



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*February 23, 2016
7:00 p.m.*

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES
 - A. Special Council Meeting 2/02/2016
 - B. City Council Meeting 2/09/2016
 - C. Human Resource Meeting 7/01/2015
 - D. Finance Committee Meeting 2/04/2016
 - E. Human Resource Meeting 2/16/2016
 - F. Finance Committee Meeting 2/16/2016
 - G. Special Council Meeting (Closed Session) 1/26/2016

2. SCHEDULE MEETINGS

3. REQUEST OF CITIZENS & PUBLIC COMMENT

4. APPOINTMENTS

5. PROCLAMATIONS

6. STAFF REPORTS

7. CITY COUNCIL COMMENTS

8. MAYOR COMMENTS

9. COMMITTEE RECOMMENDATIONS
Human Resource Committee- Request of \$1.00 wage increase for Animal Control/Code Enforcer

10. BID OPENINGS- Aerobic Digestion and Sludge Thickening Equipment
Dewatering Equipment Package
Aerobic Digestion and Membrane Blowers
Ultraviolet Disinfection
BID AWARDS

11. PUBLIC HEARINGS
 - A. RESOLUTION NO. 3884: A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authoring Amendment of Final Budget for FY 2015-2016 to

Increase the Budgeted Amount in Fund # 1000-201-420140-350 for Professional Services Related to the Miles City Flood Control Project

12. UNFINISHED BUSINESS

- A. **RESOLUTION NO. 3884: *(Second Reading)* A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authoring Amendment of Final Budget for FY 2015-2016 to Increase the Budgeted Amount in Fund # 1000-201-420140-350 for Professional Services Related to the Miles City Flood Control Project**

13. NEW BUSINESS

- A. **ORDINANCE NO. 1303: *(First Reading)* An Ordinance Amending Section 2-59 of the Code of Ordinances of the City of Miles City, Montana, to Include the Preparation of Council Meeting Agendas as a Power and Responsibility of the City Council President**
- B. **RESOLUTION NO. 3885: A Resolution Releasing Requirements of Certain Lease Agreements Pertaining to City of Miles City Property Leased by Jerry Singleton and Allowing Truck Washing Operations**
- C. **RESOLUTION NO. 3888: A Resolution Adopting Finding of Fact and Approving Site Plan Review for Sacred Heart Catholic Church Addition on Lots 1-6 of the Miles Addition to the City of Miles City**
- D. **RESOLUTION NO. 3889: *(First Reading)* A Resolution Pursuant to 7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FT 2015-2016 to Increase the Budgeted Amount in Fund # 1000-014-4604445-360 For Repairs to Swimming Pool Decking**
- E. **Discussion of Approval on Fred and Marge Tetschner combining two sewer accounts**

F. 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

Minutes

SPECIAL COUNCIL MEETING February 2, 2016
7:00 p.m.

CALL TO ORDER

The Special Council meeting was held Tuesday, February 2, 2016, in the City Chamber 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, Brant Kassner, Kathy Wilcox and John Uden.

Also present were Police Chief Doug Colombik, Public Utilities Director Allen Kelm, 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.

PUBLIC HEARING

A. RESOLUTION NO. 3881: Resolution of the City of Miles City, Montana Increasing the Rates for the Users of the City's Sewer System

Mayor Hollowell called for comments from proponents

Director Kelm explained the rate increase is from orders of the Montana Department of Environmental Quality and the Environmental Protection Agency. The process started in 2007 with a Request for Proposal on how to fix everything. Once the pricing came back it was evident the City could not afford to fix everything at once. The City made an agreement with DEQ and EPA to fix the problems in phases. Phase I cost the City 2.4 million dollars, with 1.2 million dollars paid from the sewer fund and the rest was paid by grant dollars and loans. At that time the rate was raised approximately \$3.00. The influent plant (Phase I) is complete and now phase II is about to start. Phase II will cost the City 6.4 million dollars. There is help with a \$600,000 grant and the City will borrow \$6 million. The sewer increase was set by the City of Miles City, its engineer firm and its

bonding counsel. The increase would pay for debt payment and continue operation and maintenance of the treatment plant.

Mayor Hollowell called for comments from proponents three times, then opponents.

Jerry Backland, 603 Eichler, said he thought Mr. Kelm did an excellent job and these things are needed. He understands that all facilities need upgrades. He added that he is retired and lives on a fixed income and believes there are a lot of other people in the same situation.

Ronna Molstad, 512 Woodbury, said she was also a retiree and would like to see the rate increase structured on water usage. She is very water conscious and it is really brutal paying the full price when using only 500 to 600 gallons a month.

Director Kelm said with the first restructure proposed, which was charging for water used, all residents would pay more than the structure the City has presented tonight.

Hunter Tetschner, 117 North Prairie, said his water bill was \$44 a month using 5000-6000 gallons and his fathers was \$34 a month using 900 gallons a month. His father's rates would be raised to \$78 a month and his would be raised to \$50 a month. He did not understand how that was calculated.

Director Kelm explained the water usage is read in December, January, February and March and divided by four, which gives the monthly average sewer usage. These are the months where all usage is inside, not outside(washing vehicles, watering). The increase is only on the sewer, not the water because the upgrade is for the sewer only. He added that Water and Sewer revenues fund the Water and Sewer Treatment Plants; it does not fund General Fund or any other fund.

Hunter Tetschner asked why it took so long to present the rate increase, it was a ten year process, why is it going to be a 97% hit right now and a 2% increase for the next 10 years and how many years will it take to pay off the loan. He also wondered why the income for sewer was not accrued through the years for situations like this.

Director Kelm said the City hired a technical associate agency to come up with a rate structure and it took them almost a year to come up with a structure. The City thought it would take a couple of months to get the restructure completed and then the City could make the increase into two increases. That did not happen, so now the City has to make one large increase and 2% after that for 10 years. He said the City has to get this upgrade done in a specific time to get the prices that the

City needs. The loan is for 20 years at a 1.75% interest charge during construction and a 2.75% interest charge after construction and the 2% increase is to cover the price inflation on items for up keep. He added the income for sewer had been used for maintenance and sewer line replacement. Also the city had new water tanks at Carbon Hill and Riverside Park.

Fred Tetschner, 906 Schmalse, asked why the City didn't bill the increase gradually instead of one shot.

Director Kelm said time got away from the City.

Gary Ryder, 15 South Strevell, stated his issues with the rate increase:

- At a Custer County District meeting, LeRoy Meidinger (a city representative on the board) stated that he thought there should be more money in the reserve fund
- Thought the 97% increase was huge and thought there should be a summary report on the history as to how the Sewer got into this situation
- Is there any huge water rates in future
- Over years the City did use the water/sewer money to help administrative fund operate
- He wanted to work with the City but felt the public needed more information and more history of the past

Jerry Meidinger, 15 River Street, said he lived by himself and had never used 3000 gallons of water. He used 700 gallons last month and was wondering where the 2300 gallons went. He also asked what the \$2.00 charge is on the January bill.

Director Kelm explained with using the first restructure it would cost residents more by using the actual water usage scale. With that structure a resident would be charged \$25.00 with no water used. Then it would cost \$3.77 for every thousand gallons used after that. So in the end it would cost almost 29.00, which is more than what you would pay with this proposal.

Director Kelm explained that the \$2.00 charge on the January bill is collection for what the State charges the City. It is a onetime bill every year.

Matt Kercheval, 702 North Earling, was concerned with the waste water treatment plant passing its life span and now putting 7 million dollars into it, would the plant last another 20 years. He also asked if the City would consider retrofitting to methane.

Director Kelm said the 20 years is the payback period for a loan. He said the City has done a wonderful job keeping up with the maintenance of the plant and felt it is in really good condition. As far as methane retrofit, Kelm said the capital expense would be catastrophic, the system is made for a 20 million water usage per day and the City has a 2 million water usage per day.

Engineer Brad Koenig said the plant had been taken care of incredibly well. With the upgrade, the City will be replacing old equipment that needs to be retired. The City will be replacing with cutting edge technology that will help conserve energy and keep cost low.

Mr. Backlund asked about other outstanding debts, and said in the past the water and sewer dollars had gone into the General fund. He asked if there were any guarantees that that would not happen again. He also wondered if the City could go through the State for lower interest loans.

Director Kelm explained that now the water and sewer pays administrative fees to the General Fund, which means that everybody pays their fair share.

Engineer Koenig said that the Intercap loans are for five years, after that the City would have to come up with another source for another loan. The best answer was to go with the 2.5% interest for 20 years. He felt it was a sure thing.

Debra Hanson, 901 Pleasant, asked for a definition of the minimum rate and what the increase would actually be and what the 35% usage increase is.

Director Kelm explained the minimum rate for a 5/8" hookup is \$12.95. The increase would be \$12.56 for a total of \$25.51. The commercial rate now is \$14.72 with an increase of \$14.28 for a total of \$29.00. He said the 35% is calculated at .97 cents per thousand gallons.

Mrs. Hanson said with the increase she will have to raise rent, which means less money spent around town.

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

NEW BUSINESS

A. RESOLUTION NO. 3881: Resolution of the City of Miles City, Montana Increasing the Rates for the Users of the City's Sewer System

*** Councilperson Galbraith moved to approve Resolution No. 3881, and seconded by Councilperson Erlenbusch.*

Councilperson Uden said that nobody wants to impose this rate on anybody. If the City doesn't pass the 6.4 million dollar resolution there will be issues with DEQ. If the upgrade is not complete there will be a \$10,000 fine every day the City is not in compliance, so approval is the only route we have. He said that he is retired and did not want the increase himself and felt that no one on the Council wanted it either, but there is no choice.

Councilperson Wilcox said she received a call from Ralph Dukart who expressed that senior citizens have no other resource for money and will be forced to move out of their homes.

Mayor Hollowell said in the past the City kept rates as low as possible and nobody wants this increase. The City had been working on the regulation for 8 years and it took a lot of time to figure out what regulation needed to be complied to.

Director Kelm explained the old regulation were 126 thousand colonies per 100 mills for fecal coliform, which the City was able to meet. Then four years ago a new permit was presented and it changed from coliform to e-coli. The City had to buy a new incubator for the test. The new test went down to 126 thousand colonies per 81 mills. The City cannot meet that and that is why the City had to put a plan in place to have a disinfection area. The City replaced the UV infection in phase I and now it's time for phase II. He said he was sorry that the increase is high, but he did not feel comfortable presenting to Council a raise with no numbers to back it up. He said he did not have any idea of the cost for the project until now.

***The motion passed 8-0*

PUBLIC COMMENT

None

ADJOURNMENT

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

The meeting was adjourned at 8:25 p.m.

John Hollowell, Mayor

Lorrie Pearce, City Clerk

REGULAR COUNCIL MEETING February 9, 2016
7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, February 9, 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 John Uden, Rachel Sloan, Dwayne Andrews, Susanne Galbraith, Brant Kassner, Jeff Erlenbusch and Kathy Wilcox. Ken Gardner was excused.

Also present were City Attorney Dan Rice, Police Chief Doug Colombik, Public Works Director Scott Gray, 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: 1/26/2016

- ** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of January 26, 2016, and seconded by Councilperson Sloan. The motion **passed** by unanimous consent, 7-0.*

Finance Committee Meeting Minutes: 1/21/2016

- ** *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of January 21, 2016, and seconded by Councilperson Andrews. The motion **passed** by unanimous consent, 7-0.*

Public Service Meeting Minutes: 2/1/2016

- ** *Councilperson Andrews moved to approve the minutes of the Public Service Meeting of February 1, 2016, and seconded by Councilperson Kassner. The motion **passed** by unanimous consent, 7-0.*

Public Safety Meeting Minutes: 2/1/2016

- ** *Councilperson Uden moved to approve the minutes of the Public Safety Meeting of February 1, 2016, and seconded by Councilperson Erlenbusch. The motion **passed** by unanimous consent, 7-0.*

SCHEDULE MEETINGS

Study Commission

February 18 at 5:15pm

REQUEST OF CITIZENS & PUBLIC COMMENT

None

APPOINTMENTS

Board of Appeals- Noah Mahan

- ** *Councilperson Galbraith moved to approve the appointment of Noah Mahan to the Board of Appeals, seconded by Councilperson Erlenbusch and on roll call vote passed 7-0.*

PROCLAMATIONS

None

STAFF REPORTS

Chief Colombik introduced two new police officers John Hill and Dustin Sloan. Mayor Hollowell thanked the officers for protecting the community. Chief Colombik added that he had given all Council members a list of the 2015 statistics, and if anyone had any questions, feel free to contact him

Chief Warren introduced two new fire fighters, Taran Harbaugh and Justin Trethewey. Mayor Hollowell thanked the officers for protecting the community. Chief Warren added the fire and ambulance had 131 alarms calls, and his doors are always open.

CITY COUNCIL COMMENTS

Councilperson Uden asked to be excused from Council for two weeks.

- ** *Councilperson Erlenbusch moved to approve the absence, seconded by Councilperson Kassner and passed unanimously 7-0.*

MAYOR COMMENTS

None

STANDING COMMITTEE RECOMMENDATIONS

Public Safety Committee- Posting bids for three cabins and one railroad boxcar

*** Councilperson Uden moved to post for independent bids on three cabins and one boxcar at City Park, and seconded by Councilperson Wilcox.*

Councilperson Uden explained there are three cabins that are starting to fall apart. The cabins cannot be used for storage anymore and are becoming a danger to everyone.

*** The motion passed 7-0*

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

- A. ORDINANCE NO. 1301: An Ordinance Enacting Section 2-233 of the Code of Ordinances of the City of Miles City Requiring that Certain Contributions be Made to the General Fund Capital Improvement Fund From General Fund Cash Carryover**

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

- B. ORDINANCE NO. 1302: An Ordinance Amending Section 2-106(7) of the Code of Ordinances of the City of Miles City, Montana, With Regards to the Mayor's Veto of Resolutions and Ordinances**

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

UNFINISHED BUSINESS

- A. ORDINANCE NO. 1301: An Ordinance Enacting Section 2-233 of the Code of Ordinances of the City of Miles City Requiring that Certain Contributions be Made to the General Fund Capital Improvement Fund From General Fund Cash Carryover**

*** Councilperson Galbraith moved to approve the Ordinance, by title*

only, seconded by Councilperson Andrews and on roll call vote passed 7-0. Ordinance No. 1301 passed

B. ORDINANCE NO. 1302: An Ordinance Amending Section 2-106(7) of the Code of Ordinances of the City of Miles City, Montana, With Regards to the Mayor's Veto of Resolutions and Ordinances

****** *Councilperson Uden moved to approve the Ordinance, by title only, seconded by Councilperson Sloan and on roll call vote passed 7-0. Ordinance No. 1302 passed*

NEW BUSINESS

A. ORDINANCE NO. 1303: (First Reading) An Ordinance Amending Section 2-59 of the Code of Ordinances of the City of Miles City, Montana, to Include the Preparation of Council Meeting Agendas as a Power and Responsibility of the City Council President

****** *Councilperson Gardner moved to approve the Ordinance, by title only, seconded by Councilperson Andrews.*

Councilperson Galbraith thought that in Section 2-59 (b) it should say the Mayor (instead of President) shall confer with the City Clerk and shall review and approve all items. Further down it should say the Mayor (instead of President) shall allow items to be placed on the agenda by the President (instead of Mayor) or by the request of any, etc. She said the reasoning is that the Mayor has meetings with Directors, works in City Hall and knows what is going on. She felt it would be a full time job for the president to find out what should be put on the agenda.

Councilperson Andrews said he agreed with Councilperson Galbraith and in the past it has been the Mayors responsibility and felt it should stay that way. He felt it would be too much work for the Council President to keep up with it.

Councilperson Uden agreed with Councilperson Galbraith. Historically it had been the Mayors responsibility and felt the Ordinance should stand as it was in the past. He felt it would be a load for Council President Galbraith and would like it to stand as written in the past.

Mayor Hollowell said his reasoning was that everything was not getting put on the agenda. The ordinance states that the Directors can go to the Mayor, City Clerk and the President to get anything on the agenda. If the Council

does not want something on the agenda it can remove it.

Councilperson Galbraith said if the changes were made that she had mentioned it would solve all the problems that the Mayor mentioned.

Attorney Rice said he could put wording in the Ordinance to accomplish the assurance that the Mayor could not take items off the agenda. He recommended pushing the Ordinance back to him to change the wording.

** *Councilperson Uden moved to refer the Ordinance to the City Attorney to redraft, seconded by Councilperson Sloan. The motion passed on roll call vote 7-0*

** *The original motion was over ridden 7-0*

B. RESOLUTION NO. 3884: (First 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 # 1000-201-420140-350 for Professional Services Related to the Miles City Flood Control Project

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

Councilperson Galbraith explained the County had applied for a grant and did not get it. By amending the budget the City is giving the County half of the cost for a contract that was signed by the County with KLJ.

Mayor Hollowell said it was pretty much the amount that was agreed upon at the beginning. The County Commissioners explained to him that CDBG said the grant was not received because the grant needed to go to a project before construction began.

** *On roll call vote passed 7-0. Resolution No. 3884 passed*

C. RESOLUTION NO. 3886: A Resolution Approving a Park Use Permit Between the City of Miles City, Montana, and Outlaw Baseball Club For Use of Tedesco, Jaycee and Conner's Field(s)

** *Councilperson Galbraith moved to approve the Resolution, by title only, seconded by Councilperson Erlenbusch. On roll call vote the motion passed 7-0. Resolution No. 3886 passed*

D. RESOLUTION NO. 3887: A Resolution Approving a Park Use Permit Between the City of Miles City, Montana, and Miles City Youth Baseball Association For Use of Conner's, Jaycee and Tedesco Field(s)

****** *Councilperson Erlenbusch moved to approve the Resolution, by title only, seconded by Councilperson Uden and on roll call vote passed 7-0. Resolution No. 3887 passed*

E. Approval of Claims

****** *Councilperson Sloan moved to approve January claims, seconded by Councilperson Galbraith and on roll call vote passed 7-0.*

ADJOURNMENT

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

The meeting was adjourned at 7:50 p.m.

John Hollowell, Mayor

Lorrie Pearce, City Clerk

Human Resources Committee
July 1, 2015

The **Human Resources Committee** met Wednesday, July 1, 2015, at 6:00 p.m. in the Conference Room at City Hall. Present were Chairperson Roxanna Brush, Committee Members Sheena Martin and Ken Gardner. Also present was /Committee Recorder Lorrie Pearce. Committee Member Mark Ahner was excused.

Committee Chairperson Brush called the meeting to order

1. REVIEW AND RECOMMENDATION OF LOCAL 600 CBA REVISIONS

*** Chairperson Brush moved to recommend to Mayor Grenz to get this salary adjustment request on the Wage and Benefit Committees next meeting agenda. The motion was seconded by Committee Member Gardner.*

2. REQUEST OF CITIZENS:

-None.

3. COMMITTEE MEMBER COMMENTS:

-None.

4. ADJOURNMENT:

*** Committee Member Martin moved to adjourn the meeting. The motion was seconded by Committee Member Gardner and passed.*

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

Respectfully submitted,

Recorder

Chairperson

Finance Committee Meeting

February 4, 2016

The Finance Committee met Thursday, February 4, 2016 at 6:00 p.m. in the City Hall Conference Room. Present were Committee Chairperson Susanne Galbraith and Committee Members Rachel Sloan and Dwayne Andrews. Committee Member Kathy Wilcox was excused.

Also present were Public Utilities Director Allen Kelm, Grant Writer/Planner Dawn Colton 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 Resolution No. 3870: A Resolution Releasing Requirements of Certain Lease Agreements Pertaining to City of Miles City Property Leased by Jerry Singleton and Allowing Truck Washing Operations**

Chairperson stated the Resolution should be No. 3885 instead of No. 3870. Discussion of the Resolution was put on hold to see if Mr. Boughton would show for the meeting.

After referring back to the Resolution Mr. Boughton was not at the meeting. Director Kelm explained to the Committee that he felt the lessee had fixed all the problems that were presented, and that Chairperson Galbraith and he had tried to contact Mr. Boughton several times with no results. Chairperson Galbraith asked that a registered letter be sent to Mr. Boughton and the Resolution put on the February 23, 2016 agenda.

Mr. Boughton arrived at the meeting around 6:25.

Chairperson Galbraith asked Mr. Boughton if he was satisfied with all that Mr. Singleton had done.

Mr. Boughton said that he did not have a chance to go see the progress or talk to Mr. Singleton. He felt the problem is the liability of the City, and if nothing is done the City could be sued. He said he had been battling this problem for ten years and this is the first time anyone had followed through. He said he knows that there has been some fixes, but it doesn't make up for the damage that has been done.

Chairperson Galbraith asked Mr. Boughton what types of damage had been done. Mr. Boughton said he has had to wade through the slop every year and carry water to the horse because the horses couldn't cross the water and ice.

Mr. Boughton thanked the Committee for looking into the situation, and felt that the improvements would help the problem, but he said that he wouldn't sign anything saying

that he was satisfied with everything, because the first day a spoonful of slop comes on his land, he will then have a problem again.

Director Kelm asked Mr. Boughton to contact him if he notices any other problems, and he added that he is asking Mr. Singleton to add four feet to the berm on the north end and slope it. The City will also ask for a plan on maintenance and dewatering at the site.

*** Chairperson Galbraith moved to recommend to Council the approval of Resolution 3885, seconded by Committee Member Sloan. On roll call vote the motion passed 3-0*

*** Chairperson Galbraith moved to amend her first motion; in the minutes to strike out sending a registered letter to Mr. Boughton and stipulation to be added as part of the lease signed by Mr. Singleton, seconded by Committee Member Sloan. The motion passed 3-0*

*** The original motion passed 3-0*

3. Review and Recommendation on Resolution No. 3883: A Resolution Approving A Montana Department of Commerce Community Development Envelopment Block Grant Contract to Provide Funding for Preparation of an Active Transportation Plan

*** Committee Member Andrews moved to recommend to Council the approval of Resolution No. 3883, seconded by Committee Member Sloan.*

Planner Colton explained the Transportation Plan's cost is \$150,000. Montana Department of Transportation will pay 80% of that cost, and the grant from CDBG is for \$ 12,000, which will cover the City's cost.

*** The motion passed 3-0*

4. Review and Recommendation on Resolution No. 3884: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 # 1000-201-431200-350 For Professional Services Related to The Miles City Flood Control Project.

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

Malenovsky said the City did not receive the CDBG grant for \$30,000, so it will need to spend more in the budget than what was anticipated.

***The motion passed 3-0*

5. Review and Recommendation on Ordinance No. 1302:An Ordinance Amending Section 2-106(7) of the Code of Ordinances of the City of Miles City, Montana, with Regards to the Mayor's Veto of Resolutions and Ordinances.

*** Committee Member Sloan moved to recommend to Council the approval for the Ordinance and seconded by Chairperson Galbraith. The motion passed 3-0*

6. Review and Recommendation on Ordinance No. 1303: An Ordinance Amending Section 2-59) of the Code of Ordinances of the City of Miles City, Montana, To Include the Preparation of Council Meeting Agendas as a Power and Responsibility of the City Council President.

There was no motion on Ordinance No. 1303.

7. Approval of Purchasing a 1995 and 1997 used single axle combination truck-plow-sander units for \$48,900 out of the Public Works Capital Improvement Fund, instead of a the skidster and plainer

*** Committee Member Andrews moved to approve the purchase of two truck-plow-sanders for an amount of \$48,900. The motion was seconded by Chairperson Galbraith*

Director Gray explained he had been looking at projects for this spring and found that there was no need to prepare the streets this year for chip sealing. When he prepared the budget he wanted to replace the milling machine for \$50,000, but since there is no need for the machine this budget year, he would like to hold off on buying one, and in its place purchase two single axle combination truck-plow-sanders units that the City of Billings is selling. He felt the price of \$48,000 for the two units was a great price and that a mechanic had stopped in to inspect the units, and thought they were in great shape. Both units had approximately 100,000 miles and twenty years old. Director Gray asked the Committee to approve the purchase of the two snowplows instead of the purchase for the skidster and plainer.

*** The motion passed 3-0*

8. Schedule for claims inspection

The following was decided:

- Dwayne Andrews- January, February, March
- Rachel Sloan- April, May, June
- July, August, September- To be Announced
- October, November, December- To be Announced

9. Adjournment

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

The meeting was adjourned at 6:54 p.m.

Susanne Galbraith, Chairperson

Lorrie Pearce Recorder/City Clerk

Human Resources Committee
February 16, 2016

The **Human Resources Committee** met Tuesday, February 16, 2016, at 7:00 p.m. in the Conference Room at City Hall. Present were Committee Members Rachel Sloan, Susanne Galbraith, Kathy Wilcox and Jeff Erlenbusch. Also present were Mayor John Hollowell, Police Chief Doug Colombik, Animal Control/Code Enforcement Officer Brian Certain and Deputy City Clerk/Committee Recorder Linda Wilkins.

Committee Member Susanne Gailbraith called the meeting to order.

1. Election of Chairperson

***Committee Member Galbraith moved to appoint Rachel Sloan as Chairperson. The motion was seconded by Committee Member Wilcox. The motion passed 4-0*

2. Request of Citizens

***None*

3. Discussion and Recommendation on Wages Increase for Animal Control/Code Enforcement Officer

There was discussion regarding the cost of hiring an additional employee to provide code enforcement and it was agreed that the cost would be greater than increasing Animal Control/Code Enforcement Officer Certain's hourly wage. Other employees of the city have received an increase of \$1.00/hour and \$1.50/hour for taking on additional responsibilities. Chief Colombik stated that Brian was doing a very good job with code enforcement. He recommended increasing the wage by \$1.00/hour.

***Committee Member Galbraith moved to give the Animal Control/Code Enforcement Officer Certain a raise of \$1.00 per hour, seconded by Committee Member Wilcox, upon roll call vote the motion passed unanimously.*

4. Adjournment

***Committee Member Wilcox moved to adjourn the meeting, seconded by Susanne Galbraith. Motion passed unanimously.*

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

Respectfully submitted,

Chairperson Rachel Sloan

Recorder Linda Wilkins

Finance Committee Meeting

February 16, 2016

The Finance Committee met Tuesday, February 16, 2016 at 6:00 p.m. in the City Hall Conference Room. Present were Committee Chairperson Susanne Galbraith and Committee Members Rachel Sloan and Dwayne Andrews and Kathy Wilcox.

Also present were Mayor Hollowell and Committee Recorder/City Clerk Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens:

None

2. Discussion on sidewalks for Comstock residence

Mayor Hollowell explained that a sidewalk had been replaced by order of the City on 2316 Comstock. The resident requested that the expense of approximately \$5,000 be put on their taxes, so they could pay it off gradually.

The consensus of the committee was to deny the request for the following reasons:

- If approved, would open a can of worms because there are a lot of bad sidewalks in the City
- Felt the City needed to stick to the Ordinance

3. Discussion and Recommendation on Budget Amendment for the Parks Department

Chairperson Galbraith explained the decking was replaced 4 years ago at the swimming pool. At that time the joist and fasteners were to be sealed, which did not happen. Now the high water level has saturated the treated boards, and in time will ruin the treated wood. Treating the boards underneath will allow the City to keep the warranty on the decking for the full 20 years.

Clerk Pearce said that in her conversation with Director Gray, the total cost would be approximately \$12,000 instead of the \$10,000. Also, it would be the joist that received the seal and not the decking.

Committee Member asked where the money would come from. Chairperson Galbraith explained that it would come from the reserves in General Fund.

Clerk Pearce added Director Gray said the City starts filling the Oasis in March, so with approval the areas could be dried out and sealed before the filling begins.

Committee Member Wilcox said that the sealant would add about 16 years of life to the deck and that's less than \$1,000 per swimming season.

*** Committee Member Wilcox moved to recommend to Council the approval of the budget amendment of \$12,000 for the swimming pool, seconded by Committee Member Sloan. The motion passed 4-0*

4. Adjournment

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


The meeting was adjourned at 6:20 p.m.

Susanne Galbraith, Chairperson

Lorrie Pearce Recorder/City Clerk

Human Resource Committee Recommendation

	Hourly Wage	Annual Hours	Total Annual Wage	Taxes & Retireme nt	Total Gross Wage with Employer Taxes and Retirement
Current Wage	\$20.80	2080	\$43,264.00	0.2166	\$52,634.98
\$1.00 Increase	\$21.81	2080	\$45,364.80	0.2166	\$55,190.82

 <p style="text-align: center;">CITY OF MILES CITY JOB DESCRIPTION</p>	Human Resources Adopted:	06/22/2015
	Last Revised:	06/22/2015
ANIMAL CONTROL & CODE ENFORCEMENT OFFICER		

POSITION: Animal & Code Enforcement Officer
DEPARTMENT: Police Department
ACCOUNTABLE TO: Chief of Police

SUMMARY OF WORK: This position primarily performs routine and complex public safety work in the enforcement of animal control ordinances and assists in Citywide Code enforcement.

JOB REQUIREMENTS:

Nature of Work: This position performs duties of collecting animals which are in violation of the City’s Animal Control Ordinances, impounding and providing custodial care for impounded animals. Performs a variety of routine and complex work in the interpretation and enforcement of adopted codes and related rules and regulations. Approximately 66% of the officer’s time will be dedicated to enforcing the animal control ordinances and 34% enforcing local codes and related rules and regulations. Duties shall be conducted with a regular scheduled shift. This position requires moderate physical involvement and the ability to walk and run. The duties are typically performed out of doors and occasionally during undesirable weather. Proper use of safety equipment is required in order to prevent injury.

Personal Contacts: Establish and maintain close cooperative working relationships with law enforcement agencies, animal shelter employees, law enforcement employees, other employees, the prosecuting attorney’s office, Public Works Department, local businesses, homeowners, contractors and the general public.

Supervision Received: Daily contact with the Chief of Police and the Police Department.

Essential Functions: This position requires physical strength and mobility to catch and restrain animals, the ability to drive, record information, review written records, communicate and exercise good judgement. Inspect properties and permits to ensure compliance of Montana and Miles City Code, and other codes and ordinances as assigned; performs directly related work as required. Investigate and notify the property owner of the property on which there is a violation.

AREAS OF JOB ACCOUNTABILITY AND PERFORMANCE:

General Duties: The duties of the Animal Control & Code Enforcement Officer include, but are not limited to the following:

Animal Control:

- Prioritizes, schedules and responds to citizen or law enforcement complaints regarding animal control such as vicious dogs and feral dogs;
- Responds to citizen or law enforcement complaints regarding animal abuse, cruelty and neglect;
- Locates animal owners, takes written and verbal statements, issues warnings and citations, and reports citations to court personnel;
- Patrols areas where animal control complaints have been reported and monitors corrective actions of individuals who have received warnings and citations;
- Captures, impounds and transports animals to owner's residence and to the animal shelter;
- Apprehends and confines stray, injured, and nuisance animals in the most safe, humane and approved manner possible. Administers emergency first aid;
- Maintains records and files of animals and animal control efforts for warnings, citations, court actions and owner notification attempts;
- Takes corrective actions against reported nuisance animals such as bats, skunks, and snakes to mitigate disease and possible personal injury to citizens;
- Completes daily reports, appears as a witness in court,
- Cleans, fuels, disinfects and performs preventative maintenance on vehicles, cages and minor equipment;
- Attends meetings, conferences and workshops as requested and authorized;
- Performs related work as required.

Code Enforcement:

- Investigate and notify the property owner of the property on which there is a violation.
- Assist in administration of State codes and City of Miles City ordinances, including inspecting and investigating complaints of non-compliance, informing all violators and any complainants of related regulations and recommends possible solutions and/or alternatives to ensure compliance, enforcing compliance with the City ordinances and relevant codes, including issuing notices and non-compliance violations as necessary, and performing follow-up inspections to ensure compliance issues are resolved or addressed in a timely and efficient manner.
- Provides information to violators, the general public, business community and other government agencies regarding codes, laws and ordinances; respond to questions, complaints and inquiries.
- Maintains a daily record of inspections and prepares all related correspondence and documentation for mailing to violators and/or complainants.
- Takes any necessary measures to ensure prosecution of violators, including gathering and compiling evidence and proper documentation for court procedures, and presenting cases in court as necessary.
- Maintains a positive and professional working relationship with administration, lawyers, area merchants, citizens and the general public.
- Responds to citizens' questions and comments in a courteous and timely manner.

- Receives and investigates citizen complaints of alleged property maintenance violations and abandoned vehicles; contacts owner to cite code violations and possible remedies to avoid an official citation.
- Conducts follow-up investigations of properties previously determined to be in violation of city codes; issues citations as a result of the failure of the owner to correct violations or proceeds with legal abatement as appropriate.
- Inspects and declares properties as condemned or badly deteriorated and identified for major repair or razing.

JOB REQUIREMENTS, KNOWLEDGE, SKILLS and ABILITIES:

- Comprehensive knowledge of animal behavior and control, including both domestic and wild animals;
- Thorough knowledge of court proceedings and processes relating to animal control duties and responsibilities;
- Good knowledge of business arithmetic and English composition and spelling;
- Ability to operate a motor vehicle, computer, basic office equipment;
- Ability to organize and coordinate a variety of schedules and supportive actions;
- Ability to communicate well with law enforcement and court personnel, supervisors, City employees and the general public both orally and in writing, using both technical and non-technical language;
- Ability to establish and maintain effective working relationships with other employees, supervisory personnel, court and law enforcement personnel and the general public;
- Ability to prepare accurate and reliable reports containing findings, conclusions and recommendations;
- Ability to use logical and creative thought processes to develop solutions according to written and/or oral instructions;
- Ability to perform a wide variety of animal control and compliance tasks with accuracy and speed under the pressure of time-sensitive deadlines and in emergency situations;
- Ability to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Ingenuity and inventiveness in the performance of assigned tasks;
- Knowledge of proper animal care standards which includes capture and transportation;
- Ability to walk and run; lift weights up to 70 pounds; climb ladders and other obstacles.
- Thorough knowledge of City ordinances and codes
- Thorough knowledge of State codes
- Thorough knowledge of investigation techniques and methods of inspection
- Ability to analyze maps, codes, and legal descriptions, and make appropriate judgments on compliance and non-compliance issues
- Ability to understand and follow oral and/or written policies, procedures and instructions
- Ability to prepare and present accurate and reliable reports containing findings and recommendations

EDUCATION AND EXPERIENCE AND MINIMUM QUALIFICATIONS:

Education and Experience equivalent to:

- Graduation from a high school; and

- Three to five years' experience obtained through Animal Shelter or Animal Control work ; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.
- Must have a valid Montana Driver's License.
- Must be able to operate a light truck.

JOB PERFORMANCE STANDARDS:

Evaluation of this position will be based primarily upon performance of the preceding requirements and duties. Examples of job performance criteria include, but are not limited to, the following:

- Performs assigned duties.
- Maintains accurate and timely records.
- Prepares and submits accurate and timely reports.
- Deals tactfully and courteously with the public.
- Observes work hours and demonstrates punctuality.
- Establishes and maintains effective working relationships with fellow employees, supervisors and the public.
- Demonstrates ability to remain calm in stressful situations.
- Relays messages in accurate and timely manner.
- Demonstrates proper telephone usage and etiquette.
- Demonstrates ability to think quickly and analyze situations.
- Maintains alphabetical and numeric files/records.
- Maintains departmental arrest books and complaints.
- Refrains from making personal judgments or decisions.
- Adheres to standards of confidentiality.

Signed: _____ Date: _____

Supervisor: _____ Date: _____

Public Hearing

Same as Unfinished Business

RESOLUTION NO. 3884

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 # 1000-201-431200-350 FOR PROFESSIONAL SERVICES RELATED TO THE MILES CITY FLOOD CONTROL PROJECT.

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2015-2016 to provide increased funding for professional services in the amount of \$15,000, for services related to the Miles City flood control project, as permitted by §7-6-4006 MCA;

AND WHEREAS, such amendment of the final budget will result in an overall increase in appropriation authority within fund # 1000-201-431200-350,

AND WHEREAS the provisions of §7-6-4006 MCA require public hearing upon any budget amendment resulting in an overall increase in appropriation authority,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Miles City, Montana as follows:

The appropriations for the Final Budget for Fiscal Year 2015-2016 shall be increased in the following amount:

Fund No. 1000-201-431200-350 in the sum of \$15,000.00.

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2015-2016 on the 23rd day of February, 2016, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 9th DAY OF February, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF
MILES CITY, MONTANA, THIS 23rd DAY OF February, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

New Business

ORDINANCE NO. 1303

AN ORDINANCE AMENDING SECTION 2-106 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA, TO INCLUDE THE PREPARATION OF COUNCIL MEETING AGENDAS AS A POWER AND RESPONSIBILITY OF THE MAYOR.

WHEREAS, the City Council of the City of Miles City has determined that it is necessary and appropriate to amend Section 2-106 of the Code of Ordinances of the City of Miles City so as to include the preparation of the City Council Agenda as a power and responsibility of the Mayor, and to allow for the City Council President or any 2 members of the City Council to have an item placed on the agenda.

BE IT ORDAINED, by the City Council of the City of Miles City, Montana, as follows:

Section 1. That Sec. 2-106 Powers and duties generally, be amended to include a new provision, as follows:

(8) *City Council Agenda.* The Mayor, with assistance from the City Clerk, shall be responsible for the preparation of the City Council agenda. The Mayor shall allow items to be placed on the agenda by the City Council President, or at the request of any two (2) members of the city council.

Section 2. This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 23rd day of February, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 8th day of March, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 3885

A RESOLUTION RELEASING REQUIREMENTS OF CERTAIN LEASE AGREEMENTS PERTAINING TO CITY OF MILES CITY PROPERTY LEASED BY JERRY SINGLETON AND ALLOWING TRUCK WASHING OPERATIONS.

WHEREAS, the City of Miles City leases certain real property located within the Industrial Site located West of Miles City, Montana;

AND WHEREAS the two leases hereinbefore referenced require that the City give written approval prior to the Tenant conducting truck washing operations on City property, and that the Tenant have obtained a discharge permit from the State of Montana;

AND WHEREAS the City of Miles City is satisfied that truck washing operations may be conducted in such a manner which will not cause damage to the environment, or damage to adjacent property;

AND WHEREAS the City of Miles City desires to approve the washing of trucks on said leased property, and to release the requirement that the Tenant obtain a discharge permit from the State of Montana, as the City has been advised by the City Sanitarian that the State of Montana does not require a discharge permit for the truck washing operation which has been proposed;

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. The City of Miles City hereby releases the requirement of the tenant to obtain a discharge permit from the State of Montana which is contained in the lease agreements between the City of Miles City as Landlord, and Jerry Singleton as Tenant, as set forth in Article K(2)(a) in said agreements which were approved by Resolution No. 2789 and Resolution No. 2790, said leases governing portions of Tracts R, S, and T in the Industrial Site West of Miles City, Montana;
2. The City of Miles City has determined that truck washing operations are able to be conducted on the leased property in such a manner as to not cause damage to the environment or to adjoining properties so long as certain conditions are met, and the City hereby approves the washing of trucks on said leaseholds, according to certain standards which shall be established by the Public Utilities Director for the City of Miles City, and which may be amended by the Public Utilities Director or the City Council from time to time.

3. This approval is conditioned on a requirement that the Tenant promptly reclaim any damage caused by runoff to the neighboring property owned by Bert Boughton; and is further conditioned by a requirement that the Tenant drain and reclaim the holding pond on the leasehold at the termination of his lease, that the berm on the north end of the pond be increased by a height of four feet and be sloped, and that the Tenant complete a plan for maintenance and dewatering at the site which shall be approved by the Public Works Director.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 23rd DAY OF FEBRUARY, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

Site Plan Review

RESOLUTION NO. 3888

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING SITE PLAN REVIEW FOR SACRED HEART CATHOLIC CHURCH ADDITION ON LOTS 1-6 OF THE MILES ADDITION TO THE CITY OF MILES CITY.

WHEREAS, the Roman Catholic Bishop of Great Falls has requested that the City of Miles City approve the site plan review for an addition to be built on Lots 1-6 of the Miles Addition to the City of Miles City, Custer County, Montana;

AND WHEREAS, a public hearing was held before the Planning Board on February 16, 2016, and the Planning Board has recommended that the City Council approve the site plan with certain conditions;

AND WHEREAS, the City Council is the final reviewing authority for site plan approval pursuant to Section 24-96 of the Code of Ordinances of the City of Miles City;

NOW THEREFORE BE IT RESOLVED by the City Council of Miles City, Montana, as follows:

1. The City Council of the City of Miles City does hereby adopt the "City Council Staff Report SPR-2016-01," attached hereto as Exhibit "A," as findings of fact; and
2. Based on the findings of fact, the City Council of the City of Miles City hereby **APPROVES WITH CONDITIONS** the site plan submitted by the Roman Catholic Bishop of Great Falls. Said conditions are set forth in Exhibit "A."

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A DULY CALLED MEETING THIS 23RD DAY OF FEBRUARY, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

**City Council Staff Report SPR-2016-01 Site Plan Review
Sacred Heart Church Addition
Meeting Date: February 23, 2016**

PROJECT SUMMARY:

Stevenson Design, on behalf of the Sacred Heart Catholic Church, has submitted a Site Plan Review application for the construction of a 3,943 sq. ft. addition on the east side of the church building. The property is located at 120 N. Montana St. The legal description is Sec 34, T08N, R47E, Lots 1 through 6 of the Miles Addition. See attached maps for location and site plans.

Significant dates and review items are noted below:

- The applicant has submitted all the required information per 24-96(e).
- The applicant was notified that the application was deemed incomplete on Jan 4, 2016 and complete on January 7, 2016.
- The Public Hearing was held February 16, 2016 at 6:00 PM in the City Hall Conference Room. Noticing requirements in 24-96(f)(6) were satisfied.

PUBLIC COMMENT

Two comments were received via phone during the comment period. The questions were answered satisfactorily. No persons from the public attended the public hearing.

REVIEW CRITERIA

The project meets the review criteria in 24-96(g). The following information may be considered as Findings of Fact.

- There will be no significant impact on circulation patterns, as this project is not increasing capacity of the church. The addition will be used as a reception area for church events.
- The maximum height of the proposed addition is 14', well within reach of current Fire Department equipment.
- Emergency access and fire prevention measures have been reviewed by the Miles City Fire Department. The department still needs the actual square footage and occupancy load to determine if a sprinkler or fire alarm is necessary.
- No significant impact on local traffic is expected (less than 400 ADT) as the intent of the addition is not to increase capacity.
- Stormwater will be discharged via a new 6" line to the existing stormwater collection system on Palmer St. Drainage calculations show that an additional 66 cubic feet of water will be added to the City's system. The system has the capacity to handle the additional water.
- The property is located in the flood fringe. The applicant must submit a floodplain permit along with drawings showing the required floodproofing plan. Floodproofing must be no less than 2 feet above BFE. Additional documentation may need to be submitted before, during or after construction.
- Water & Sewer services are readily available. The applicant will be extending the sewer service connection from the Palmer-Pleasant Street Alley to the new addition. Water service will be extended from the existing building. Electrical & communications services are available on site.
- Sacred Heart Church is a significant historic landmark in Miles City, which, although eligible, is not listed on the National Register of Historic Buildings. In reviewing the Site Plan for the new addition to rear of the church, the HPO has determined that the plan does incorporate the applicable design elements specified in the Secretary of Interior's (SOI) Standards for Rehabilitation of Historic Buildings. The design makes minimal impact on the defining architectural characteristics of the building's primary façade and side street view of the building. The new addition will not destroy historic materials that characterize the

City Council Staff Report SPR-2016-01 Site Plan Review
Sacred Heart Church Addition
Meeting Date: February 23, 2016

property during construction and the choice of brick of a similar color to the facade will subtly differentiate the new construction from the original structure. Overall, the addition is compatible in massing, size, scale, and architectural features of the original building, which will protect the historic integrity of the property and its environment into the future. Should the new addition be removed in the future the primary, architecturally significant historic structure would remain essentially intact.

- The building site currently has a bus barn and two ADA parking spaces. ADA parking will be available on the street, in front of the Palmer Street entrance. The bus barn will be torn down and the busses parked at the Sacred Heart School. On street parking should be sufficient to cover the required 9 parking spaces required for a church with an estimated occupancy load of 88 persons. (IZC 2012 24-14) Four ADA spaces are required, nine are provided. Three ADA parking spaces are located near the Palmer Street entrance. An additional six ADA spaces have been added on the south side of the rectory building, adjacent to the alley.
- The use meets all of the Residential A (RA) zoning code requirements for setbacks, height restrictions, signage, parking standards, and design requirements. The City Building Inspector will review and approve the building design requirements.
- Garbage service is currently provided by MC Sanitation. The applicant has two trash receptacles that are stored near the alley. Standard trash receptacles do not need to be screened from public view.
- The proposed use has no significant impacts to neighboring land uses. The site is bordered the following zones: RA to the north, south, northwest and a small General Commercial zone to the west.
- MCPD has reviewed the application and found there is little to no additional impact for police services as the project area is located within city limits and currently receives these services.
- The use complies with the City Zoning requirements for land use, height, setbacks, signage and other design requirements.
- The use will not be detrimental to or endanger public health, safety or general welfare as the proposed use is surrounded by compatible uses.
- The existing and reasonably anticipated permitted uses in the area will not be substantially impaired or diminished by the establishment of the proposed use as the project is surrounded by compatible uses.
- Adequate utilities, access ways, drainage, and other necessary site improvements will be provided prior to occupancy.
- There are no proposed changes to ingress and egress. The use will not significantly affect traffic congestion on public streets.

RECOMMENDATION:

The Planning Board recommends approval of the proposed project.

CONDITIONS:

- ❖ Any modification to the approved application and plans that affect building codes, zoning regulations or public facilities shall require additional review by the City of Miles City.
- ❖ The owner shall maintain adequate parking spaces as defined in the 2012 International Building/Zoning Codes for an estimated occupancy load of 88 persons.
- ❖ The owner shall comply with all applicable codes in the Miles City Code of Ordinances Section 15 concerning Public Nuisances.

**City Council Staff Report SPR-2016-01 Site Plan Review
Sacred Heart Church Addition
Meeting Date: February 23, 2016**

- ❖ The owner or owner's representative shall apply for a building permit prior to construction.
- ❖ The water, sewer and other utilities connections shall be approved by the applicable service providers prior to construction.
- ❖ The owner shall submit a letter of review from the Miles City Fire Department indicating adequate fire protection plans have been developed and the department can adequately respond to emergencies at the facility. Any fire department requirements, such as fire hydrants, access plans/improvements, sprinkler systems, firewalls, and other fire code requirements shall be approved by the fire department prior to occupancy.
- ❖ The applicant shall follow all floodplain permit procedures and receive approval from the Floodplain Administrator prior to start of construction.
- ❖ A Certificate of Occupancy is contingent upon the application meeting all conditions of approval.

SITE



Miles City (partial)

Required Stormwater Detention Volume

Sacred Heart Church Site

Relative Imperviousness Factors:	Range of Runoff Coefficients	Runoff Coefficient Used
Paved Areas/Structures	= (0.80-0.90)	0.90
Graveled Areas	= (0.35-0.80)	0.80
Unimproved Rangeland	= (0.15-0.40)	0.30
Landscaped (lawn, shrubs, trees)	= (0.10-0.30)	0.10

2-Year, 24-Hour Storm Event:

Intensity (I) 1.41 in/hr
Time (T) 3600 sec/hr

Proposed Site Layout

Existing Site Layout

Areas:	Area (ft ²)	Area (Acres)
Total Area of Watershed	= 16988	0.39
Paved Areas/Structures	= 12794	0.29
Graveled Areas	= 527	0.01
Unimproved Areas	= 0	0.00
Landscaped Areas	= 3581	0.08
Total Area	= 16901	0.39

Area (ft ²)	Area (Acres)
16988	0.39
11400	0.26
1311	0.03
0	0.00
4190	0.10
16901	0.39

Volumes Required:

Volume of Runoff = (C*I*A)*T

Total Volume Difference = Proposed - Existing

	Volume (ft ³)	Volume (yd ³)
Paved Areas/Structures	= 1341.74	49.69
Graveled Areas	= 49.14	1.82
Unimproved Areas	= 0.00	0.00
Landscaped Areas	= 41.72	1.55
Total Volume	= 1432.60	53.06
Flow (ft ³ /s)	= 0.40	0.38

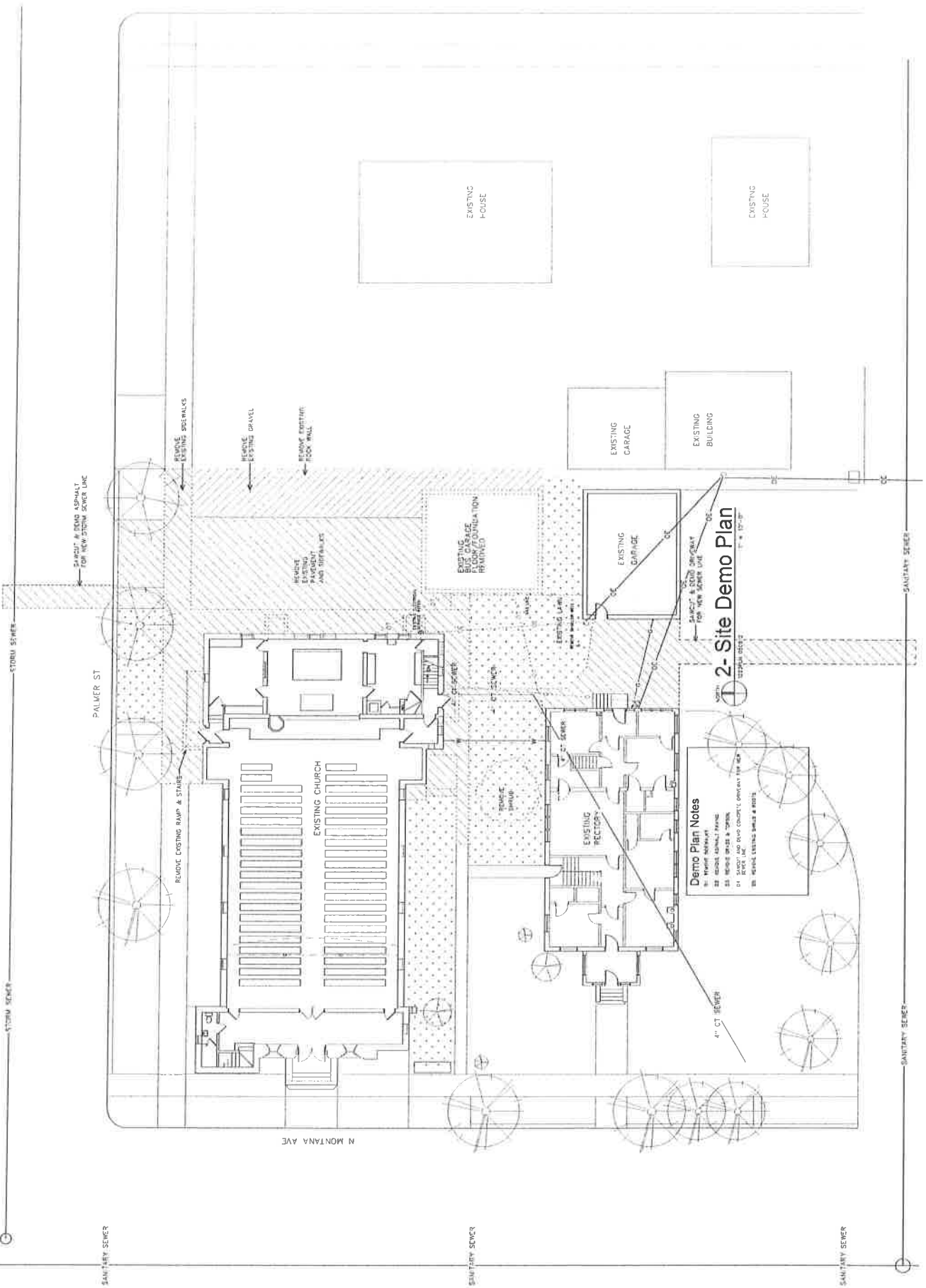
Volume (ft ³)	Volume (yd ³)
1195.55	44.28
122.23	4.53
0.00	0.00
48.83	1.81
1366.61	50.62
0.38	

Total Volume Difference

2.44

Total Flow (ft³/s)

0.02

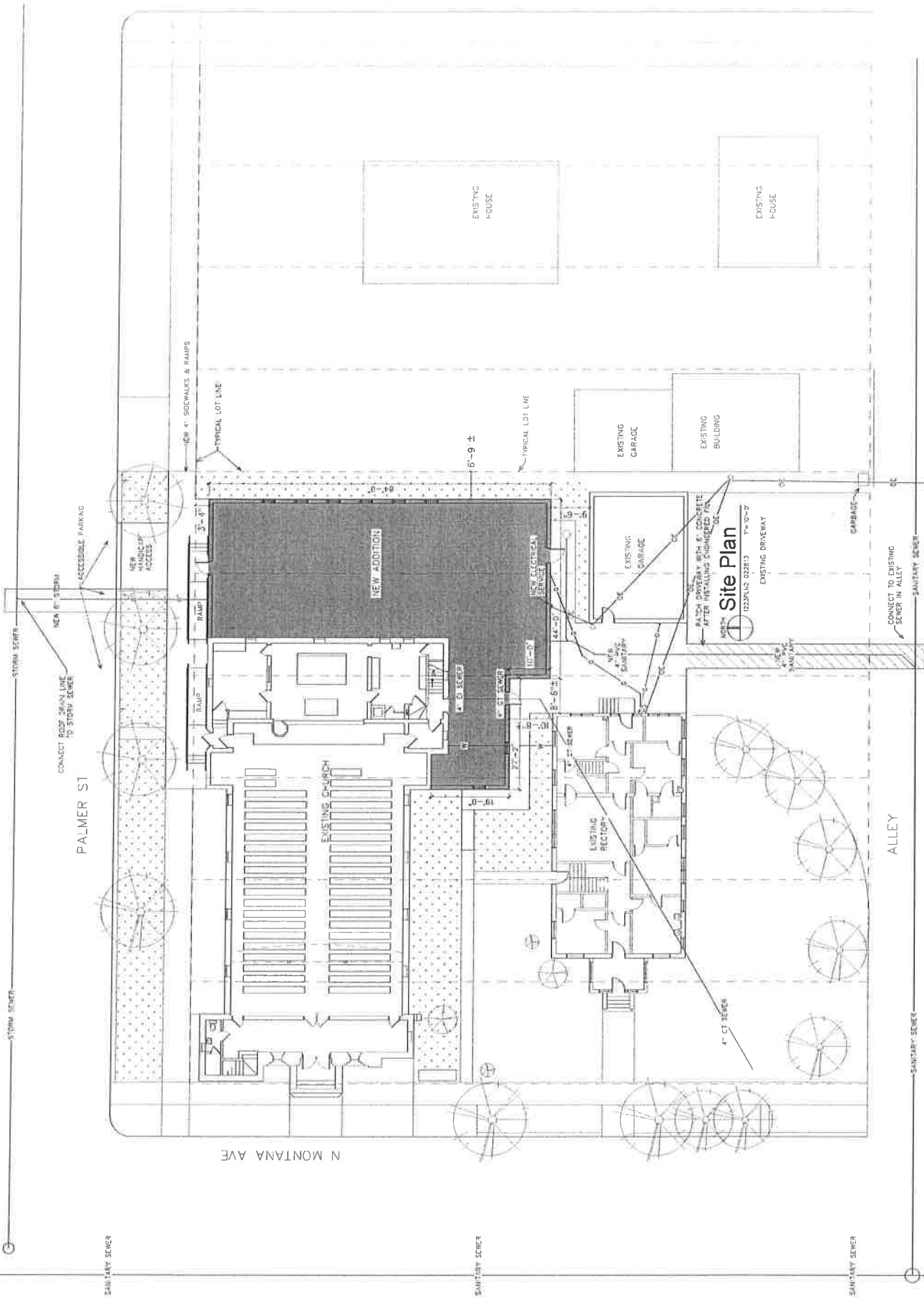


2-Site Demo Plan

T. & P. 17-18

Demo Plan Notes

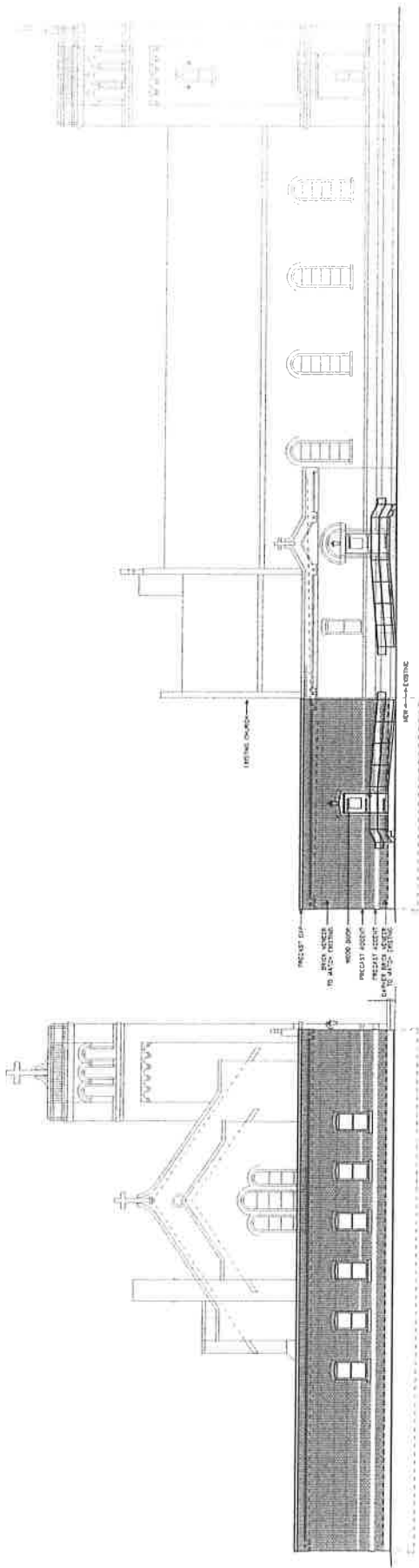
- 01 REMOVE EXISTING ASPHALT
- 02 REMOVE EXISTING DRIVEWAY
- 03 REMOVE EXISTING FLOOR WALL
- 04 REMOVE EXISTING DRIVEWAY AND SIDEWALKS
- 05 REMOVE EXISTING LAMP



Site Plan

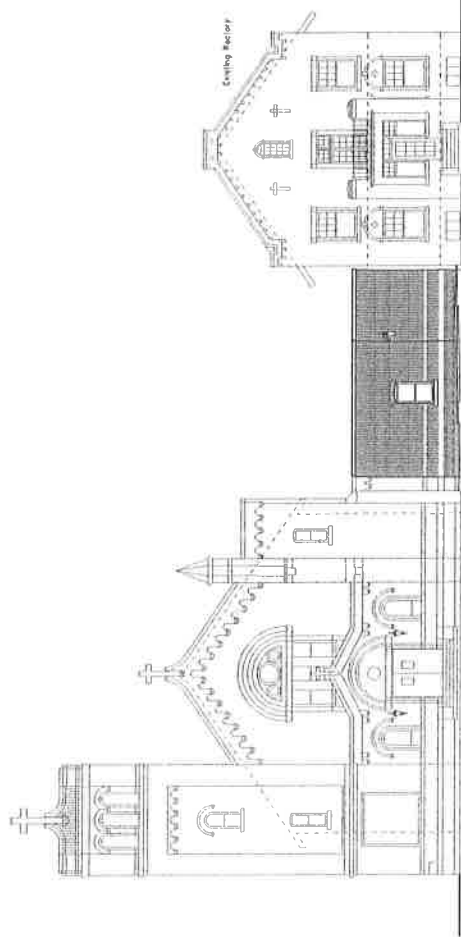
022P1U2 022P13 1"=10'-0"

ST



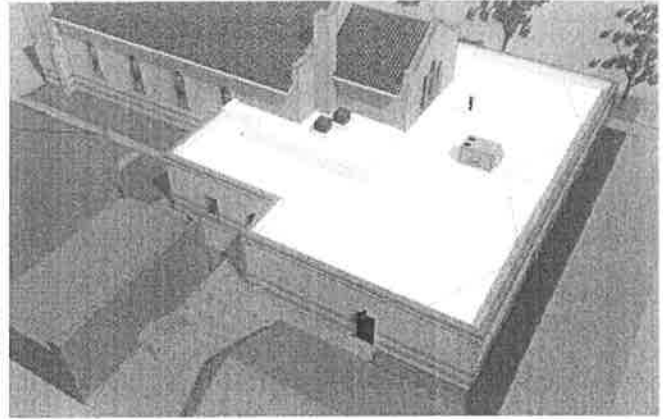
East Elevation
1/8" = 1'-0"

North Elevation
1/8" = 1'-0"



West Elevation
1/8" = 1'-0"

South Elevation
1/8" = 1'-0"



Site Plan Review

SACRED HEART CHURCH ADDITION

Miles City, Montana

Owner:
Roman Catholic Bishop Of Great Falls
PO Box 1399
Great Falls, MT 59403
roswald2@juno.com

Architect:
Stevenson Design, Inc.
909 Main Street
Miles City, MT 59301
sdesign@midrivers.com

Consultant:
**Simplicity Consulting,
Engineering & Design, LLC**
PO Box 51272
Billings, MT 59105
chasiak@simplicitycd.com

 **Stevenson
Design, Inc.**
909 Main Street
Miles City, MT 59301
Phone (406) 234-0777

Jan 4, 2015
Job No. 1223



SITE PLAN REVIEW APPLICATION

Community Services & Planning

City of Miles City 17 S. 8th Street, P.O Box 910 Miles City, MT 59301 406-234-3493

Descriptive Data

Total area in acres: .56 Existing Zoning: Residential Zone A

Existing and Proposed Use:

Existing area was used for parking and bus garage; proposed addition is to be a parish hall with accessible bathrooms and warming kitchen for funeral receptions.

If Residential Number of Units and type of Proposed Units: N/A

If Commercial/Industrial Number of Buildings together with Square Footage and Stories/Height of each:

Building Addition; 3,943 s.f. ; One story; low slope roof with parapets @ 14' AFF to match existing.

Materials/Information to be submitted with this application (minimum requirements)

*1 Copy of the following:

1. Application form and site plan review fee
2. Vicinity Map showing location of proposed project (8 ½ x 11)
3. (8 ½ x 11) copy of the Site Plan at a suitable scale (example: 1 inch = 10 feet) with the following information:
 - a. Boundary line of property with dimensions and a north arrow indicator
 - b. Topography contours at a minimum interval of 2 feet or as determined by the planning department
 - c. Water bodies, floodplain, and wetlands
 - d. Adjacent streets and street rights-of-ways to a distance of 150 feet from the subject property, including existing and proposed improvements such as curb, gutter, sidewalks, and bike paths
 - e. Parking facilities, including bicycle racks, landscaping, drainage, lighting, handicap-accessible parking, typical dimensions (including labeling angles for angled parking), traffic flow on-site, ingress and egress points, driveways, and paving details
 - f. All existing and proposed structures, including exterior dimensions and setback distances to the wall line of all structures
 - g. Grading and storm drainage plans and calculations, including any proposed retention walls
 - h. Utilities and utility easements, existing and proposed



SITE PLAN REVIEW APPLICATION

Community Services & Planning

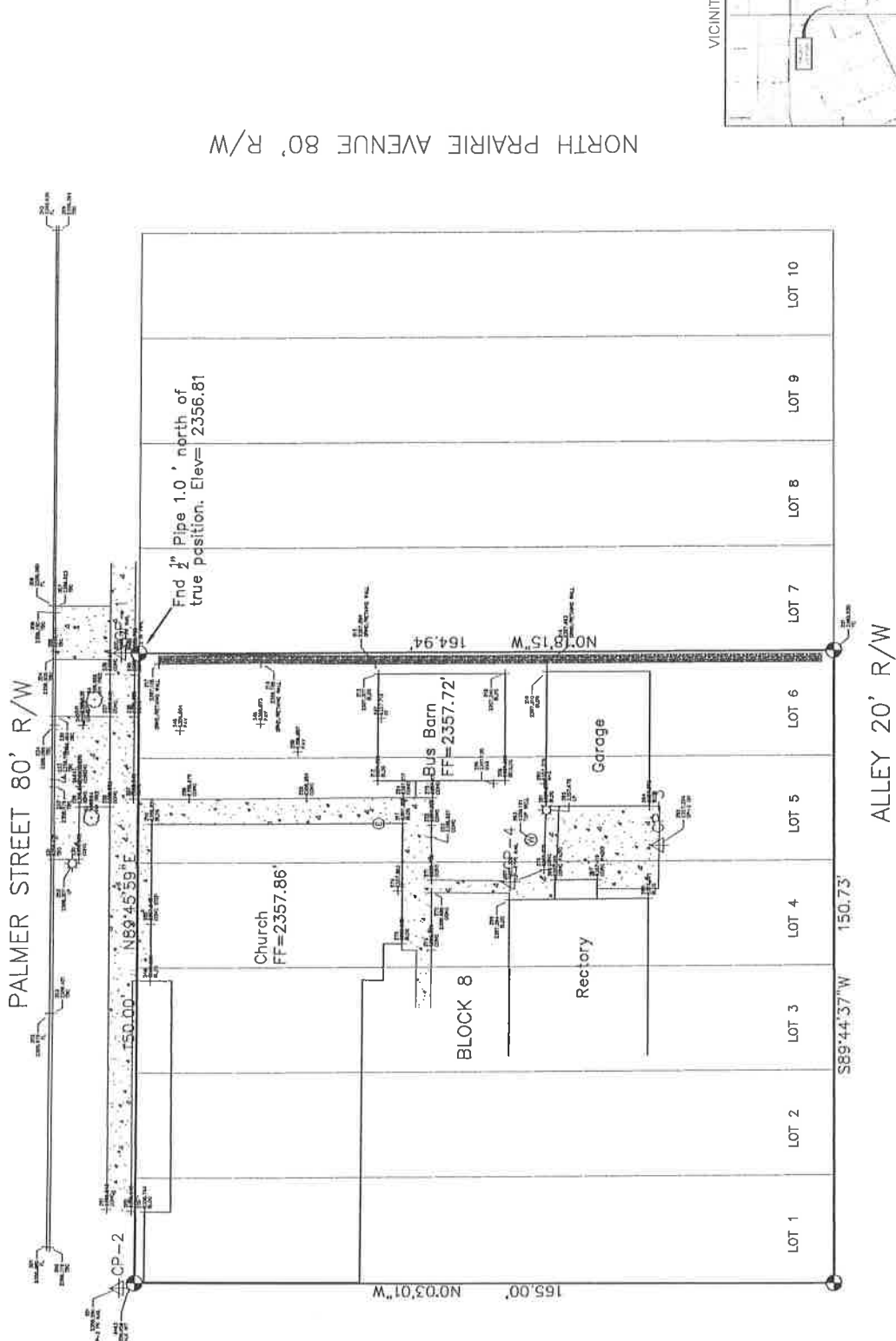
City of Miles City 17 S. 8th Street, P.O. Box 910 Miles City, MT 59301 406-234-3493

- i. Location of fire hydrants, fire lanes and turnarounds
 - j. Exterior refuse collection areas
 - k. Signage plans (if any)
 - l. Elevation plans or side profiles for structures with dimensions for building heights, including dimension from the top of the roof peak to the average grade at the front of the building.
 - m. An analysis of traffic generation, trip distribution and the impacts of the proposed land use on the transportation facilities serving the area if the proposed land use is estimated to generate 400 or more average daily vehicle trips (ADT), or if requested by the administrator.
4. (8 1/2 x 11) copy of the Landscaping Plan
 5. Proposed signage – at a minimum must indicate location and size and an indication of what materials and lighting are proposed. (This may be separate or shown on the site plan and/or bldg elevations)

Property Owner Signature: Jr. P. D. D. D. Date: 12-31-15

Applicant Signature: M. J. H. Date: 12-21-2015
(If different from owner)

*Additional copies of the submittal requirements may be requested by the Zoning Administrator for presentation to the Planning Board members prior to the Public Hearing Meeting.



PROJECT	4127.20374.15
DATE	05/01/2015
TASK	TASK 9
FIGURE #1	

SACRED HEART CHURCH SITE LAYOUT
 120 North Montana, Lots 1-6, Block 8, Miles Addition
 Miles City, Montana

DOWL
 713 Pleasant Street
 Miles City, Montana 58101
 406-234-8866

LEGEND	
	Property Corner
	Light Pole
	Control Point PK Nail
	Tree
	Well Casing
	Electrical Panel

Revised: 2/16/12 (310 form 270)
 Form may be downloaded from:
www.dnrc.mt.gov/permits/default.asp

AGENCY USE ONLY: Application # _____ Date Received _____
 Date Accepted _____ / Initials _____ Date Forwarded to DFWP _____

This space is for all Department of Transportation and SPA 124 permits (government projects).

Project Name _____
 Control Number _____ Contract letting date _____
 MEPA/NEPA Compliance Yes No If yes, #14 of this application does not apply.

JOINT APPLICATION FOR PROPOSED WORK IN MONTANA'S STREAMS, WETLANDS, FLOODPLAINS, AND OTHER WATER BODIES

Use this form to apply for one or all local, state, or federal permits listed below. The applicant is the responsible party for the project and the point of contact unless otherwise designated. "Information for Applicant" includes agency contacts and instructions for completing this application. To avoid delays, submit all required information, including a project site map and drawings. Incomplete applications will result in the delay of the application process. Other laws may apply.

The applicant is responsible for obtaining all necessary permits and landowner permission before beginning work.

✓	<u>PERMIT</u>	<u>AGENCY</u>	<u>FEE</u>
	310 Permit	Local Conservation District	No fee
	SPA 124 Permit	Department of Fish, Wildlife and Parks	No fee
X	Floodplain Permit	Local Floodplain Administrator	Varies by city/county (\$25 - \$500+)
	Section 404 Permit, Section 10 Permit	U. S. Army Corps of Engineers	Varies (\$0 - \$100)
	318 Authorization 401 Certification	Department of Environmental Quality	\$250 (318); \$400 - \$20,000 (401)
	Navigable Rivers Land Use License or Easement	Department of Natural Resources and Conservation, Trust Lands Management Division	License \$25; Easement \$50, plus annual fee

A. APPLICANT INFORMATION

NAME OF APPLICANT (person responsible for project): _____

Has the landowner consented to this project? Yes No

Mailing Address: _____

Physical Address: _____

Day Phone: _____ Evening Phone: _____ E-Mail: _____

NAME OF LANDOWNER (if different from applicant): _____

Mailing Address: _____

Physical Address: _____

Day Phone: _____ Evening Phone: _____ E-Mail: _____

NAME OF CONTRACTOR/AGENT (if one is used): _____

Mailing Address: _____

Physical Address: _____

Day Phone: _____ Evening Phone: _____ E-Mail: _____

B. PROJECT SITE INFORMATION

NAME OF STREAM or WATER BODY at project location _____ Nearest Town _____

Address/Location: _____ Geocode (if available): _____

_____ 1/4 _____ 1/4 _____ 1/4, Section _____, Township _____, Range _____ County _____

Longitude _____, Latitude _____

The state owns the beds of certain state navigable waterways. Is this a state navigable waterway? No.
 If yes, send copy of this application to appropriate DNRC land office – see Information for Applicant.

ATTACH A PROJECT SITE MAP OR A SKETCH that includes: 1) the water body where the project will take place, roads, tributaries, landmarks; 2) a circled "X" representing the exact project location. IF NOT CLEARLY STATED ON THE MAP OR SKETCH, **PROVIDE WRITTEN DIRECTIONS TO THE SITE.**

C. PROJECT INFORMATION

1. **TYPE OF PROJECT** (check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Bridge/Culvert/Ford Construction | <input type="checkbox"/> Fish Habitat | <input type="checkbox"/> Mining |
| <input type="checkbox"/> Bridge/Culvert/Ford Removal | <input type="checkbox"/> Recreation (docks, marinas, etc.) | <input type="checkbox"/> Dredging |
| <input type="checkbox"/> Road Construction/Maintenance | <input type="checkbox"/> New Residential Structure | <input type="checkbox"/> Core Drill |
| <input type="checkbox"/> Bank Stabilization/Alteration | <input type="checkbox"/> Manufactured Home | <input type="checkbox"/> Placement of Fill |
| <input type="checkbox"/> Flood Protection | <input type="checkbox"/> Improvement to Existing Structure | <input type="checkbox"/> Diversion Dam |
| <input type="checkbox"/> Channel Alteration | <input type="checkbox"/> Commercial Structure | <input type="checkbox"/> Utilities |
| <input type="checkbox"/> Irrigation Structure | <input type="checkbox"/> Wetland Alteration | <input type="checkbox"/> Pond |
| <input type="checkbox"/> Water Well/Cistern | <input type="checkbox"/> Temporary Construction Access | <input type="checkbox"/> Debris Removal |
| <input type="checkbox"/> Excavation/Pit | <input type="checkbox"/> Other _____ | |

2. **PLAN OR DRAWING** of the proposed project **MUST** be attached. **This plan or drawing must include:**

- a plan view (looking at the project from above)
- dimensions of the project (height, width, depth in feet)
- location of storage or stockpile materials
- drainage facilities
- an arrow indicating north
- a cross section or profile view
- an elevation view
- dimensions and location of fill or excavation sites
- location of existing or proposed structures, such as buildings, utilities, roads, or bridges

3. **IS THIS APPLICATION FOR** an annual maintenance permit? Yes No
(If yes, an annual plan of operation must be attached to this application – see "Information for Applicant")

4. **PROPOSED CONSTRUCTION DATE.** Include a project timeline. Start date ___/___/____
Finish date ___/___/____ Is any portion of the work already completed? Yes No
(If yes, describe the completed work.)

5. **WHAT IS THE PURPOSE** of the proposed project?

6. **PROVIDE A BRIEF DESCRIPTION** of the proposed project.

7. **WHAT IS THE CURRENT CONDITION** of the proposed project site? Describe the existing bank condition, bank slope, height, nearby structures, and wetlands.

8. **PROJECT DIMENSIONS.** How many linear feet of bank will be impacted? How far will the proposed project encroach into and extend away from the water body?

9. **VEGETATION.** Describe the vegetation present on site. How much vegetation will be disturbed or covered with fill material during project installation? (Agencies require that only vegetation necessary to do the work be removed.) Describe the revegetation plan for all disturbed areas of the project site in detail.

10. **MATERIALS.** Describe the materials to be used and how much.

Cubic yards/Linear feet	Size and Type	Source
-------------------------	---------------	--------

11. **EQUIPMENT.** What equipment is proposed to be used for the work? Where and how will the equipment be used on the stream bank and/or the waterbody?

12. **DESCRIBE PLANNED EFFORTS TO MINIMIZE PROJECT IMPACTS.** Consider the impacts of the proposed project, even if temporary. What efforts will be taken to:

- Minimize erosion, sedimentation, or turbidity?
- Minimize stream channel alterations?
- Minimize effects to stream flow or water quality caused by materials used or removal of ground cover?
- Minimize effects on fish and aquatic habitat?
- Minimize risks of flooding or erosion problems upstream and downstream?
- Minimize vegetation disturbance, protect existing vegetation, and control weeds?

13. **WHAT ARE THE NATURAL RESOURCE BENEFITS** of the proposed project?

14. **LIST ALTERNATIVES** to the proposed project. Why was the proposed alternative selected?

D. ADDITIONAL INFORMATION FOR SECTION 404, SECTION 10, AND FLOODPLAIN PERMITS ONLY.

If applying for a Section 404 or Section 10 permit, fill out questions 1-3. If applying for a floodplain permit, fill out questions 3-6. (Additional information is required for floodplain permits – See “Information for Applicant.”)

1. Will the project involve placement of fill material below the ordinary high water mark, a wetland, or other waters of the US? If yes, what is the surface area to be filled? How many cubic yards of fill material will be used? Note: A delineation of the wetland may be required.

2. Description of avoidance, mitigation, and compensation (see Information for Applicant). Attach additional sheets if necessary.

3. List the names and address of landowners adjacent to the project site. This includes properties adjacent to and across from the project site. (Some floodplain communities require certified adjoining landowner lists).

4. List all applicable local, state, and federal permits and indicate whether they were issued, waived, denied, or pending. Note: All required local, state, and federal permits, or proof of waiver must be issued prior to the issuance of a floodplain permit.

5. Floodplain Map Number _____

6. Does this project comply with local planning or zoning regulations? Yes No

E. SIGNATURES/AUTHORIZATIONS -- Each agency must have original signatures signed in blue ink.

After completing the form, make the required number of copies and **then sign each copy**. Send the copies with original signatures and additional information required directly to each applicable agency.

The statements contained in this application are true and correct. The applicant possess' the authority to undertake the work described herein or is acting as the duly authorized agent of the landowner. The applicant understands that the granting of a permit does not include landowner permission to access land or construct a project. Inspections of the project site after notice by inspection authorities are hereby authorized.

APPLICANT (Person responsible for project):
Print Name: _____

LANDOWNER:
Print Name: _____

Signature of Applicant Date

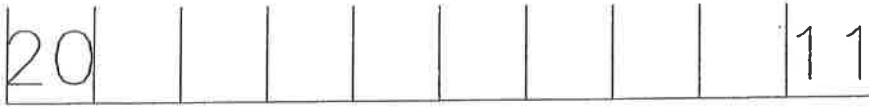
Signature of Landowner Date

*CONTRACTOR/AGENT:
Print Name: _____

Signature of Contractor/Agent Date

*Contact agency to determine if contractor signature is required.

EXHIBIT A

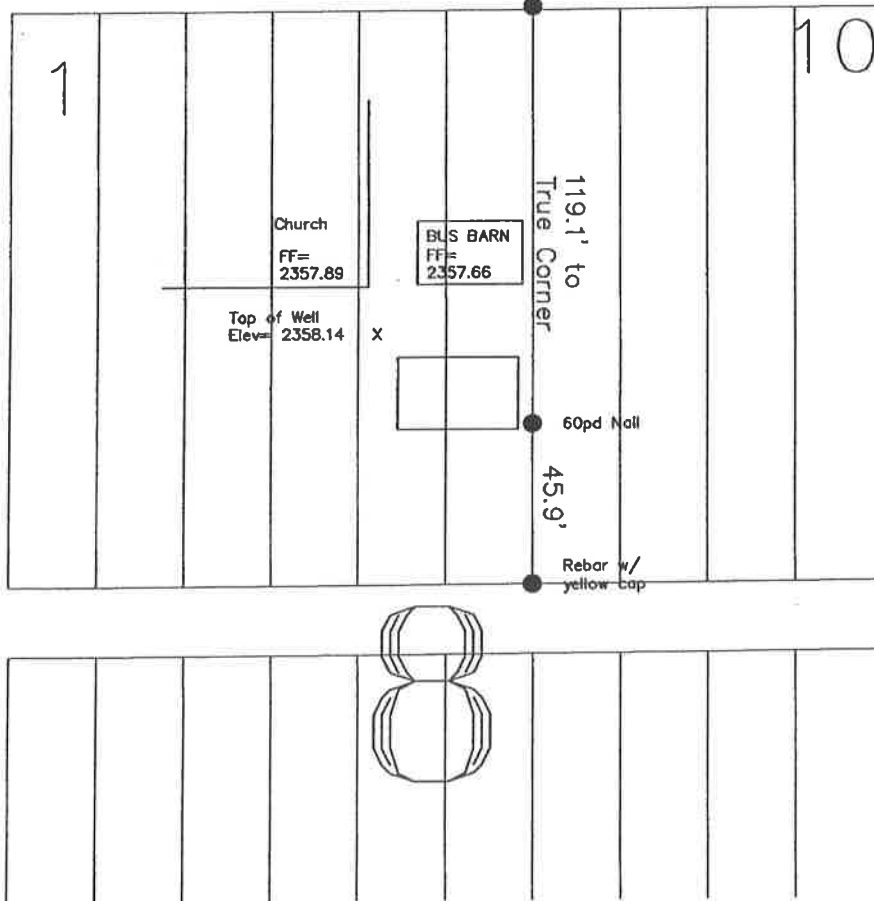


PALMER STREET

Fnd 1/2" Pipe 1.0' north of true position. Elev= 2356.81

MONTANA AVENUE

PRAIRIE AVENUE



FLOOD PROFILE
TONGUE RIVER SPLIT 2A
BFE= 2358.3'

DOWL HKM

713 PLEASANT
P.O. Box 1518
MILES CITY, MT 59301
406-234-6666
406-234-7065 (FAX)
DOWLHKM.COM

Quinn Wright
DOWL HKM
Corp. Reg. #1265
by Quinn W. Wright
Montana Reg. #9334LS
7-23-12



G:\P\H\H\NELESCITY\DATAFILES\MOLES CITY\MASTER\2005\MOLES\MASTER\2012.DWG 8/9/2012 2:02:28 PM NOT

CITY OF MILES CITY
MILES CITY PLANNING BOARD
P.O. BOX 910
MILES CITY, MT 59301

February 23, 2016

Mayor John Hollowell
City Council Members

RE: Site Plan Review for Sacred Heart Church Addition

The City Planning Board has reviewed the proposed site plan and recommends to the City Council that the proposal be approved subject to the following conditions:

CONDITIONS:

- ❖ Any modification to the approved application and plans that affect building codes, zoning regulations or public facilities shall require additional review by the City of Miles City.
- ❖ The owner shall maintain adequate parking spaces as defined in the 2012 International Building/Zoning Codes for an estimated occupancy load of 88 persons.
- ❖ The owner shall comply with all applicable codes in the Miles City Code of Ordinances Section 15 concerning Public Nuisances.
- ❖ The owner or owner's representative shall apply for a building permit prior to construction.
- ❖ The water, sewer and other utilities connections shall be approved by the applicable service providers prior to construction.
- ❖ The owner shall submit a letter of review from the Miles City Fire Department indicating adequate fire protection plans have been developed and the department can adequately respond to emergencies at the facility. Any fire department requirements, such as fire hydrants, access plans/improvements, sprinkler systems, firewalls, and other fire code requirements shall be approved by the fire department prior to occupancy.
- ❖ The applicant shall follow all floodplain permit procedures and receive approval from the Floodplain Administrator prior to start of construction.
- ❖ A Certificate of Occupancy is contingent upon the application meeting all conditions of approval.

Respectfully,

Roxanna Brush, President
Miles City Planning Board

RESOLUTION NO. 3889

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 # 1000-014-460445-360 FOR REPAIRS TO SWIMMING POOL DECKING.

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2015-2016 to provide increased funding in the amount of \$12,000, for repairs and maintenance to decking at the swimming pool, specifically waterproof stain and rubber sealant, as permitted by §7-6-4006 MCA;

AND WHEREAS, such amendment of the final budget will result in an overall increase in appropriation authority within fund # 1000-014-460445-360,

AND WHEREAS the provisions of §7-6-4006 MCA require public hearing upon any budget amendment resulting in an overall increase in appropriation authority,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Miles City, Montana as follows:

The appropriations for the Final Budget for Fiscal Year 2015-2016 shall be increased in the following amount:

Fund No. 1000-014-460445-360 in the sum of \$12,000.00.

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2015-2016 on the 8th day of March, 2016, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 23rd DAY OF FEBRUARY, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF
MILES CITY, MONTANA, THIS 8th DAY OF MARCH, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

fred

From: "fred" <fred@midrivers.com>
Date: Monday, February 08, 2016 1:33 PM
To: "fred" <fred@midrivers.com>

To City of Miles City,

Due to the special circumstances of our water and sewer hookup system I would like to have my situation reviewed by the City Clerk and City Council which may be adjusted by a special resolution according to Sec. 23-77. See attached.

Our special situation is the fact that we have and are paying for two sewer accounts, one at our house and one for our garage, even though we have only one source of water. The well is in the house and there is a line that is going to the garage that feeds one toilet and one sink. There is very little water used in the garage. Since there is only one source of water we feel that the second sewer charge is not equitable due to the fact that there is very minimal water used in the garage and only two people in the house.

We thank you for this consideration

Sincerely,

William Ketsch
Thorge Ketsch
806 SCHWALSBE ST.

2/8/2016

