

REGULAR COUNCIL MEETING June 27, 2017

7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, June 27, 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, Dwayne Andrews, John Uden, Rick Huber, Jeff Erlenbusch, Kathy Wilcox and Susanne Galbraith. Council Member Ken Gardner was excused.

Also present were City Attorney Dan Rice, Police Chief Doug Colombik, Fire Chief Gary Warren, 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: 6/13/2017

****** *Councilperson Uden moved to approve the minutes of the Regular Council Meeting of June 13, 2017, subject to any changes, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 7-0.*

Human Resource Committee Minutes: 6/06/2017

**Human Resources Committee
June 6, 2017**

The **Human Resources Committee** met Tuesday, June 6, 2017, at 6:00 p.m. in the Conference Room at City Hall. Present were Committee Members Kathy Wilcox, Susanne Galbraith, John Uden and Jeff Erlenbusch. Also present were Public Works Director Scott Gray, Mayor John Hollowell, 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
A. Review/action revised City Position Descriptions policy

Committee Member Uden commented that whoever put this together had done an excellent job.

****Committee Member Uden moved the City Position Description Policy be accepted by the committee and forwarded to Council as whole for approval, seconded by Committee Member Galbraith. On roll call vote, the motion passed 4-0.**

B. Review/action revised City Position Descriptions template

The City Position Template was reviewed. HR Officer Wilkins suggested that a signature line for the employee be added to the bottom to indicate they had received a copy of the position description. Chairperson Wilcox agreed to add the employee signature line.

****Committee Member Uden moved to approve the position description template as reviewed and revised, and forward to council as whole, seconded by Committee Member Erlenbusch. On roll call vote, the motion passed 4-0.**

C. Recommend/table: Job Classification and Wage Scale policy

****Committee Member Galbraith moved to table until after budget season, seconded by Committee Member Uden. On roll call vote, the motion passed 4-0.**

D. Review/action: flow chart and procedure City parks reservations and fees for permits

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Mayor Hollowell stated he had instructed Water Billing Clerk Bissell to move the park reservation material up to the Public Works Department and she had done so. Director Gray stated they had taken over reservations as of May 30. All cash is being receipted at the payment window downstairs. The department had made up a fee slip with input from City Clerk Pearce. The department had also developed a system for reserving the various park facilities throughout the City and Alcohol Variances had also been moved upstairs. The department currently has a process in place that works. Mayor Hollowell asked Director Gray if he thought they would still need a flow chart. Director Gray commented at first there was a learning curve for Admin Assistant Larson to differentiate between a park permit and reservation, but it was determined it was best for Director Gray to make that determination. Chairperson Uden commented that it sounded like the Public Works Department had things well in hand and that there needed to be no more involvement by the HR Committee.

***Committee Member Galbraith moved that the committee not get involved and let the City employees handle the situation, seconded by Committee Member Erlenbusch. On consent vote, the motion passed unanimously.*

4. New Business

A. Review/recommend/action: Wage Increase Requests policy- replaces identical section in the Position Descriptions policy

The HR Committee reviewed the new Wage Increase Requests policy. Chairperson Wilcox suggested under "PROCEDURE" Item 2 that the third bullet be removed as this was left over from the previous policy the new wage increase policy was developed from. Committee Member Erlenbusch commented that his question would be on the hiring date of the employee isn't that customarily when increases are looked at. HR Officer Wilkins commented that it was previously discussed that performance evaluations had been completed in April prior to budget session and at the time the position description should be reviewed. Chairperson Wilcox commented that it makes the most sense to have the position description review done at evaluation time. Director Gray commented that evaluations would provide time for the changes to go through the HR and Finance Committees and then any increases could be allocated during the budget process. Mayor Hollowell commented that during the budget process the increase in wage would be allocated for the coming budget year, however; this did not automatically guarantee an increase in wage until it was approved through the Wage Increase Request process. Committee Member Galbraith commented that this would make it easier at budget time because it would eliminate supporting why the extra raises are put in; this way the wage increases would be front and center. Committee Member Uden stated that it would be good to have all wage increases come at the same time prior to the budgeting process. It was agreed to add an item 7 that will state that no wage increase will be paid if they are not approved through the established procedure.

***Committee Member Erlenbusch moved that the Wage Increase Requests policy with the changes as noted be sent to City Council for approval, seconded by Committee Member Galbraith. On roll call vote, the motion passed 4-0.*

5. Schedule Committee's Next Meeting: consider Thurs, June 29, 5:30 pm

The next meeting was tentatively scheduled for July 20.

6. Adjournment

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

The meeting was adjourned at 6:50 p.m.

*** Councilperson Wilcox moved to approve the minutes of the Human Resource Committee Meeting of June 6, 2017, and seconded by Councilperson Erlenbusch. The motion passed by unanimous consent, 7-0.*

Public Safety Minutes: 6/13/2017

**Public Safety Committee Meeting
June 13, 2017**

The Public Safety Committee met Tuesday, June 13, 2017 at 6:30 pm in the City Hall Conference Room. Present were Committee Members John Uden, Jeff Erlenbusch, Brant Kassner and Ken Gardner. Also present was Committee Recorder Linda Wilkins.

Chairperson Gardner called the meeting to order.

1. Request of Citizens
None

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2. Committee Member Comments
None
3. Review and recommendation on Resolution No. 4058 a Resolution Pursuant to Section 15-48 of the Miles City Code of Ordinances. Establishing dates, times and locations for the discharge of fireworks within the City Limits for year 2017.

***Committee Member Erlenbusch moved we as a committee pass Resolution No. 4058 and recommend for Council approval, seconded by Committee Member Kassner.*

Committee Member Erlenbusch asked if there were other changes in the resolution. Committee Member Uden commented it was the same as last year.

***On roll call vote, the motion passed 4-0.*

***Committee Member Kassner moved to adjourn the meeting, seconded by Committee Member Uden and passed unanimously, 4-0.*

The meeting was adjourned at 6:32 p.m.

*** Councilperson Galbraith moved to approve the minutes of the Public Safety Committee Meeting of June 13, 2017, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 7-0.*

Finance Committee Minutes: 6/08/2017

**Finance Committee Meeting
June 8, 2017**

The Finance Committee met Thursday, June 8, 2017 at 6:00 p.m. in the City Hall Conference room. Present were Committee Chairperson Susanne Galbraith and Committee Members Rick Huber, Kathy Wilcox and Dwayne Andrews.

Also present were: Planner II Dawn Colton, Battalion Chief Branden Stevens, Firefighter Sarah Lewin and City Clerk/Recorder Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens-

None

2. Review and Recommendation on KIJ Contracts for Engineering Services for Clear Well Baffle Project

None

3. Review and Recommendation on Amendment to United Parts and Supplies' Lease

*** Committee Member Wilcox moved to recommend to Council to approve the amendment to United Parts and Supplies Lease, seconded by Committee Member Andrews.*

Planner Colton explained that the amendment is not extending the lease; it is extending the renewal because the City missed the deadline for its obligations. The initial lease expires June 30, 2017 and the second renewal is according to the initial lease agreement with every five years an escalation of 10 percent. She added that the appraisal she received from GSA, included the buildings and should not have and wondered if the City should hire its own appraiser. The Committee thought she should get a cost for another appraisal.

*** On roll call, the motion tied 2-2, with Committee Members Wilcox and Galbraith voting yes, and Committee Members Andrews and Huber voting no.*

4. Review and Recommendation on Amendment to Tire Rama's Lease

*** Committee Member Wilcox moved to recommend to Council to approve the amendment to Tire Rama's Lease, seconded by Committee Member Galbraith. The motion passed 3-1 with Committee Member Andrews voting no*

5. Review and Recommendation on Resolution No. 4056: A Resolution Authorizing the City of Miles City to Enter Into a Montana Department of Commerce Coal Board Contract to Assist in the Purchase of an Ambulance

*** Committee Member Andrews moved to recommend to Council to approve the Resolution, seconded by Committee Member Wilcox.*

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Battalion Chief Stevens explained that the ambulance department would like to buy the 2007 ambulance from Baker for an amount of \$10,000 to \$25,000. The box could be remounted in a couple of years and the City would have a brand new ambulance. The grant was written to purchase a used ambulance and or equipment.

Chairperson Galbraith said there is \$13,500 in their capital improvement fund which could be used to buy the Baker ambulance and then purchase a newer ambulance with the grant.

**** The motion passed 4-0**

6. Review and Recommendation on Resolution No. 4057: A Resolution Authorizing the City of Miles City to Enter Into a Montana Department of Commerce Treasure State Endowment Program Contract Amendment

**** Committee Member Andrews moved to recommend to Council to approve the Resolution, seconded by Committee Member Wilcox.**

Chairperson Galbraith explained that the resolution is needed because construction was not completed by the deadline and needed to be extended.

**** The motion passed 4-0**

7. Review and Recommendation Resolution No. 4060: 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 2017-2018

**** Committee Member Galbraith moved to recommend to Council to approve the Resolution, seconded by Committee Member Wilcox.**

Clerk Pearce explained the agreement has been the same for at least seven years, so nothing had changed in the agreement.

Committee Member Andrews thought Director Gray should look at increasing the amounts charged for the services.

**** After a short conversation, Committee Member Galbraith moved to amend her motion, to take it off the council agenda and look into increasing the amounts charged for the service, seconded by Committee Member Wilcox. The motion passed 4-0**

8. Review and Recommendation Resolution No. 4061: A Resolution Authorizing the City of Miles City to Enter Into a Construction Contract with Century Companies, Inc., A Montana Corporation, for Paving in Maintenance Districts 204 and 205

**** Committee Member Andrews moved to recommend to Council to approve the Resolution, seconded by Committee Member Huber. The motion passed 4-0**

9. Review and Recommendation on Resolution No. 4062- CORS Agreement with Airport

**** Committee Member Wilcox moved to recommend to Council to approve the Resolution, seconded by Committee Member Huber.**

Planner Colton explained the rent would be \$75 a month to install the antenna at the Airport. She had negotiated with them on this amount for a couple of months and said it is a lot less than what the airport had started with. She did not know what funds will help with the rent but the internet will also be an additional cost and the Airport will pay for the electricity. Committee Member Wilcox thought the City should try and negotiated with Midrivers since they will be able to use the system.

**** The motion passed 4-0**

10. Review and Recommendation on Resolution No. 4063: A Resolution Approving an Extension of Lease Agreement Between the City of Miles City and Linda Larson For the Lease of Certain Industrial Site Property

**** Committee Member Wilcox moved to recommend to Council to approve the Resolution, seconded by Committee Member Galbraith. The motion passed 4-0**

11. Discuss and Recommendation on Wage Increase for City Council

Committee Member Andrews thought City Council should get a wage increase because the members have a lot of responsibility, attend a lot of night meetings, more

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meetings will be added once annexation goes into effect, once taxes are taken out of the money received it is about \$2,000 a year and it would give younger citizens more of an incentive to be on the Council. He thought a \$1,000 a year raise would be adequate, which would be an increase of \$8,000 for General Fund.

Committee Member Wilcox agreed.

Committee Member Galbraith said she would like to see what the budget looks like before she made a decision.

Committee Member Wilcox asked how long it had been since Council received a raise. Clerk Pearce explained that an Ordinance was presented to Council in April 2015, which failed. In those minutes Councilperson Ahner had said that it had been 12 years since a raise was passed for Council. She referred to the 2017 wage study received during the Ad Hoc Committees sessions. The only one on the study who was a class 2 city was Anaconda-Deer Lodge at \$700 a month. Committee Member Huber asked what Glendive pays. It was not on the survey, Clerk Pearce said she would call the City and get back with the Committee.

Committee Member Huber asked how the raise would enter into the wage study. Committee Member Wilcox said that right now Council's wage is about \$7.00 an hour and felt a raise was due.

**** Committee Member Wilcox moved to recommend to forward the discussion to Council, seconded by Committee Member Andrews. The motion **passed 3-1,** with Committee Member Galbraith voting no**

12. Adjournment

**** Committee Member Wilcox moved to adjourn the meeting, seconded by Committee Member Andrews and **passed** unanimously, 4-0.**

The meeting was adjourned at 7:12 p.m.

**** Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of June 8, 2017, and seconded by Councilperson Kassner. The motion **passed** by unanimous consent, 7-0.**

SCHEDULE MEETINGS

None

REQUEST OF CITIZENS & PUBLIC COMMENT

Comments on environmental impacts for the Coal Board Grant application for Preliminary Engineering Report and Snow Removal Equipment at the Airport. **There were no comments.**

Jeanne Cline and Scott Rapson, representatives of Custer County High School, asked the Council for an easement to install two eight foot metal benches on City's right of way on fourth and Center Street.

**** After a short discussion, Councilperson Uden moved to send the request to Public Service for recommendation, seconded by Councilperson Erlenbusch. The motion **passed** 7-0**

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

None

CITY COUNCIL COMMENTS

John Uden: Thanked Councilperson Galbraith and Finance Committee for the hard work being on the budget. He also commended Chief Colombik, Code Enforcer Winkley and City Attorney Rice for the outstanding job that was being done on cleaning up properties. Attorney Rice explained that he had looked into Glendive's City code for tall weeds and grass. Glendive does not take the public nuisance to court it is presented to Council for solutions. Their code gives the property owner 10

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days to start the cleanup. If it is not completed in 30 days the City will move in and take action and bill them for the work that was completed. Mayor Hollowell asked Council if that would be something that Miles City would like to do. The consensus of Council was yes.

Rick Huber: Was at the Southeastern Montana Development Corporation quarterly meeting, and it was announced that Wiley Field Airport was awarded a \$43,900 Coal Board grant.

MAYOR COMMENTS

None

STANDING COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

A. RESOLUTION NO. 4060- 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 2017-2018

** *Councilperson Uden moved to approve the Resolution, by title only, and seconded by Councilperson Huber, and on roll call vote, passed unanimously, 7-0. Resolution No. 4060 passed*

B. RESOLUTION NO. 4069- A Resolution Approving an Application for Tax Exemption and Reduction for Remodeling, Reconstruction or Expansion of Existing Commercial Buildings or Structures for DNJ, LLC

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

Councilperson Galbraith and Uden thanked the property owners for the improvements of the building. Councilperson Galbraith asked why the request is being presented after the 12 month completion date as stated in A, item 3.

Property owner, Denis Leidholt, 21 Cemetery Road explained that he had started the process with SEMDC representative Mike Coryell. Mr. Coryell retired, and his replacement could not help him in the process. He then talked to a Department of Revenue representative that helped him with the application. He said the property had an improvement that increased the value at least five percent, which allows him to receive the tax exemption if granted. The tax exemption on the improvements would be twenty percent for the first year, forty percent for the second, sixty percent for the third year and eighty percent for the fourth year. The fifth year the full amount of taxes on the improvement would be paid. He said if the tax exemption was granted to him that it would help him get his feet back on the ground.

** *On roll call vote, the motion passed by unanimous consent, 7-0*
Resolution No. 4069 passed

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C. RESOLUTION NO. 4070- A Resolution of the City of Miles City Notifying the Custer County Election Administrator of the City's Desire to Conduct the 2017 City General Election by Mail Ballot in Accordance With 13-19-202 Montana Code Annotated (MCA)

** *Councilperson Galbraith moved to approve the Resolution, by title only and seconded by Councilperson Andrews. On roll call vote, the motion passed by unanimous consent, 7-0 Resolution No. 4070 passed*

D. RESOLUTION NO. 4071- A Resolution Adopting a Policy Governing Approval of and Revision to Employee Position Descriptions

** *Councilperson Erlenbusch moved to approve the Resolution, read by title only, and seconded by Councilperson Galbraith. On roll call vote, the motion passed by unanimous consent, 7-0 Resolution No. 4071 passed.*

E. RESOLUTION NO. 4072- A Resolution Adopting a Policy Governing Wage Increase Requests

** *Councilperson Erlenbusch moved to approve the Resolution, by title only, and seconded by Councilperson Andrews. On roll call vote, the motion passed unanimously, 7-0 Resolution No. 4072 passed*

F. RESOLUTION NO. 4073- (First Reading) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Various Funds for Various Unbudgeted Expenditures

** *Councilperson Galbraith moved to approve the Resolution, by title only, and seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 7-0. Resolution No. 4073 passed on first reading.*

G. RESOLUTION NO. 4074- A Resolution Approving an Amendment to the Agreement With Kadrmas, Lee & Jackson, INC., For Task Order Services Related to the Custer County Miles City Flood Protection Project

Attorney Rice explained that Resolution No. 4074 and 4075 cover the same task orders. He asked for Resolution No 4074 to be removed from the agenda. Mayor Hollowell removed Resolution No. 4074 from the agenda.
H. RESOLUTION NO. 4075- A Resolution Approving an Amendment to the Agreement With Kadrmas, Lee & Jackson, INC., For Task Order Services Related to the Custer County Miles City Flood Protection Project, and Task Order Pertaining to the Same

** *Councilperson Erlenbusch moved to approve the Resolution, by title only, and seconded by Councilperson Galbraith. On roll call vote, the motion passed by unanimous consent, 7-0. Resolution No. 4075 passed*

I. ORDINANCE NO. 1312- (First Reading) An Ordinance Revising Section 2-51 of the Code of Ordinances of the City of Miles City, Montana, So as Revise Provisions Regarding the Salaries of City Council Members

** *Councilperson Andrews moved to approve the Ordinance, read by title only, and seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 7-0. Ordinance No. 1312 passed on first reading and sent to Finance Committee for review.*

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J. **ORDINANCE NO. 1313-** *(First Reading) An Ordinance Revising Section 16-48 of the Code of Ordinances of the City of Miles City, Montana, so as to Revise Provisions Regarding the Use of Fireworks Within the City Limits*

** *Councilperson Galbraith moved to approve the Ordinance, read by title only, and seconded by Councilperson Andrews. After a short discussion, Councilperson Galbraith amended her original motion to add into the Ordinance "may be altered or suspended by Resolution of the City Council or by Executive Order of the Mayor", seconded by Councilperson Andrews. On roll call vote, the motion passed by unanimous consent, 7-0. Ordinance No. 1313 passed on first reading and sent to Public Safety to review.*

ADJOURNMENT

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

The meeting was adjourned at 7:42 p.m.



John Hollowell, Mayor



Lorrie Pearce, City Clerk