

REGULAR COUNCIL MEETING April 11, 2017
7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, April 11, 2017, in the City Hall Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana. Mayor John Hollowell called the meeting to order. Council Members present were Brant Kassner, Ken Gardner, John Uden, Rick Huber, Jeff Erlenbusch, Kathy Wilcox and Susanne Galbraith. Councilperson Dwayne Andrews was excused.

Also present were City Attorney Dan Rice, Public Utility Director Allen Keim, Police Chief Doug Colombik, Fire Chief Gary Warren, Grant Administrator /Historic Preservation Officer Connie Muggli, Planner II Dawn Colton and City Clerk/Minute Recorder Lorrie Pearce.

PLEDGE OF ALLEGIANCE

Mayor Hollowell led the Council in the Pledge of Allegiance.

Mayor Hollowell acknowledged that Boy Scouts were at the meeting and asked for an introduction. The Boy Scout leader introduced the scouts that were present at the meeting. He explained that it was for a merit badge. He thanked the police and fire department for helping with Eagle Scout projects. Announced that there will be a two night camporee in the first week of May at Spotted Eagle.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 3/28/2017

** Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of March 28, 2017, and seconded by Councilperson Gardner.

** Councilperson Huber moved to amend the minutes on page 15 from *Deluxe Motors to Notbohm Motors, seconded by Councilperson Kassner. The motion passed unanimously 7-0*

*** The original motion passed by unanimous consent, 7-0.*

Finance Committee Minutes: 3/23/2017

**Finance Committee Meeting
March 23, 2017**

The Finance Committee met Thursday, March 23, 2017 at 12:00 p.m. in the City Hall Conference room. Present were Committee Chairperson Susanne Galbraith and Committee Members Rick Huber and Dwayne Andrews. Committee Member Kathy Wilcox was excused.

Also present were: Planner II Dawn Colton, Public Works Director Scott Gray, Deputy Clerk/HR Officer Linda Wilkins and City Clerk/Recorder Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

**1. Request of Citizens:
None**

2. Approval of Purchasing used snow blower

Director Gray said he found a used snow blower at Fair Manufacturing Inc. The cost is \$29,000 which would include freight and one complete set of replaceable bolts on cutting edges and bolt on skid shoe. The model is late 90's and has 300 plus hours on it. The company would install a new female quick hitch to accommodate the City's loader and refurbish the following:

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- Replace 2 new fan impellers
- Sandblast and repaint
- Increase the cutting width from 7 feet to 8 feet
- Replace clutch engagement cylinder
- Replace anything else found questionable at teardown

** *Committee Member Andrews moved to approve the bid received from Fair Manufacturing to purchase the used snow blower, seconded by Committee Member Huber. On roll call vote, it passed 3-0*

3. Approval on arrears PERS payment

Officer Wilkins explained that the Public Employment Retirement System (PERS) requires all employees to pay into the system if they work over 960 hours. This particular employee worked one year with less than 960 hours, but in 2009 they started working over the 960 hours, which meant they and the City should have been paying into the system. The total amount that is owed to PERS is \$20,254.47 and does not include penalty or interest. Per PERS, it is the City's responsibility to pay for the reporting error. All committee members felt it would be very hard to get the employee to pay its share and agreed that the City should pay the full amount. Officer Wilkins added that Attorney Rice agreed to write a letter to plead the City's case as to why it shouldn't pay the penalties.

** *Committee Member Andrews moved to approve the \$20,254.47 payment to PERS, seconded by Committee Member Huber. On roll call vote, it passed 3-0*

4. Adjournment

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

The meeting was adjourned at 12:30 p.m.

** *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of March 23, 2017, and seconded by Councilperson Uden. The motion passed by unanimous consent, 7-0.*

Human Resource Committee Minutes: 3/23/2017

**Human Resources Committee
March 23, 2017**

The **Human Resources Committee** met Thursday, March 23, 2017, at 5:25 p.m. in the Conference Room at City Hall. Present were Committee Members Kathy Wilcox, Susanne Galbraith, and Jeff Erlenbusch. John Uden was excused. Also present were City Clerk Lorrrie Pearce and Deputy City Clerk/HR Officer /Committee Recorder Linda Wilkins.

Committee Chairperson Kathy Wilcox called the meeting to order.

1. Request of Citizens
None

2. Committee Member Comments
None

3. Unfinished Business
None

4. New Business

- A. Finance Department job descriptions revisions- Linda Wilkins
The following marked up job descriptions: Deputy City Clerk/Human Resource Officer, Utility Billing Clerk and Accounting Payroll Clerk were reviewed for content: Deputy City Clerk/Human Resource Officer, page 1 wage scale and exemption status will be added on header, on page 2 bullets 5-9 and 12 were deleted, page EEO and ADA will be spelled out, page 4 a bullet point was added regarding tracking performance evaluations, and job standards were changed to reflect performance evaluations. Utility Billing Clerk page 1 wage scale and exemption status will be added, under summary of work add serves the public at the front window (wordsmith the front window), add a bullet point collects city fees, on behalf of the treasurer and a bullet makes reservations for city park usage.
Accounting/Payroll Clerk. Page 1 wage scale and exemption status will be added, page 1 at summary of work add serves the public, page 2 bullet 4 change Solestone to ambulance billing and delete "to go to DCI", bullet 5 add park fees and reservations.

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***Committee Member Erlenbusch moved to accept the job descriptions as reviewed and revised, seconded by Committee Member Galbraith. On roll call vote, the motion passed 3-0.*

B. Vehicle Use Policy- Lorrie Pearce

***Committee Member Galbraith moved to table the vehicle use policy until the next meeting, seconded by Committee Member Erlenbusch. On roll call vote, the motion passed 3-0.*

C. PII policy

The policy needs to be reviewed by Chief Warren and Battalion Chief Stevens. HR Officer Wilkins find out if this is actually a fire and ambulance policy and what steps do they take to review policies. Policy directed at how the department conducts itself. Need to draft a policy for the entire City.

***Committee Member Galbraith moved to postpone the PII Policy until more information was received from the Fire Chief, seconded by Committee Member Erlenbusch. On roll call vote, the motion passed 3-0.*

5. Schedule Committee's Next Meeting:

The next HR Committee Meeting was scheduled on Tuesday, April 4 at 5:30 p.m.

6. Adjournment

***Committee Member Galbraith moved to adjourn, seconded by Committee Member Erlenbusch. The motion passed unanimously.*

The meeting was adjourned at 6:17 p.m.

*** Councilperson Wilcox moved to approve the minutes of the Human Resource Committee Meeting of March 23, 2017, and seconded by Councilperson Erlenbusch. The motion passed by unanimous consent, 7-0.*

SCHEDULE MEETINGS

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

- Human Resource: Tuesday, May 2nd @ 5:30 p.m.

REQUEST OF CITIZENS & PUBLIC COMMENT

Keep Miles City Beautiful representative Susan Stanton explained some of its projects:

- 9 Adopt-a-spots
- Trash walk, once a year in May, this year May 13th
- City wide cleanup, in the last seven years had collected 2688 pounds of litter and debris with 125 volunteers working 140 hours
- Recycle bowl which involves six schools
- Bucking Horse Sale recycling- 940 pounds of cans and plastic bottles with 13 volunteers working 26 hours in 2016
- Adopt a pot- 220 plants with 25 volunteers working 173 hours
- Fairgrounds Trails project

Lessee Jim Dighans, asked Council to add **storing and recycling of pallets** to his lease at Industrial Park. After a short discussion it was referred to Finance Committee. He also suggested that the City asked for donations to purchase an ambulance. He would donate two hundred dollars to get it started.

APPOINTMENTS

Tracy Baker (MCAEDC)- Urban Renewal Agency Board of Commissioners Liaison

**** Councilperson Uden moved to approve appointing Tracy Baker to the Miles City Economic Council, Urban Renewal Agency Board of Commissioners Liaison, and Councilperson Huber seconded. The motion passed 7-0 Tracy Baker was sworn in**

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PROCLAMATIONS

Mayor Hollowell read the Governor's Proclamation asking all flags be flown at half-staff on Wednesday, April 12th, 2017 to honor former Justice of the Montana Supreme Court, John Sheehy, who passed away on April 7th, 2017.

STAFF REPORTS

City Clerk Lorrie Pearce: Reminded Council that the Municipal elected officials workshop was in Billings on May 9th through May 11th.

Director Allen Kelm: Asked by a Boy Scout leader if the City would donate one thousand gallons of water for their Camporee.

Councilperson Uden moved to provide all water necessary to the Boy Scouts Camporee, seconded by Councilperson Wilcox. The motion passed unanimously.

Director Allen Kelm: Congratulated Eric Hoff for passing the water test. He said there is a 60 percent failure for first timers and thought he had done a wonderful job.

Building Inspector Dennis Hirsch: Said he was a past president for the state of Montana ICC chapter. At this years annual meeting he was presented a plaque for "outstanding performance".

CITY COUNCIL COMMENTS

John Uden: Commented on the work that City crew was doing at the Oasis, and asked when it would be filled. Director Kelm thought the City would start filling on Friday.

Rick Huber: Thanked Director Gray and crew for reacting quickly to filling in a pothole that he had received a call on.

Kathy Wilcox: Followed up on her comments made at the last council meeting on Spotted Eagle. She learned that the water flow will be increasing and will clear up the stagnation on the ladders, and Director Gray would like to keep the restrooms open in the winter time to be available for ice fishing and hockey participants. She added that her decision on the rezoning from General Commercial to Highway Commercial in the previously Dairy Queen is backed up in City Code, Section 6-28 which states "the provisions for this article shall not be construed to grant permission to conduct any illegal business", which by federal law the sale of marijuana is illegal. But it does not specifically identify the illegality at the state or local level. She wondered if the City should update its business licenses ordinance to tighten it up or make more specific. Mayor Hollowell said he has been updating the ordinance and almost complete. The problem is the City has not been enforcing business licenses. Attorney Rice felt that the conditional use permit of marijuana should be removed from the zoning code.

MAYOR COMMENTS

None

STANDING COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

A. RESOLUTION NO. 4044- A Resolution Adopting a Long Range Transportation Plan for the City of Miles City

** Councilperson Galbraith moved to approve the Resolution , read by title only, seconded by Councilperson Erlenbusch, after a long conversation the motion and second was withdrawn.

** Councilperson Erlenbusch moved to table the Resolution, seconded by Councilperson Gardner and, on roll call vote, passed unanimously, 7-0.

B. RESOLUTION NO. 4045- A Resolution Adopting an Interim Council Vacancy Policy for the City Council of the City of Miles City, Montana

** Councilperson Uden moved to approve the Resolution, read by title only, and seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 7-0. **Resolution No. 4045 passed**

C. RESOLUTION NO. 4046: A Resolution Approving a Certificate of Completion for Sewer System Revenue Bonds

** Councilperson Gardner moved to approve the Resolution, read by title only, and seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 7-0. **Resolution No. 4046 passed**

D. RESOLUTION NO. 4047: A Resolution to Award an Additional Façade Improvement Grant to 1885 Entertainment, LLC

** Councilperson Erlenbusch moved to approve the Resolution, read by title only, and seconded by Councilperson Uden. On roll call vote, the motion passed by unanimous consent, 7-0. **Resolution No. 4047 passed**

E. Approval of March Claims

** Councilperson Galbraith moved to approve the March claims, seconded by Councilperson Uden and passed unanimously, 7-0.

ADJOURNMENT

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

The meeting was adjourned at 7:55 p.m.


John Hollowell, Mayor


Lorrie Pearce, City Clerk