

Public Safety Committee Meeting June 25, 2013

The Public Safety Committee met Tuesday, June 25, 2013, at 6:00 pm in the City Hall Conference Room. Present were Chairperson Dwayne Andrews and Committee Members Sue Galbraith, John Hollowell and Jerry Partridge. Also present were Police Chief Doug Colombik, Councilperson Mark Ahner and Committee Recorder/Deputy City Clerk Connie Watts.

Chairperson Andrews brought the meeting to order.

Request to Remove two Stop Signs on Strevell Street at the Intersection of Strevell/Comstock

Councilperson Ahner addressed the Committee regarding the four-way stop signs on Strevell at the Comstock intersection. He said that since Stower Street has been put through to Haynes, it has taken a lot of traffic from Comstock. He has heard requests from people that use Strevell as a north/south route to remove the stop signs on Strevell at that intersection, while keeping the two on Comstock. He feels that this would allow traffic to flow more freely. Police Chief Colombik also felt it would be a good idea.

*** Committee Member Partridge moved to recommend removing the two stop signs on Strevell at the Comstock/Strevell intersection, seconded by Committee Member Galbraith. On roll call vote, the motion passed by unanimous consent, 4-0.*

Request for a Stop Sign at Palmer and 12th Street

Chairperson Andrews said he had been contacted by an individual who had almost been hit on his motorcycle at that intersection, and felt it needed a stop sign. During discussion, the committee members noted that it is a wide street with good visibility, and there is another stop sign at Montana and Sacred Heart. Chief Colombik said that a stop sign can't be put up at an intersection every time there is almost an accident.

*** Committee Member Hollowell moved to recommend installing a stop sign at Palmer and 12th Street, seconded by Committee Member Galbraith. On roll call vote the motion failed, with all Committee Members voting no.*

Request for a Reduced Speed Limit on Wells Street

Ken Gardner, 406 Wells Street, submitted a petition "signed by every property owner on Wells Street and supports this action." He reported that he has for many years watched people turning off the dike road onto Wells going way too fast. The Committee discussed

speed bumps and speed dips (which can increase liability to the City), closing the dike road before that exit onto Wells, and reducing the speed limit.

*** Chairperson Andrews moved to recommend installing a 15-mph speed limit on Wells Street at the intersection of the Dike Road. The motion was seconded by Committee Member Galbraith and, on roll call vote, passed unanimously, 4-0.*

Chairperson Andrews asked Mr. Gardner to contact him again in a few months if this does not solve the problem.

Resolution for Liability Insurance for "Events" on City Property

The Treasurer's office is asking for clarification by the Council regarding the criteria for events that would need liability insurance when reserving a shelter and/or when obtaining an alcohol permit. A letter from the City Attorney in the committee packets addressed this issue, but he was not able to attend this meeting,

*** Committee Member Hollowell moved to table the issue until the City Attorney would be able to be present. The motion was seconded by Committee Member Andrews and, on roll call vote, passed unanimously, 4-0.*

Sidewalk Adjacent to the Grind, in Front of the Vacant Lot, is in Need of Repair

Chairperson Andrews had received emails on this issue. Committee Member Hollowell said the Public Works Department has the authority to force repairs on sidewalks, and suggested this be brought to the attention of Acting Director Al Kelm.

ADJOURNMENT

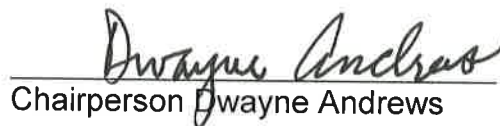
*** Having no more business to come before the Committee, Committee Member Galbraith moved to adjourn the meeting, seconded by Committee Member Hollowell and passed unanimously, 4-0. The meeting was adjourned at 6:45 p.m.*

Respectfully Submitted:

Public Safety Committee Chairperson:



Connie L. Watts, Recorder



Chairperson Dwayne Andrews

PUBLIC SAFETY COMMITTEE

AGENDA

DATE: June 25, 2013 - Tuesday

TIME: 6:00 p.m.

PLACE: City Hall Conference Room

1. Remove 2 Stop Signs On Strevell Street At The Intersection Of Strevell/Comstock.
2. Request For A Stop Sign At Palmer And 12th
3. Request for Reduced Speed Limit On Wells Street
4. Resolution For Liability Insurance For "Events" On City Property.
5. Sidewalk Adjacent To The Grind, In Front Of The Vacant Lot, Is In Need Of Repair.
6. Requests of Citizens
7. Adjournment

Public comment on any public matter that is not on the agenda of this meeting can be presented under "Request of Citizens" provided it is within the jurisdiction of the City to address. Public comment will be entered into the minutes of this meeting. The City Council cannot take any action on a matter unless notice of the matter has been made on an agenda and an opportunity for public comment has been allowed on the matter. Public matter does not include contested cases and other adjudicative proceedings.

5/26/2013

PETITION

This petition is a request from the concerned home owners on the two blocks of Wells Street that start from the dike road and end at 7th street. There has always been a tendency for vehicles exiting the dike, which is posted at 15 miles per hour, to accelerate the remainder of the distance to 7th street without safety regards for the homeowners on those blocks. There currently are no sidewalks or walkways on that section of the street. There are small children who live on those blocks and with speeding vehicles these children are in danger. The vehicles include automobiles, four by fours and motorcycles.

Name

Address

<u>Ken Gardner</u>	<u>406 Wells</u>
<u>Barbara South</u>	<u>1216 N. 4th</u>
<u>Lisa Kittelmann</u>	<u>414 Wells</u>
<u>Larry McIndoo</u>	<u>1221 Nth 5th</u>
<u>Betsy Bawgatz</u>	<u>1303 N. 5th</u>
<u>USA Mattman</u>	<u>316 Wells St.</u>
<u>Jed</u>	<u>310 Wells St</u>
<u>James Lopez</u>	<u>308 Wells</u>
<u>Brad Shyff</u>	<u>3010 S Street</u>
<u>Melody Demant</u>	<u>410 Wells</u>
<u>Russell V Pluhar</u>	<u>320 Wells</u>

Note: Every property owner bordering on the street has signed and supports this action.
Ken Gardner



CITY OF MILES CITY
OFFICE OF THE CITY ATTORNEY

513 Main Street, P.O. Box 728
Miles City, MT 59301
Telephone: 406-232-4070
Fax: 406-232-4093

DANIEL Z. RICE
City Attorney

June 25, 2013

Councilman Dwayne Andrews
17 South 8th
Miles City, Montana 59301

Re: Special Events Insurance

Councilman Andrews,

I have reviewed the attached memorandum from John Cummings of MMIA regarding special events coverage on City property. Certain Non-City controlled special events are not covered by MMIA, and claims arising from such an event may subject the City to financial liability. Additionally, certain activities are never covered by MMIA, whether City controlled or not.

I suggest that a new Ordinance be recommended to the City Council for approval, requiring that liability insurance be purchased prior to the issuance of a Park Use Permit in certain circumstances.

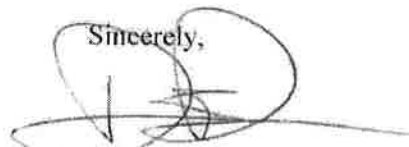
MMIA advises that third party insurance be required prior to granting exclusive use of City property to any private person or group, or for any activity which constitutes an uncovered risk.

I have prepared a rough outline of what an appropriate Ordinance for liability insurance may look like. Note that part 3 lists activities which are not covered by MMIA. There is certainly room for additions and changes to the following:

“Sec. 17-114. – Liability Insurance Required. Proof of liability insurance in the amount of One Million Dollars (\$1,000,000.00), or such higher amount as may be required by the city depending on the requested use, is required prior to the issuance of a park use permit for the following:

- (1) Any exclusive use of an area of a city park, including, but not limited to: weddings or wedding receptions, class reunions, photo shoots involving more than ____ people, dances, or any other similar private exclusive use. The following shall be excepted from the requirements of this provision: reservation of seating in a park shelter for a birthday party or similar use, which does not involve commercial catering, consumption of alcohol, or attendance in excess of ____ people;
- (2) Privately hosted events in the park, regardless of exclusivity, which include the commercial catering of food or beverages, anticipated attendance in excess of ____ people, vendors of goods or services,
- (3) Any use of the park, regardless of exclusivity, which includes any of the following activities:
- a. Air shows involving the aerial display of Aircraft;
 - b. Circuses;
 - c. Rodeos;
 - d. Fireworks;
 - e. Animal racing;
 - f. Carnival or amusement rides;
 - g. Motorized vehicle racing;
 - h. Water sports other than those associated with city swimming pools, lakes or other city designated aquatic areas;
 - i. The rental of any motorized vehicle or apparatus used for individual conveyance or entertainment;
 - j. Boxing or other martial arts competition."

I am available to discuss the foregoing at any time.

Sincerely,

Daniel Z. Rice