/Minute Recorder Lorrie Pearce.

PLEDGE OF ALLEGIANCE

Council President Galbraith led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

Regular Council Minutes: 5/10/2016

** *Councilperson Uden moved to approve the minutes of the Regular Council Meeting of May 10, 2016, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 7-0.*

Finance Committee Meeting Minutes: 5/5/2016

**Finance Committee Meeting
May 5, 2016**

The Finance Committee met Thursday, May 5, 2016 at 6:00 p.m. in the City Hall Conference Room. Present were Committee Chairperson Susanne Galbraith and Committee Members Rachel Sloan and Kathy Wilcox. Councilperson Dwayne Andrews was excused.

Also present were Public Works Director Scott Gray, Public Utilities Director Allen Kelm, Fire Captain Mike Miller and Fire Fighter Eric Hartse.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens:

Firefighter/EMT Eric Hartse said the information that he had on the ambulance was outdated and would present an updated report on the 19th.

2. Review and recommendation on RESOLUTION NO. 3914- A Resolution Approving an Agreement With Ovivo, USA, for Goods and Special Services Pertaining to the Miles City Wastewater Improvements Phase II Project

** *Committee Member Sloan moved to recommend to Council approval of Resolution No. 3914, seconded by Committee Member Wilcox. The motion passed 3-0.*

3. Review and recommendation on RESOLUTION NO. 3915- 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 the General Fund for Various Unbudgeted Expenditures

** *Committee Member Sloan moved to recommend to Council to approve Resolution No. 3915, seconded by Committee Member Wilcox. The motion passed 3-0*

4. Review and recommendation on RESOLUTION NO. 3917- A Resolution Approving an Agreement With Trojan Tech, for Goods and Special Services Pertaining to the

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Miles City Wastewater Improvements Phase II Project

*** Committee Member Wilcox moved to recommend to Council to approve Resolution No. 3917, seconded by Committee Member Sloan. The motion **passed** 3-0*

5. Review and recommendation on bids received for paving of maintenance district # 204 & 205

*** Committee Member Galbraith moved to recommend to Council to approve Century Construction bid received for an amount of \$407,500, seconded by Committee Member Wilcox. The motion **passed** 3-0*

6. Adjournment

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

The meeting was adjourned at 6:27 p.m.

Susanne Galbraith, Chairperson

*** Councilperson Sloan moved to approve the minutes of the Finance Committee Meeting of May 5, 2016, and seconded by Councilperson Gardner. The motion **passed** by unanimous consent, 7-0*

SCHEDULE MEETINGS

Study Commission
Finance Committee

May 26, 2016 at 5:15pm
June 02, 2016 at 6:00 pm

REQUEST OF CITIZENS & PUBLIC COMMENT

None

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Chief Colombik reported the arrest from the Bucking Horse Sale were down from approximately 80-100 arrests to 60. He added that there were a lot of fights on Thursday night.

Chief Warren announced Sarah Lewin was transitioning into the EMS training officer.

CITY COUNCIL COMMENTS

Councilperson Uden said he received a couple of calls about people drinking outside bars before the barricades were set up. He asked Chief Colombik if he could bring the issue to his officers to correct next year.

MAYOR COMMENTS

None

STANDING COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

Lease of land- Tract E, Lot 8 in Industrial Site

One bid was received from James Diggins for an amount of

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\$753.75. Council President Galbraith sent the bid to Finance for review.

BID AWARDS

None

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

A. RESOLUTION NO. 3918- A Resolution Authorizing the City of Miles City to Award A Downtown Façade Improvement Grant to BuyMT.Com

*** Councilperson Wilcox moved to approve the Resolution, by title only, seconded by Councilperson Gardner. On roll call vote, the motion passed 7-0*

B. RESOLUTION NO. 3919- A Resolution Authorizing the City of Miles City to Award A Downtown Façade Improvement Grant to Sullivan's Furniture

*** Councilperson Gardner moved to approve the Resolution, by title only, seconded by Councilperson Erlenbusch. On roll call vote, the motion passed 7-0*

C. RESOLUTION NO. 3920- A Resolution Authorizing the City of Miles City to Award A Downtown Façade Improvement Grant to Shear Fun Salon

*** Councilperson Sloan moved to approve the Resolution, by title only, seconded by Councilperson Uden. On roll call vote, the motion passed 7-0*

D. RESOLUTION NO. 3921- (Revisited) A Resolution Approving Amendment of the Interlocal Agreement Between the City of Miles City and the County of Custer for Provision of Health Services

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

Councilperson Uden and Wilcox felt a medically licensed practitioner of some sort needed to be on the board in case of epidemic.

*** After a long conversation, Councilperson Wilcox moved to amend the proposed Interlocal agreement amendment to read one (1) at large member who must be a Montana licensed provider, shall be appointed by the City-County Board of Health, subject to the approval of the City Council and the County Commissioners, seconded by Councilperson Uden. The motion passed 6-1, with Councilperson Erlenbusch voting no.*

*** The original motion passed on roll call vote, 6-1, with Councilperson Erlenbusch voting no*

E. RESOLUTION NO. 3922- A Resolution Authorizing the City of Miles City to Contract With Dennis Hirsch for Building

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Inspection Services for Fiscal Year 2016-2017

*** Councilperson Wilcox moved to approve the Resolution, by title only, seconded by Councilperson Gardner. On roll call vote, the motion passed 7-0*

F. RESOLUTION NO. 3923- (First Reading) A Resolution Adopting A City of Miles City Insufficient Funds Policy, and Setting A Public Hearing Thereon

*** Councilperson Gardner moved to approve the Resolution, by title only, seconded by Councilperson Sloan. On roll call vote, the motion passed 7-0 Sent to Finance for review*

G. RESOLUTION NO. 3924- A Resolution Providing for Procedures to Assure Public Participation in Governmental Decisions of the City of Miles City Government

*** Councilperson Sloan moved to approve the Resolution, by title only, seconded by Councilperson Gardner. On roll call vote, the motion passed 7-0*

H. RESOLUTION NO. 3925- A Resolution Authorizing the City of Miles City to Enter into an Agreement With the Montana Department of Transportation for Street Sweeping for Fiscal Year 2016-2017

*** Councilperson Uden moved to approve the Resolution, by title only, seconded by Councilperson Kassner. On roll call vote, the motion passed 7-0*

I. RESOLUTION NO. 3926- A Resolution Establishing Pay Rate for 283-A Seasonal Employees

*** Councilperson Erlenbusch moved to approve the Resolution, by title only, seconded by Councilperson Sloan. On roll call vote, the motion passed 7-0*

J. RESOLUTION NO. 3927- A Resolution Approving an Agreement Between the City of Miles City and Process Wastewater Technologies for Purchase of a Dewatering Equipment Package

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

Director Kelm explained to Council that he was working on some revisions to the contract. The issues were the following:

- \$14,500 deduction on the project, had been agreed to
- Payment terms would be modified to 10% at the time of submittals, 80% after start-up, and 10% at the end of the warranty period
- Provide a financial statement for the past 2 years
- Dewatering equipment delivered by October 15, 2016 to keep with schedule
- Add to Section 7-02-b; should startup not occur within 90 days of delivery a payment of 40% of the contract amount will be allowed. Should start-up not occur

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within 180 days of delivery, an additional 40% payment of the contract amount will be allowed.

**** On roll call vote, the motion passed 7-0**

ADJOURNMENT

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

The meeting was adjourned at 7:45 p.m.


Suzanne Galbraith, President


Lorrie Pearce, City Clerk