

PROCEEDINGS OF CITY COUNCIL MILES CITY, MONTANA

SPECIAL COUNCIL MEETING January 13, 2016 7:00 p.m.

CALL TO ORDER

The Special Council meeting was held Wednesday, January 13, 2016, 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 Ken Gardner, Rachel Sloan, Dwayne Andrews, Susanne Galbraith, Jeff Erlenbusch and John Uden

Also present were Police Chief Doug Colombik, Public Utilities Director Allen Kelm, Fire Chief Gary Warren, Public Works Director Scott Gray 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: 12/22/2015

** *Councilperson Gardner moved to approve the minutes of the Regular Council Meeting of December 22, 2015, and seconded by Councilperson Sloan. The motion passed by unanimous consent, 6-0.*

Human Resource Meeting Minutes: 12/16/15

Human Resources Committee December 16, 2015

The **Human Resources Committee** met Tuesday, December 16, 2015, at 6:00 p.m. in the Conference Room at City Hall. Present were Chairperson Roxanna Brush, Committee Members Rachel Sloan, Ken Gardner and Mark Ahner. Also present were Historic Preservation Coordinator Connie Muggli and Deputy City Clerk/Committee Recorder Linda Wilkins.

Committee Chairperson Brush called the meeting to order.

1. Review and recommendation Historic Preservation Job Description

Coordinator Muggli updated the Committee on the progress of Historic Preservation TIF District and the need to provide a solid foundation for the success of the TIF District. The job description will help the City find qualified individuals to assist in the administration of the TIF District as the financial duties and the amount of money becomes more complex moving forward.

*** Committee Member Ahner moved to approve the City of Miles City Job Description for the Assistant Historic Preservation TIF District Finance Coordinator Director amended as follows: replace "accountable to the Public Works Director" to "accountable to the Mayor of Miles City" and reviewed by the City Attorney. The motion was seconded by Committee Member Gardner. The motion passed unanimously.*

2. Request of Citizens
None
3. Committee Member Comments
None

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4. Adjournment

***Committee Member Sloan moved to adjourn the meeting. The motion was seconded by Committee Member Ahner and passed unanimously.*

The meeting was adjourned at 6:53 p.m.

*** Councilperson Galbraith moved to approve the minutes of the Human Resource Meeting of December 16, 2015, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 6-0*

Finance Committee Meeting Minutes: 12/17/2015

Finance Committee Meeting December 17, 2015

The Finance Committee met Thursday, December 17, 2015 at 6:00 p.m. in the City Hall Conference Room. Present were Committee Members Rachel Sloan, Dwayne Andrews and John Hollowell. Committee Chairperson Susanne Galbraith was excused.

Also present were Public Utilities Director Allen Kelm, Mechanic Dan Decker and Committee Recorder/City Clerk Lorrie Pearce.

Committee Member Hollowell called the meeting to order.

1. Request of Citizens:

-None.

2. Recommendation on Ambulance Bill

*** Committee Member Andrews moved to lower the monthly payments to \$15.00. The motion was seconded by Chairperson Sloan and passed 3-0.*

3. Review and recommendation on Resolution No. 3873: 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 Fund #4050-383000 from Sale Proceeds From the Sale of Real Property Located at 502 Marion, Miles City, Montana

*** Committee Member Andrews moved to recommend to Council approval of the Resolution. The motion was seconded by Committee Member Sloan. The motion passed 3-0*

4. Review and Recommendation on Resolution No. 3876: A Resolution of the City of Miles City, Montana Increasing the Rates for the Users of the City's Sewer System

*** Committee Member Sloan moved to recommend to Council approval of the Resolution. The motion was seconded by Chairperson Andrews.*

Committee Member Hollowell said that he received two phone calls on the increase. One from Ralph Dukart whom explained that he was on fixed income and thought it was anti business. The other phone call was from Rob Pederson and wasn't happy with the raise concerning businesses.

Director Kelm explained if the City would of stayed with the fair and equitable formula, the rates would of been higher. He felt the formula presented was the best one to present to Miles City residents.

The motion passed 3-0

Director Kelm presented two bids for a 2015- four wheel drive truck. He said that there are not many of the 2015 left to buy. After a short conversation the issue was tabled for the next Finance Committee Meeting.

5. Adjournment

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

The meeting was adjourned at 6:45 p.m.

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** *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of December 17, 2015, and seconded by Councilperson Sloan. The motion passed by unanimous consent, 6-0.*

Finance Committee Meeting Minutes: 12/22/15

Finance Committee Meeting December 22, 2015

The Finance Committee met Thursday, December 22, 2015 at 6:40 p.m. in the City Hall Conference Room. Present were Committee Chairperson Susanne Galbraith and Committee Members Rachel Sloan and John Hollowell. Dwayne Andrews was excused.

Also present were Public Utilities Director Allen Kelm and Committee Recorder/City Clerk Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens:
-None.

2. Review and Recommendation on Purchase of Truck for Utility Department

Director Kelm explained that Utilities has the money in its budget to buy a pickup, but was asking for approval from Finance Committee. He said Notbohm was the only dealer who had a 2015, and wasn't sure it was available anymore. If he cannot buy a 2015, he would have to order a 2016 and pay for it when received. He thought he could find a four wheel drive pickup for around \$35,000.

** *Chairperson Galbraith moved to approve the purchase of a four wheel drive pickup, up to \$35,000. The motion was seconded by Committee Member Hollowell. The motion passed 3-0*

3. Adjournment

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

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

** *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of December 22, 2015, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 6-0.*

SCHEDULE MEETINGS

Study Commission Meeting
Special Council Meeting
Finance Committee Meeting

Jan 21st @ 5:15pm
Feb 2nd @ 7pm
Jan 21st @ 6pm

REQUEST OF CITIZENS & PUBLIC COMMENT

APPOINTMENTS

Standing Committees:

Finance Committee- Susan Galbraith, Rachel Sloan, Dwayne Andrews, Kathy Wilcox

Public Safety Committee- John Uden, Ken Gardner, Jeff Erlenbusch, Kathy Wilcox

Public Services Committee- Dwayne Andrews, Ken Gardner, John Uden, Brant Kassner

PROCEEDINGS OF CITY COUNCIL

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Human Resources Committee- Sue Galbraith, Rachel Sloan, Jeff Erlenbusch, Kathy Wilcox

Flood Control Committee- Ken Gardner, Rachel Sloan, Jeff Erlenbusch, Brant Kassner

** *Councilperson Uden moved to approve all designated committees, seconded by Councilperson Sloan.*

** *Councilperson Galbraith moved to amend the original motion to add Dwayne Andrews and remove Jeff Erlenbusch from the flood control committee, seconded by Councilperson Gardner. The motion failed 4-2, with Councilperson Uden and Erlenbusch voting yes.*

** *Councilperson Uden's original motion passed 6-0*

Solid Waste Board

** *Councilperson Galbraith moved to nominate herself for the Solid Waste Board, seconded by Councilperson Erlenbusch, and on roll call vote passed 6-0.*

Economic Development Board

** *Councilperson Galbraith moved to nominate Jeff Erlenbusch for the Economic Development Board, seconded by Councilperson Uden, and on roll call vote passed 6-0*

Airport Commission

** *Councilperson Uden moved to nominate Mayor Hollowell for the Airport Commission, seconded by Councilperson Galbraith, and on roll call vote passed 6-0*

Zoning Commission

Removed- no positions were needed.

Miles City Urban Renewal Agency Board of Commissioner- Harold Klem

** *Councilperson Galbraith moved to nominate Harold Klem for the Miles City Urban Renewal Agency Board of Commissioner, seconded by Councilperson Gardner, and on roll call vote passed 6-0*

Planning Board: Colette Butcher, Roxanna Brush, Ally Capps and one member from Council

After a long discussion Brant Kassner volunteered himself to be on the Planning Board.

** *Councilperson Uden moved to approve Mr. Kassner to be added to the Planning Board appointees, seconded by Councilperson Erlenbusch, and on roll call vote passed 6-0*

PROCLAMATIONS

None

STAFF REPORTS

PROCEEDINGS OF CITY COUNCIL MILES CITY, MONTANA

Clerk Pearce invited the Mayor and Council Members to a Municipal Training scheduled January 27, 2016 in Forsyth.

Director Kelm welcomed the new Council members and said if they had any questions to please ask. He added, if anyone would be interested in touring the Cities facilities, please call him. Director Gray and Chief Warren seconded his statement.

Chief Colombik said he was going to start giving the Miles City Star a weekly status of all misdemeanor or higher. He added that anyone interested could also get on the Police Facebook for the updates.

CITY COUNCIL COMMENTS

None

MAYOR COMMENTS

Mayor Hollowell comments were:

- All Council agendas are in their control, in Roberts Rules it states the Council President takes care of the agenda and Council approves. In an Ordinance states that Council takes care of Council business. He asked for the Council to see if it would like to change the process, if not the City Clerk would continue on taking care of the agenda and business.
- Would like Councils input as to the vision of the City
- LEPC is meeting tomorrow at 10 am in Sheriff's Office and March 16, 2016 in room MCC 106.
- He had taken a tour of some City facilities and was very impressed with the people that work for the City. He felt that everyone should see firsthand and if interested, please e-mail him.

STANDING COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

- A. **RESOLUTION NO. 3873: 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 Fund # 4050-383000 From Sale Proceeds From the Sale of Real Property Located at 502 Marion, Miles City, Montana**

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. 3873: (Second Reading) 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 Fund # 4050-383000 From Sale Proceeds From the Sale of Real Property Located at 502 Marion, Miles City, Montana**

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***Councilperson Galbraith moved to approve the Resolution with correction of adding 002 to the 1000-521000-820 code and change the date of Council meeting to 13th of January, seconded by Councilperson Erlenbusch. After a short conversation, the motion passed 6-0.*

NEW BUSINESS

A. RESOLUTION NO. 3878: A Resolution Approving the Sub Recipient Interlocal Agreement Between the City of Miles City and Miles Community College

***Councilperson Galbraith moved to approve the Resolution with correction to the date of Council meeting to 13th of January, seconded by Councilperson Andrews.*

Miles City Area Economic Development Council Executive Director Mike Coryell explained the City of Miles City is the sub recipient and its signature is required. He added that with the City signing the grant, it would not cost the City any money.

Councilperson Galbraith thought with all grants presented to Council in the future that there should be a copy of any MCA, and CFR standard attached. She couldn't vote for the passage of the Resolution without knowing what they all meant.

*** Councilperson Uden moved to recess so Mr. Coryell could make a phone call, seconded by Councilperson Galbraith. The motion passed 6-0*

Mayor Hollowell called the meeting back to order.

*** After a long discussion, the original motion passed 5-1, with Councilperson Galbraith voting no*

B. RESOLUTION NO. 3879: A Resolution Adopting Findings of Fact and Approving the Amended Plat For the Purpose of Boundary Line Relocation of Tracts C,D & E of the Lothspeich Minor Subdivision Within the City of Miles City

***Councilperson Galbraith moved to postpone the matter, seconded by Councilperson Andrews, on roll call vote the motion passed 6-0*

C. RESOLUTION NO. 3880: A Resolution of Intention of the City of Miles City, Montana to Increase Rates For the Users of the City's Sewer System

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

Cody Steiner, 1500 North Haynes said there was no way the City was not going through with the rate increase. He asked if charging a city or fuel tax to City's residents would be something that could be done. Director Kelm said he would ask those questions at a meeting he will be attending at the end of January.

Councilperson Uden said money raised from taxes would not come in fast enough. If improvements are not completed by the deadline the City would receive a \$10,000 a day fine for everyday not completed.

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Kathy Wilcox, 2217 Brisbin, asked where the City is now in the process.

Director Kelm explained the City is under an Administrative Order of Consent and with its old discharge permit the City was supposed to have the UV disinfection upgrades in by December 31, 2014. After working with DEQ it was agreed to have the UV disinfection upgrades operating properly by December 31, 2016 and total compliance by February 2017. The City is about one month behind, but will begin construction this summer and completed by November 2016. He added that he contacted the Cities bonding company to investigate a process where anyone could donate money to the City and then that money would help a justified hardship account.

Mayor Hollowell said there were two citizens that wanted their vote to be known that they were against the rate increase. They were:

- Ralph Dukart
- Rob Pederson

**** On roll call vote the original motion passed 6-0. Resolution No. 3880 passed**

D. Election of Council President

****Councilperson Andrews moved to nominate Councilperson Galbraith, seconded by Councilperson Uden.**

****Councilperson Uden moved for the nomination to cease, seconded by Councilperson Erlenbusch and passed 6-0.**

****Councilperson Andrews original motion passed 6-0**

E. COUNCIL HEARING: Interview for Ward III Council Vacancies

****Councilperson Uden moved to accept both applicants with Kathy Wilcox assigned to the four-year term and Brant Kassner assigned to the two-year term, seconded by Councilperson Gardner. After a short discussion and on roll call vote the motion passed 6-0.**

After the motion passed, Mayor Hollowell swore Kathy Wilcox and Brant Kassner into the Ward III positions that were vacant.

F. APPROVAL OF DECEMBER CLAIMS

****Councilperson Andrews moved to approve the December claims, seconded by Councilperson Galbraith and on roll call vote passed 6-0.**

ADJOURNMENT

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

The meeting was adjourned at 8:50 p.m.


John Hollowell, Mayor


Lorrie Pearce, City Clerk