

**REGULAR COUNCIL MEETING August 8, 2017
7:00 p.m.**

CALL TO ORDER

The Regular Council meeting was held Tuesday, August 8, 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, Rick Huber, Jeff Erlenbusch, Kathy Wilcox and Susanne Galbraith. Excused Councilpersons were Ken Gardner and John Uden.

Also present were City Attorney Dan Rice, Public Works Director Scott Gray, Public Utilities Director Al Kelm, Police Chief Doug Colombik, Fire Chief Gary Warren, Planner II Dawn Colton, Flood Plain Administrator Samantha Malenovsky, City Clerk Lorrie Pearce and Claims Clerk/Minute Recorder Ally Capps.

PLEDGE OF ALLEGIANCE

Mayor Hollowell led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 7/25/2017

** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of July 25, 2017, subject to any changes, and seconded by Councilperson Huber. The motion passed by unanimous consent, 6-0.*

SCHEDULE MEETINGS

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

- Finance Committee Meeting Thursday, August 17 @ 6:00 p.m.

REQUEST OF CITIZENS & PUBLIC COMMENT

Citizen Amber Trenka 2317 Bridge Street spoke of her concern of the possible Splash Pads proposed placement in Wibaux Park; traffic flow, parking, emergency access and how this may affect access of current residents to their homes.

Citizen Kelly Klem 2720 Pearl Street spoke of other parks that he felt would benefit from having a Splash Pad. Voicing his concern on parking and increased traffic flow around Wibaux Park.

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

City Clerk Lorrie Pearce: Reminded Council of the Leading Local Workshop coming up September 12, 2017.

City Planner II Dawn Colton: Planner Colton will be attending the Montana Association of Planners conference and reminded council of the Community Builders Initiative in October in Kalispell.

Floodplain Administrator Samantha Malenovsky: The grant from Floodplain Mitigation Assistance, for ten million dollars, can be used only for shovel ready projects. There is a \$100,000.00 grant available for planning projects, this could be to move a project into a phase where the ten million dollar grant would then be shovel ready. The projects that the grant could be for are slough revitalization, upsize the

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storm sewer line to drain the underpass correctly, upsize the sewer main from Tongue River Main Street Bridge to Montana Street and protection of critical facilities. The Premitigation Disaster Plan is being expedited through the Disaster and Emergency Services the draft should be ready by September 14, 2017. By October 24, 2017, the Premitigation Disaster Plan should be finished and through both readings by Council and ready for the City to adopt. The grant submission date is November 7, 2017.

After a short discussion, Council decided they would like to see the slough revitalization project a priority with critical care facilities being second.

Public Works Director Scott Gray: Commented on why the Splash Pad placement has been focused on Wibaux Park. Children older than six are not allowed in the Frog Pool and do not have a place to swim until they are older and can swim in the Oasis. Parents with children in different age groups will be able to use the Frog Pool and Splash Pad. Noted are the traffic issues around Wibaux Park. The City is working to find solutions to resolve these issues. Keeping the Frog Pool, Splash Pad and Wibaux Fountain in the same park is a way to use the same filtration system by just doing modifications and upgrades to the current system. A new system would need constructed if the Splash Pad was located in another park. The Frog Pool currently staffed, by adding the Splash Pad to a different park will require an added expense in wages. Wibaux Park does not allow alcohol, making for a family friendly park. Bathrooms are required for a Splash Pad. If the Splash Pad were constructed in another park, bathrooms would need constructing.

CITY COUNCIL COMMENTS

Councilperson Galbraith read Public Utilities Director Allen Kelm's resignation letter being effective December 29, 2017.

Councilperson Andrews commented that he noticed the Montana Main Street Program Grant cycle opened on August 15, 2017. Commenting that he hoped Grant Administrator Connie Muggli or City Planner II Dawn Colton was looking into the grant for the city. Commented on the painted mural, complementing the artist, and wished the city had more murals to admire. The property located behind the Water Works Museum is being used did any other Councilpersons know why? Mayor Hollowell responded that the Outlaws are currently using Stanley Field as their practice field and it was with Mayors consent.

Councilperson Huber: Attended the Economic Development Board on August 3, 2017, many new events are happening with the Economic Development Board if any Council members wanted updates to see him after the meeting. Expressing his praise, to Public Works Director Gray on how appealing the new curbing and asphalt around town looks.

MAYOR COMMENTS

None

STANDING COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

- A. **RESOLUTION NO. 4082- A Resolution Approving the Work Plan and Budget for Fiscal Year 2017-2018 for Tourism Business Improvement District No.101, and Providing for Hearing Thereon**

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

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B. RESOLUTION NO. 4086- A Resolution Establishing Revised Floodplain Permit Fees For Miles City, Montana

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

C. RESOLUTION NO. 4087- A Resolution Approving and Adopting a Final Budget for the City of Miles City for FY 2017-2018; Authorizing Procedure For Adjustments to Appropriations For Certain Fee Based Budgets; Authorizing Procedure For Transferring Appropriations Between Items Within the Same Fund

Recommendation: Kelly Klem 2720 Pearl Street, Commissioner for the Downtown Urban Renewal District. Explained the Downtown Urban Renewal District asked to amend the budget to include two items, repay the City \$5,800.00 for the promotional video and leave the balance of the budget for payroll wages.

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

D. ORDINANCE NO. 1315- An Ordinance Repealing Section 12 of the Code of Ordinances of the City of Miles City and Enacting a New Section 12 of Said Code of Ordinances of the City of Miles City, Correcting Internal Citations Within the Flood Code Passed by Ordinance 1264 and 1271

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

E. PUBLIC HEARING on Preliminary Budget for Fiscal Year 2017-2018

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

UNFINISHED BUSINESS

A. RESOLUTION NO. 4082- (Second Reading) A Resolution Approving the Work Plan and Budget for Fiscal Year 2017-2018 for Tourism Business Improvement District No.101, and Providing for Hearing Thereon

**** Councilperson Galbraith moved to adopt the Resolution, read by title only, seconded by Councilperson Kassner and, on roll call vote, passed unanimously, 6-0.**

B. RESOLUTION NO. 4086- (Second Reading) A Resolution Establishing Revised Floodplain Permit Fees For Miles City, Montana

**** Councilperson Erlenbusch moved to adopt the Resolution, read by title only, seconded by Councilperson Andrews and, on roll call vote, passed unanimously, 6-0.**

C. ORDINANCE NO. 1315- (Second Reading) An Ordinance Repealing Section 12 of the Code of Ordinances of the City of Miles City and Enacting a New Section 12 of Said Code of Ordinances of the City of Miles City, Correcting Internal Citations Within the Flood Code Passed by Ordinance 1264 and 1271

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** Councilperson Galbraith moved to adopt the Ordinance, read by title only, seconded by Councilperson Erlenbusch

** Councilperson Galbraith moved to amend and accept the title change of Ordinance 1315, reflecting the changes in wording as read in the second reading. Seconded by Councilperson Erlenbusch and on roll call vote, passed unanimously, 6-0.

** The original motion on roll call vote passed unanimously, 6-0.

CONSENT AGENDA

- A. RESOLUTION NO. 4089- (First Reading) A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2017-2018 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon
- B. RESOLUTION NO. 4090- (First Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 165 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018
- C. RESOLUTION NO. 4091 - (First Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 167 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018
- D. RESOLUTION NO. 4092- (First Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 171 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018
- E. RESOLUTION NO. 4093- (First Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 172 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018
- F. RESOLUTION NO. 4094- (First Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 195 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018
- G. RESOLUTION NO. 4095- (First Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 202 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018

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- H. **RESOLUTION NO. 4096- (First Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 173 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- I. **RESOLUTION NO. 4097- : (First Reading) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 204 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 204 for the Fiscal Year 2017-2018**
- J. **RESOLUTION NO. 4098- (First Reading) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 205 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 205 for the Fiscal Year 2017-2018**
- K. **RESOLUTION NO. 4099- (First Reading) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 207 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 207 for the Fiscal Year 2017-2018**

**** Councilperson Galbraith moved to accept the Consent Agenda, seconded by Councilperson Kassner and on roll call vote, passed unanimously, 6-0.**

REGULAR NEW BUSINESS

- L. **RESOLUTION NO. 4100- A Resolution Establishing Procedures for the Sale or Lease of City Lands**
Pulled from the agenda by the Mayor until the next Council Meeting
- M. **RESOLUTION NO. 4101- (First Reading) A Resolution Pursuant to §15-10-420 of the Montana Code Annotated, Authorizing the Budgeting of an Increased Amount of Ad Valorem Tax Revenues in FY 2017-2018 in Excess of the Property Tax Revenues For the Prior Fiscal Year and Providing for Hearing Thereon**

**** Councilperson Galbraith moved to accept the Resolution, read by title only, seconded by Councilperson Kassner**

Public Comment: Citizen Michele Simpson 1016 N. 1st Street asked where the additional revenue is applied. Mayor Hollowell responded the increased revenue goes into general fund to help support; Fire, Police, Flood and Parks Departments and it could help offset costs on the increased City's insurance.

**** On roll call vote, passed unanimously, 6-0**

- N. **Recommendation to join Local Update of Census Addresses- Federal Census from US Department of Commerce**

**** Councilperson Galbraith moved for the City to join in the Local Update of Census Addresses – Federal Census from the US Department of Commerce, seconded by Councilperson Gardner and, on roll call vote, passed unanimously, 6-0**

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O. **Approval of July Claims**

** *Councilperson Huber moved to approve the July claims, seconded by Councilperson Galbraith on roll call vote, passed unanimously, 6-0.*

ADJOURNMENT

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

The meeting adjourned at 8:07 p.m.



John Hollowell, Mayor



Ally Capps, Payroll/Claims Clerk