



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*December 27, 2016
7:00 p.m.*

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES

- | | |
|---|------------|
| 2. Regular City Council Meeting | 12/13/2016 |
| 3. Finance Committee Meeting | 12/08/2016 |
| 4. Human Resource Meeting | 12/08/2016 |
| 5. Ad Hoc Wage Survey Committee Meeting | 11/15/2016 |
| 6. Ad Hoc Wage Survey Committee Meeting | 12/06/2016 |

7. SCHEDULE MEETINGS

8. REQUEST OF CITIZENS & PUBLIC COMMENT

Authorize Community Transformation- Presentation on local option tax for 2017 legislative

9. APPOINTMENTS

Rock Wankel- Historic Preservation Commission

10. PROCLAMATIONS

11. STAFF REPORTS

12. CITY COUNCIL COMMENTS

13. MAYOR COMMENTS

14. COMMITTEE RECOMMENDATIONS

15. BID OPENINGS

16. BID AWARDS

17. PUBLIC HEARINGS

- A. **RESOLUTION NO. 4012- A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund #1000-007-420460-214 to Account for Unanticipated Revenue, in Fund 1000-007-420460-350 to Pay Unbudgeted Expenses Related to Fire Recovery USA and in Fund 1000-003-410500-350 and 1000-003-410500-220 to Pay Unbudgeted Expenses Related to Pit #57**

18. UNFINISHED BUSINESS

- A. **RESOLUTION NO. 4012- (Second Reading) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund #1000-007-420460-214 to Account for Unanticipated Revenue, in Fund 1000-007-420460-350 to Pay**

Unbudgeted Expenses Related to Fire Recovery USA and in Fund 1000-003-410500-350 and 1000-003-410500-220 to Pay Unbudgeted Expenses Related to Pit #57

19. NEW BUSINESS

- A. Discussion and Approval to Wave the \$50 Rental fee for Ryno Band Shell and \$200 deposit- Grand Opening on 4/29/2017 (MMC2)**
- B. RESOLUTION NO. 4016- A Resolution Authorizing the City of Miles City to Enter Into an Interlocal Agreement with Custer County for Fiscal Year 2016-2017**
- C. RESOLUTION NO. 4017- A Resolution Authorizing the City of Miles City to Award a Downtown Façade Improvement Grant to Automatic Transmissions**
- D. RESOLUTION NO. 4018: A Resolution Designating City Employees who are Authorized to Acquire Federal Surplus Properties from the State of Montana**
- E. RESOLUTION NO. 4019: A Resolution Approving a Letter of Agreement Related to the Sharing of Costs for Flood Protection Project Expenses Between the City of Miles City, and Custer County**
- F. RESOLUTION NO. 4020: A Resolution Approving an Addendum to the Short Form of Agreement Between Owner and Engineer For Professional Services Between the City of Miles City, Montana, and Interstate Engineering, Inc., Extending the Term of Said Agreement**
- G. RESOLUTION NO. 4021: *(First Reading)* A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund # 4000-501-410100-940 and to Fund the Purchase of one Police Vehicle**
- H. RESOLUTION NO. 4023: A Resolution approving an Amendment to the Miles City Area Transportation Plan Subrecipient Agreement Extending Term of Agreement**

20. 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

REGULAR COUNCIL MEETING December 13, 2016
7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, December 13, 2016, in the City Hall Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana. City Mayor Hollowell called the meeting to order. Council Members present were John Uden, Dwayne Andrews, Susanne Galbraith, Rick Huber, Brant Kassner, Jeff Erlenbusch, Ken Gardner and Kathy Wilcox.

Also present were Police Chief Doug Colombik, Planner II Dawn Colton, Grant Writer/Historic Preservation Administrator Connie Muggli, Battalion Chief Brandon Stevens, Fire Inspector Matthew Spiess 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

Regular Council Minutes: 11/22/2016

****** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of November 22, 2016, and seconded by Councilperson Gardner.*

Councilperson Huber asked to have his name added under Council Members present.

****** *The motion passed by unanimous consent, 8-0.*

Finance Committee Minutes: 11/17/2016

****** *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of November 17, 2016, and seconded by Councilperson Andrews. The motion passed by unanimous consent, 8-0.*

SCHEDULE MEETINGS

Wage/Salary Ad Hoc Meeting
Human Resource Meeting

January 3, 2017 at 5:00pm
January 5, 2017 at 5:00pm

REQUEST OF CITIZENS & PUBLIC COMMENT

Brandi Skone, Biologist for the Fish, Wildlife and Parks discussed installing bat houses at Spotted Eagle and Bender Park.

- Would need to dig a hole five feet deep and one foot in diameter
- The structure is between sixteen and twenty feet tall, and would be wrapped with chicken wire
- The house has four chambers and would hold up to two hundred bats
- In the area of the structure there would be an informational sign to show the awareness of bats, the threats to them and what safety precaution are to be taken with bats
- There is no history of vandalism and had a small concern for it

Clerk Pearce said if Council wanted to proceed an agreement or proposal would need to be presented for approval.

Authorize Community Transformation- Presentation on local option tax for 2017 legislative- **Not present**

Citizen Robert Shipley, 603 S 4th Street asked Council what they were going to do with the following situations:

- Prosecutor Noble had been illegally employed by the City for fourteen years because the Oath of Office he received was dated December 4, 2013, two days after he had asked for it.
- Attorney Rice is illegally employed because his oath of office had been tampered with. He said he had three copies with different dates. First one received was: Dated Feb_ 2013, then he received a copy at a later date, dated February 12, 2013, the one on file at the courthouse was dated Feb_ 2013. Mayor Hollowell said that Mayor Grenz forgot to put the date in the Oath and added the 12th because that was the day of the swearing in.

He read a quote from a letter written by Brant Light, Chief Prosecutor for Attorney General Tim Fox. It said “in additional if you believe federal perjury had been committed, then you should contact the United States Attorney”. He believed that Assistant US Attorney Michael Cotter would call for a grand jury trial and have it investigated.

He asked Council if it wanted to mediate the complaint in court or out of court. Councilperson Galbraith said that if he was suing the City then Council could not comment. Mayor Hollowell confirmed that the general consensus of Council is it would not comment.

APPOINTMENTS

Todd Gillette- Miles City Urban Renewal Agency Board of Commissioners

*** Councilperson Galbraith moved to approve the appointment of Todd Gillette to the Miles City Urban Renewal Agency Board of Commissioners, seconded by Councilperson Wilcox. On roll call vote, the motion passed 8-0*

Mr. Gillette said he was honored to serve on the board, and thought the Tax Increment District would have a vital impact on downtown.

PROCLAMATIONS

None

STAFF REPORTS

Clerk Pearce acknowledged Utility Clerk Patti Bissell on the success of the new water and sewer policy. She said the policy had generated \$17,500 in the last two and a half years from a \$20 penalty fee charged for late payments.

Planner Colton said as of January first the planning board will be down three members, because Brad Certain, Roxanna Brush and Colette Butcher will be resigning.

Battalion Chief Stevens said that on December 19th the Fire Chief and he will be in Billings at the Coal Board meeting and said he appreciated all the work that was put into it.

EIM was in Miles City to certify the Cities fire engines. He found three out of four pumps that did not pass on Engine 8. The parts to repair the pumps had to be special ordered at a cost of \$45,000 to \$50,000. He added that there were many issues from the repair that was done a year ago by Interstate Diesel and Attorney Rice is looking into it.

CITY COUNCIL COMMENTS

Councilperson Andrews said the City, Department of Transportation and fairgrounds did an excellent job at removing the new snow. He felt it was organized very well.

Councilperson Uden said he was concerned with the contract between the City and Custer County Water Sewer District. The contract ended June 2016 with a bargaining period of a year. He asked the Mayor where the City was on the joint effort. District board member Jerry Backland said there was supposed to be a meeting scheduled for September and felt that the CCWSD board was not kept informed and it is being put off. Mayor Hollowell apologized for not getting back to the board to schedule a meeting. He added that when Director Kelm is back from leave, he will get with him and schedule a meeting.

Councilperson Wilcox said the wage survey meetings are going well. She was impressed how union member were putting in a lot of work on the survey.

Councilperson Huber said he went along with Councilperson Andrews on the street cleanup, and gave acknowledgement to Supervisor Bill Ronning for removing an ugly tree from Cooke Lake.

Councilperson Kassner thanked the fire department for responding to a small house fire. He said they were at his house in about one minute.

MAYOR COMMENTS

Mayor Hollowell said the meeting for selection of the Coal Board grant was December 19 in Billings. He had heard the City of Miles City was number 9 on the list. The National Guard will have a wreath laying ceremony December 17 at the Veteran Cemetery. Please let him know if anyone is interested in attending the ceremony.

STANDING COMMITTEE RECOMMENDATIONS

Recommendation on dollar amount to charge for renting the Ryno shell- \$50 for rental and \$200 for deposit

*** Councilperson Galbraith moved to charge \$50 for rental and \$200 for deposit on the Ryno shell, seconded by Councilperson Wilcox. After a short conversation the motion passed 8-0*

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

A. RESOLUTION NO. 3993- A Resolution of Intent to Adopt a Long Range Transportation Plan for the City of Miles City, and Setting a

Public Hearing Thereon

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

B. RESOLUTION NO. 4005- A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund #2310-383000 to pay Unbudgeted Expenses Related to the Downtown Urban Renewal District's Promotional Video Filming

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

C. RESOLUTION NO. 4007- A Resolution Establishing and Implementing a Program to Charge Mitigation Rates for the Deployment of Emergency and Non-Emergency Services by the Fire Department for Services Provided/Rendered for the City of Miles City

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

UNFINISHED BUSINESS

A. RESOLUTION NO. 4005- (Second Reading) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund #2310-383000 to pay Unbudgeted Expenses Related to the Downtown Urban Renewal District's Promotional Video Filming

*** Councilperson Wilcox moved to approve the Resolution by title only, seconded by Councilperson Kassner. On roll call vote, the motion passed 8-0*

B. RESOLUTION NO. 4007- (Second Reading) A Resolution Establishing and Implementing a Program to Charge Mitigation Rates for the Deployment of Emergency and Non-Emergency Services by the Fire Department for Services Provided/Rendered for the City of Miles City

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

There were concerns from some Council members that Miles City citizens were already paying taxes and these charges would take more money from

them. Fire Inspector Spiess assured Council that if the auto insurance did not pay for the service charge, it would not be billed back to the victim nor is the burden put back on the taxpayers. It's already written in the insurance policy and it follows direct guidance of FEMA. This program would bring in money to cover cost for repair to the fire truck and ambulance so the City wouldn't have to ask the taxpayer for more money.

*** On roll call vote, the motion passed 6-2, with Councilperson Andrews and Uden voting no*

NEW BUSINESS

A. RESOLUTION NO. 4008- A Resolution Authorizing the Assignment of a Certain Lease Agreement Between the City of Miles City and C.M. Cattle, Co. to Jerry Singleton.

*** Councilperson Gardner moved to approve the Resolution, by title only, seconded by Councilperson Galbraith. On roll call vote, the motion passed 8-0*

Jerry Singleton said he will be presenting a proposal to build a public scale to weight hay. He thought it would help the increased traffic problem.

B. RESOLUTION NO. 4009- A Resolution Approving a "Task Order for the City of Miles City" with Kadrmas, Lee & Jackson, Inc., for Engineering Assistance in the Southgate Stormwater Berm Evaluation

*** Councilperson Galbraith moved to approve the Resolution, by title only, seconded by Councilperson Huber. On roll call vote, the motion passed 8-0*

C. RESOLUTION NO. 4010- A Resolution Adopting Findings of Fact and Approving the Amended Plat for the Purpose of Boundary Line Relocation of Lots 11-17 in Block 44 of the Highland Park Addition to the City of Miles City

*** Councilperson Erlenbusch moved to approve the Resolution, by title only, seconded by Councilperson Galbraith. On roll call vote, the motion passed 8-0*

D. RESOLUTION NO. 4011- A Resolution Approving New By-Laws For the Miles City Airport Board

*** Councilperson Gardner moved to approve the Resolution, by title only, seconded by Councilperson Kassner. On roll call vote, the motion passed 8-0*

E. RESOLUTION NO. 4012- (First Reading) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund #1000-007-420460-214 to Account for Unanticipated Revenue, in Fund 1000-007-420460-350 to Pay Unbudgeted Expenses Related to Fire Recovery USA and in Fund 1000-003-410500-350 and 1000-003-410500-220 to Pay Unbudgeted Expenses Related to Pit # 57

*** Councilperson Erlenbusch moved to approve the Resolution, by title only, seconded by Councilperson Galbraith. On roll call vote, the motion passed 8-0*

F. RESOLUTION NO. 4013- A Resolution Establishing a Pay Increase for Additional Duty of Dispatch Supervisor

*** Councilperson Galbraith moved to approve the Resolution, by title only, seconded by Councilperson Erlenbusch. On roll call vote, the motion passed 8-0*

G. RESOLUTION NO. 4014- A Resolution Amending Rate of Pay for Lateral Transfer Police Officers

*** Councilperson Uden moved to approve the Resolution, by title only, seconded by Councilperson Huber. On roll call vote, the motion passed 8-0*

H. RESOLUTION NO. 4015- A Resolution Approving an Amendment to Agreement for Professional Services Between the City of Miles City and Kadrmas, Lee & Jackson, Inc., for Services Related to Permit Application for 57 Pit at the Miles City Airport

*** Councilperson Wilcox moved to approve the Resolution, by title only, seconded by Councilperson Gardner. On roll call vote, the motion passed 8-0*

I. APPROVAL OF NOVEMBER CLAIMS

*** Councilperson Wilcox moved to approve the November claims, seconded by Councilperson Galbraith. On roll call vote, the motion passed 8-0*

ADJOURNMENT

*** Councilperson Uden moved to adjourn the meeting, seconded by*

Councilperson Andrews, and passed unanimously.

The meeting was adjourned at 8:37 p.m.

John Hollowell, Mayor

Lorrie Pearce, City Clerk

Finance Committee Meeting

December 8, 2016

The Finance Committee met Thursday, December 8, 2016 at 6:00 p.m. in the City Conference room. Present were Committee Chairperson Susanne Galbraith and Committee Members Rick Huber, Dwayne Andrews and Kathy Wilcox.

Also present were Police Chief Doug Colombik, Battalion Chief Brandon Stevens, Deputy Clerk/Human Resource Officer Linda Wilkens and Recorder Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens:

Clerk Pearce presented Resolution 4014 to the committee. She said it was on the Council agenda for December 13th. Chief Colombik explained that he is asking for the resolution to be approved so the City can hire policemen that have experience and pay for their experience. He said by using the matrix, the department could hire quality police officers and save time and money by not sending them to the Academy. Clerk Pearce said that three officers have been hired at the higher rate. Mayor Hollowell said that the Mayor has the ability to negotiate, so a lateral transfer like this can be approved by the Mayor and had done so for some time now. Chief Colombik explained that he would like to get Council's approval on the Resolution so the new verbiage can be added to the next union contract.

2. **RESOLUTION NO. 4012- A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund #1000-007-420460-214 to Account for Unanticipated Revenue, in Fund 1000-007-420460-350 to Pay Unbudgeted Expenses Related to Fire Recovery USA and in Fund 1000-003-410500-350 to Pay Unbudgeted Expenses Related to Pit # 57**

Chairperson Galbraith explained the amendment :

- \$1,594 for a grant received from FM Global Fire Prevention
- \$2,000 for the expense to purchase software for the fire department
- \$13,460 for expenses to pay for re-permitting Pit#57

Clerk Pearce said that \$441 will be added to the resolution to pay for disposal of debris from the pit.

*** Committee Member Andrews moved to recommend to Council to approve the Resolution, seconded by Committee Member Wilcox and passed 4-0*

3. **Discussion and Recommendation on Dollar Amount to Charge for renting the Rhino Band Shell**

Chairperson Galbraith said Director Gray would be agreeable up to \$75 on the rental and \$250 for the deposit.

Committee Member Huber said the show mobile had been rented out for \$75 a few years ago.

Clerk Pearce clarified that there is a \$10 fee charged for general park reservations which includes Riverside or Wibaux park shelters, Veterans Park, Pumping Plant Park or Bender Park. The use of Riverside Gazebo and the fountain at Wibaux Park is free. The Alcohol Variance Permit is \$25.

*** Committee Member Andrews moved to recommend to Council to charge \$50 for rental of the building and \$200 for the deposit, seconded by Committee Member Wilcox and passed 4-0*

4. Approval for purchase of two gate valves

*** After a short discussion, Committee Member Wilcox moved to approve the recommendation from Director Gray to obtain the two required gate valves from Agri Industries, seconded by Committee Member Huber and passed 4-0*

5. Discussion and Recommendation on Resolution 4013- A Resolution Establishing A Pay Increase for Additional Duty of Dispatch Supervisor

Chairperson Galbraith said the resolution is to give a stipend of \$50 a month to Sergeant Williems for scheduling and supervising dispatch.

*** Committee Member Wilcox moved recommend to Council approve of Resolution 4013, seconded by Committee Member Huber and passed 4-0*

6. Discussion on Policy Updates in Order of Importance

After a long discussion, the consensus of the Committee was to work on the Capital Improvement Policy.

7. Adjournment

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

The meeting was adjourned at 6:40 p.m.

Susanne Galbraith, Chairperson

Lorrie Pearce Recorder/City Clerk

**Human Resources Committee
December 8, 2016**

The **Human Resources Committee** met Tuesday, December 8, 2016, at 4:00 p.m. in the Conference Room at City Hall. Present were Committee Members Susanne Galbraith, Kathy Wilcox, and Rick Huber. Excused was Jeff Erlenbusch. Also present were May John Hollowell City Clerk Lorrie Pearce, 911 Board Member Rex Phipps, County Commissioner Kevin Krauss, and Deputy City Clerk/HR Officer /Committee Recorder Linda Wilkins.

Committee Chairperson Kathy Wilcox called the meeting to order.

1. Request of Citizens

A. Police Admin Position Description (Dispatcher) – comments from Sheriff

911 Board Member Phipps and County Commission Krauss commented that it was important that all be aware of any activity going on in the Dispatch Center to ensure the safety of citizens in all communities serviced by the Dispatch Center.

Mayor Hollowell commented that all three agencies should be notified if something major were to occur that all were expected to be notified and this would be part of the duties of the Dispatch Supervisor.

Chairperson Wilcox suggested that language be added to the position description under Areas of Job Accountability and Performance “Attend all 911 Board meetings and will notify the Chief of Police, Sheriff Department and 911 Chairperson of any significant issue including but not limited to the operation of the dispatch center i.e., personnel, computers, RFPS, communication equipment.” Also a bullet will placed for the administration of the software and 911 phone system.

***Committee Member Galbraith moved to approve the position descriptions to include the changes that were discussed and agreed upon, and seconded by Committee Member Erlenbusch. On roll call vote, motion passed 3-0.*

2. Committee Member Comments

None

3. Unfinished Business

A. City position descriptions reviews

The Committee began the review of Water/Wastewater Supervisor and Water/Wastewater Operator position descriptions. Chairperson Wilcox commented that due to the redundancy in the position descriptions that HR Officer Wilkins go back and bullet the specific duties.

***Committee Member Galbraith moved to have Human Resources redo the Water/Wastewater Supervisor position description and present it back to the Human Resource Committee with revisions, and seconded by Committee Member Huber.*

Committee Member Galbraith amended her motion to include the Certified Water/Wastewater Operator, and seconded by Committee Member Huber.

On roll call vote, original motion as amended passed 3-0.

B. Draft position descriptions template, City non-union positions – pended to Jan 2017

C. Development of wage scales for City non-union positions – pended to Jan 2017

D. CDL Requirements in City policy(ies)

There was discussion regarding whether firefighters were required to possess a CDL drivers' license. It was decided that there need to be further research regarding the requirements.

***Committee Member Galbraith moved to pend this item to the next Human Resource Committee meeting so further research could be done, and seconded by Committee Member Huber. On roll call vote, motion passed 3-0.*

4. New Business
None

5. Schedule Committee's Next Meeting: Thursday, Jan 5, 2017 5:00 pm

6. Adjournment

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

The meeting was adjourned at 4:55 p.m.

Respectfully submitted,

Chairperson Kathy Wilcox

Recorder Linda Wilkins

Wage Survey Ad Hoc Committee
November 15, 2016

The **Wage Survey Ad Hoc Committee** met Tuesday, November 15, 2016, at 5:00 p.m. in the Council Chambers at City Hall. Present were Committee Members Susanne Galbraith, Kathy Wilcox, Rick Huber, Jeff Erlenbusch, City Clerk Lorrie Pearce, Deputy City Clerk/Human Resource Officer/Recorder Linda Wilkins, Local 283A President Tom Speelmon, Local 283B President Denise Bontrager, Local 600 Member Eddie Kanduch and Local 600 Secretary Sarah Lewin. Also present were Local 283A Member Hannah Nash, Local 283A Vice-President Patti Bissell, Fire Chief Gary Warren, Police Chief Doug Colombik, and Local 600 Member Chris Fetty.

Committee Chairperson Kathy Wilcox called the meeting to order.

1. Request of Citizens
None
2. Committee Member Comments
None
3. New Business
 - A. Timeline- current Union contracts expire June 30, 2017
Committee Member Wilcox commented that this is the beginning of the process to find a wage and study survey for contract negotiations beginning in June and was thankful for the good turnout to the first meeting. 283A President Speelmon commented that this was in no way a decision making committee, but only a fact finding committee and did not bind the union or the city to any agreements.
 - B. MT League of Cities and Towns 2015 survey results
It was discussed that it was important to have good job description for comparison. Contents of this survey were reviewed and it was decided that an easier to understand model could be developed. It was discussed that it be recommended by each department to recommend cities to be used for the salary survey as comparison. 283A Member Nash and HR Officer Wilkins will work jointly on developing a new worksheet and present it at the next meeting.
 - C. Vendor Selection
There was discussion on whether this could be taken on as a project of the committee to help defray the cost to the city.

It was decided by the committee members that a chairperson would be elected at the next meeting, review the spreadsheet developed for collection of wage and benefit information, and consider workflow issues.

5. Schedule Committee's Next Meeting
The next meeting was scheduled for Tuesday, December 6, 2016 at 5:00 p.m.
6. Adjournment
***Committee Member Galbraith moved to adjourn, seconded by Committee Member Erlenbusch. The motion passed unanimously.*

Respectfully submitted,

Committee Member Kathy Wilcox

Recorder Linda Wilkins

**Wage Survey Ad Hoc Committee
December 6, 2016**

The **Wage Ad Hoc Committee** met Tuesday, December 6, 2016, at 5:00 p.m. in the Conference Room at City Hall. Present were Committee Members Susanne Galbraith, Kathy Wilcox, Rick Huber, Jeff Erlenbusch, City Clerk Lorrie Pearce, Deputy City Clerk/Human Resource Officer/Recorder Linda Wilkins, Local 600 Member Eddie Kanduch, Local 600 Secretary Sarah Lewin, Local 283A Member Hannah Nash, and Local 283A Vice-President Patti Bissell.

Committee Chairperson Kathy Wilcox called the meeting to order.

1. Request of Citizens
None

2. Committee Member Comments
Please add the following e-mails to the contact list for this committee: nash@midrivers.com,
syoung@milescity-mt.org, ekanduch@milescity-mt.org

3. New Business

- A. Elect Ad Hoc Committee Chair

***Committee Member Pearce moved to nominate Committee Member Kathy Wilcox, seconded by Committee Member Galbraith.*

***Committee Member Galbraith moved to close nominations, seconded by Committee Member Pearce. The motions passed unanimously.*

- B. Updated Wage Survey Spreadsheet

Committee Members Nash and Wilkins presented the spreadsheet that was developed for collecting wage information. Members of the committee liked the simplicity of the spreadsheet, but asked that information not directly related to the base wage rate be kept in the notes at the bottom of the spreadsheet such as compensatory time, retirement, health insurance benefits. It was suggested that possibly another tab could be added with general information and definitions of terms used. This will help with the comparison of wages when wage data from other cities has been collected. Nash and Wilkins will continue work on the spreadsheet implementing the recommendations.

- C. Union Recommendations for additional wage survey information

- a. Local 283-A City: Committee Member Nash recommended presenting to department heads comparable cities with comparable services, compare 1 to 3 cities. Committee Member Galbraith was concerned with comparing larger tax bases with smaller tax bases. Committee Member Nash clarified that we would be comparing position descriptions, but that was understood that wages would be scaled back to represent a comparable wage for the city of Miles City tax base. Committee Member Bissell made the following suggestions and commented she has sent out e-mails requesting wage information.
Class 3 – Sidney, Glendive, Laurel
Class 1 – Havre
Class 2 – Anaconda, Lewistown, Livingston, Whitefish
- b. Local 283-B Police
No one in attendance
- c. Local 600 Fire Committee Member Lewin stated it is difficult to find fire departments that are comparable to the MCFD, but thought the following cities would be good to look at since they have factors that are similar.
Class 1 – Havre, Kalispell
Class 2 – Livingston, Anaconda, Whitefish
Class 3 – Big Sky, Lockwood

Committee Member Huber has data compiled for the Miles City Study Commission regarding Montana cities mills and populations that will be helpful when comparing other cities with Miles City he will drop the information off to Committee Member Nash at the Library.

- D. Other Recommendations for additional wage survey information
Compare positions to positions whether they are union or non-union.

Deadlines were discussed for the completion of the spreadsheet and it was determined that the middle of February would be a good deadline. By the end of February present the completed digital package to the Mayor for his use.

Reach out to the police department for their target cities.

All information that is collected should be sent to Committee Member Wilkins for updating the worksheet. Committee Member Bissell is collecting information for all city positions other than fire and police. Committee Member Pearce asked for Belgrade to be added to the list. Committee Member Nash commented that Sonja Woods will collect wages from libraries. Change the title of the tab labeled as Admin to Non Union.

5. Schedule Committee's Next Meeting

The next meeting was scheduled for Tuesday, January 3, 2017 at 5:00 p.m.

6. Adjournment

***Committee Member Erlenbusch moved to adjourn, seconded by Committee Member Pearce.
The motion passed unanimously.*

Respectfully submitted,

Committee Chairperson Kathy Wilcox

Recorder Linda Wilkins

**PUBLIC HEARINGS
&
UNFINISHED BUSINESS**

RESOLUTION NO. 4012

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2016-2017 TO INCREASE THE BUDGETED AMOUNT IN FUND # 1000-007-420460-214 TO ACCOUNT FOR UNANTICIPATED REVENUE, IN FUND 1000-007-420460-350 TO PAY UNBUDGETED EXPENSES RELATED TO FIRE RECOVERY USA AND IN FUND 1000-003-410500-350 AND 1000-003-410500-220 TO PAY UNBUDGETED EXPENSES RELATED TO PIT # 57

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2016-2017 to increase appropriations in Fund # 1000-007-420460-214 as the result of unanticipated revenues obtained as the result of being awarded an FM Global Fire Prevention Grant; and increase appropriation in Fund #1000-007-420460-350 to pay for unbudgeted expenses related to Fire Recovery USA agreement; and increase appropriation in Fund # 1000-003-410500-350 to pay for unbudgeted expenses related to permitting pit #57.

AND WHEREAS, such amendments of the final budget will result in an overall increase in appropriation authority within such funds,

AND WHEREAS the provisions of §7-6-4006 MCA require public hearing upon any budget amendment resulting in an overall change 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 2016-2017 for Fund 1000-007-420460-214 shall be increased in the amount of \$1,594.00

The appropriations for the Final Budget for Fiscal Year 2016-2017 for Fund 1000-007-420460-350 shall be increased in the amount of \$2,000.00

The appropriations for the Final Budget for Fiscal Year 2016-2017 for Fund 1000-003-410500-350 shall be increased in the amount of \$13,460.00, and for Fund 1000-003-410500-220 shall be increased in the amount of \$441.00

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2016-2017 on the 27th day of December, 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 13th
DAY OF DECEMBER, 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 27th DAY OF DECEMBER, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

NEW BUSINESS

RESOLUTION NO. 4016

A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO ENTER INTO AN INTERLOCAL AGREEMENT WITH CUSTER COUNTY FOR FISCAL YEAR 2016-2017.

WHEREAS, in the interest of economical provision of services to the citizens of Miles City and Custer County, Montana, the City of Miles City and the County of Custer desire to enter into an interlocal agreement for services for FY2016-2107, a copy of which is attached hereto as Exhibit "A";

AND WHEREAS, the City Council of the City of Miles City finds that it is in the best interest of the City of Miles City to enter into such agreement with Custer County;

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

1. The Miles City / Custer County Interlocal Agreement for Services FY2016-2017, attached hereto as Exhibit "A", and made a part hereof, is hereby approved and adopted by the Council.
2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said Agreement on behalf of the City of Miles City and to bind the City of Miles City thereto.
3. The Mayor of the City of Miles City is hereby empowered and authorized to execute such further documents as are necessary to carry out the terms of said Agreement and to bind the City of Miles City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 27th DAY OF DECEMBER, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

Exhibit "A"
**MILES CITY/CUSTER COUNTY INTERLOCAL
AGREEMENT FOR SERVICES FY 2016-2017**

This **AGREEMENT** entered into this _____ Day of _____, 2016, effective the 1st day of July, 2016, by and between **CUSTER COUNTY, MONTANA**, a political subdivision of the State of Montana, hereinafter referred to as "*COUNTY*", and the **CITY OF MILES CITY, MONTANA**, a Montana municipal corporation, hereinafter referred to as "*CITY*".

WHEREAS, in the interests of economical provision of services to the citizens of the above political subdivisions, it is to the advantage of both parties to contract for one to provide services to other rather than duplicate services;

AND WHEREAS, the parties have conferred and determined which entity should supply which services and have negotiated reasonable compensation for those services;

AND WHEREAS, the provisions of Title 7, Chapter 11, Part 1, MCA, permit public agencies to contract with other public agencies for the provision of services,

NOW, THEREFORE, IT IS HEREBY AGREED AMONG THE PARTIES AS FOLLOWS:

1. TERM OF AGREEMENT AND RENEWAL:

This Agreement shall be in effect for a period of twelve months, with an effective date of July 1, 2016, and terminating at midnight on June 30, 2017. This Agreement shall automatically renew for FY 2017-2018, with appropriate recalculation of rates and fees, subject to the provisions contained in Paragraph 8.

2. SCOPE OF SERVICES:

The City, in consideration of the sums to be paid herein by the County and the services to be supplied to it by the County, shall provide to the County during the term of this Agreement those services listed in Exhibit "1" attached hereto and made a part hereof by reference. The County, in consideration of the services to be supplied to it by the City, shall provide to the City during the term of this Agreement those services listed in Exhibit "2" attached hereto and made a part hereof by reference.

3. METHOD OF PROVIDING SERVICES:

Services shall be provided by the City to the County in accordance with written Standard Operating Procedures and protocols then in effect at the commencement of the term of this Agreement. Upon request of County, City shall provide County a copy of such procedures and protocols. During the term of this Agreement, the City shall not alter, amend, supplement, or revoke such Standard Operating Procedures and protocols without the prior written consent of the County. Excepted are EMS medical protocols developed by the State of Montana. In

Title 10, Chapter 4 Montana Code Annotated "State Emergency Telephone System".

4. COMPENSATION FOR SERVICES:

In addition to providing to the City the services listed in Exhibit "2", the County shall pay to the City for the provision of the services listed in Exhibit "1" by the City the following sums:

A. Bullard Street Sanitary Lift Station Inspections

Such inspections shall be conducted daily in accordance with the same procedures utilized by City in inspection of sanitary lift stations owned by City. This contract is for inspection services only; however, the City will promptly perform any necessary repairs or maintenance observed during its inspections. City will promptly notify County of any need for repairs or maintenance observed from its inspections. County shall reimburse the City for any necessary repairs or maintenance. County shall pay for all electricity utilized by the Bullard Street Sanitary Lift Station and shall maintain such electrical account in County's name.

The sum of One Thousand Five Hundred Thirty and no/100 Dollars (\$1,530.00) payable in equal quarterly installment of Three Hundred Eighty Two and 50/100 Dollars (\$382.50) per quarter, the first installment due on September 25, 2016, and each quarterly installment on the 25th day of each quarter, (December, March, June) thereafter during the term of this Agreement.

B. Water at County Fairground

This is solely a service to provide water and the City shall have no obligation to load or otherwise provide labor in connection with this service. City shall provide potable water; however, the City may install such meters as it may desire to monitor the water utilization. Water is provided for use solely upon the County Fairgrounds. Water shall not be transported off the County Fairgrounds and County shall not sell any water provided under this Agreement nor permit anyone to transport City water off of the County Fairgrounds without the advance written permission of City. Fairground caretaker shall provide monthly bulk estimates to Public Utility Director.

C. Central Dispatch

Twenty-five percent (25%) of the City's Net Central Dispatch Budget for FY 2016-2017, payable in four equal quarterly payments, commencing on September 25, 2016 and on the 25th day of each quarter (December, March, June) thereafter. Net Central Dispatch Budget shall mean the gross Central Dispatch Budget less 911 Operating funds received from the State of Montana pursuant to Title 10, Chapter 4, MCA (State Emergency Telephone System). The calculated result of this formula is the sum of Ninety Thousand two hundred and ninety four and no/100 Dollars (90,294.00).

D. Animal Control Services

The City shall bill the County quarterly for Animal Control Services, provided by the City, including the actual costs of impounding, boarding, quarantine, euthanasia, and capture of potentially dangerous animals (vicious dogs, rabid mammals). The first billing shall be due on the 25th day of September, 2016, and each successive billing on the 25th day of each quarter, (December, March, June), thereafter during the term of this Agreement. The following costs will serve as the basis for bills submitted to the county:

Impound Fee: \$5.00

Daily Boarding Fee: \$10.00

Euthanasia fee: \$12.00 to \$30.00 (Dependent on size).

Quarantine: \$5.00 impound fee plus \$10.00 daily. Boarding fee for 10 days.

Capture of Potentially Dangerous Animal: Actual costs of animal control Officer: (\$29.12 per hour, plus vehicle expense/ mileage of \$.55 a mile).

E. Ambulance Services

Ambulance services provided by the City, the actual costs of 911 dispatch calls outside the City limits but within the boundaries of Custer County, will be billed to the County on a quarterly schedule. The first billing due on the 25th day of September 2016, and each successive billing on the 25th day of each quarter (December, March, June) thereafter during the term of this Agreement. Fire Chief will provide quarterly reports to the Commissioners.

Actual costs are compiled based on \$145.00 hour, per unit dispatched, (ambulance, rescue vehicle, etc.); a summary of all county ambulance/rescue runs will be submitted with the billing.

F. Booking Services

Booking services for persons charged under state statute shall be provided by the County at no cost to the City. Booking services, for persons who are charged solely under City Ordinance, which are provided by the County to the City for FY 2016-2017 will be billed and payable in four quarterly payments, commencing on September 25, 2016, and on the 25th day of each quarter, (December, March, June) thereafter during the term or this Agreement. The City Agrees to compensate the County \$30.00 for each person booked (finger printed, photographed, etc.), when charged solely under City Ordinance, as the Miles City Police Department or City Judge determines necessary.

5. CONTINGENCY OF CONTRACTING WITH LIBRARY BOARD OF

TRUSTEES

The City's obligation to provide services hereunder is contingent upon the county having entered into a written contractual agreement with the Board of Trustees of the Miles City Library for the Library to provide library services for FY 2016-2017, and any renewal term, to County residents who do not live within the City limits, in return for a payment from the County to the Library, of a sum satisfactory to the Board of Trustees of the Miles City Library.

6. APPROPRIATIONS:

Each party agrees to appropriate sufficient funds within its budgets to provide the services and to pay the compensation provided for herein during the term of this Agreement.

7. AUTHORIZATION:

Each party, by execution of this Agreement, covenants that it is authorized to enter into this Agreement and that its governing body has given all notices and taken all actions necessary to approve such Agreement and to bind the party to the terms of this Agreement.

8. TERMINATION:

This Agreement may be terminated after FY 2016-2017 by either party upon ninety (90) days written notice, except that a written agreement between the parties establishing fees for a subsequent fiscal year, during a renewal term under this Agreement, shall prevent the termination of this Agreement during said fiscal year. As used in this agreement, "fiscal year" shall refer to a period between July 1 and June 30.

9. DEFAULT

If either party shall fail to promptly keep and perform any affirmative obligation of this Agreement or shall perform some act prohibited under this Agreement, and if such party shall continue in such default for a period of thirty (30) days after written notice of such default by the non-defaulting party to the defaulting party, in the manner provided in Section 10, below, then the non-defaulting party may pursue any remedy provided by the laws of the State of Montana, or may declare this Agreement terminated.

10. NON-WAIVER.

The failure of a party to claim a default or breach under this Agreement shall not be deemed a continuing waiver of such default or breach, nor shall any waiver of default or breach by any party be construed as a waiver of other or any subsequent default or breach.

11. NOTICE.

If at any time after the execution of this Agreement, it shall become necessary or convenient for one of the parties to serve any notice upon the other party, such notice shall always be in writing, signed by the party serving the same, or their counsel, and deposited in registered or certified United States mail, return receipt requested, postage prepaid, and addressed as follows:

CITY: John Hollowell, Mayor
P.O. Box 910
Miles City, Montana 59301

COUNTY: Kevin Krausz, Chairperson
Board of County Commissioners
Custer County Courthouse
1010 Main Street
Miles City, Montana 59301

Or to such address as either party may furnish to the other in writing as the place for the service of notice. Any notice so mailed shall be deemed to have been given as of the time the same is deposited in the United States mail with proper prepaid postage affixed. In addition to service by the President of its City Council, or the County, by service upon any of its County Commissioners. The date of personal service shall be the date the notice is personally served upon City or County.

12. TIME OF THE ESSENCE.

Time is of the essence of this Agreement and all acts required to be performed hereunder shall be performed on or before the date specified.

13. PARAGRAPH HEADINGS.

The paragraph headings herein contained are for convenience of the parties only and do not define, limit or construe the contents of such paragraphs.

14. NON-DISCRIMINATION

In compliance with §49-3-207 MCA, all hiring must be on the basis of merit and qualifications and there may not be discrimination on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by either party performing this Agreement.

15. APPROVAL OF GOVERNING BODIES REQUIRED

This Agreement shall not become effective until approved by appropriate resolution by the City Council of the City of Miles City and by appropriate resolution of the Board of Commissioners of Custer County.

16. RESPONSIBILITY FOR REPORTS AND PAYMENT OF RETIREMENT SYSTEM CONTRIBUTIONS.

The City shall be responsible for reports and payment of retirement system contributions pursuant to §19-2-506 for City employees utilized in performing services under this Agreement. The County shall be responsible for reports and payment of retirement system contributions pursuant to §19-2-506 for County employees utilized in performing services under this Agreement.

17. NON-APPLICABILITY OF PORTIONS OF §7-11-105 MCA

The following subsections of §7-11-105 MCA are not applicable to this Interlocal Agreement for the following reasons:

Subsection (5) in that no property will be jointly acquired under this Agreement;

Subsection (6) in that the agreement will be administered by the Mayor for the

City and the Board of Commissioners for the County and a separate

administrator or board is not necessary;

Subsection (7) in that no real or personal property will be jointly acquired under this Agreement;

Subsection (8) in that there will be no shared employment under this Agreement.

18. EXECUTION AND FILING.

This Agreement shall be executed in triplicate originals, with one fully executed original being filed with the Custer County Clerk and Recorder, one fully executed original being filed with the Miles City Clerk, and one fully executed original being filed with the Montana Secretary of State.

19. INDEMNITY.

City agrees to indemnify, defend and hold County harmless from any liability, damages or claims arising out of City's intentional or negligent acts or omissions in City's performance

of the services it is providing to County under this Contract except as to any liability, damages or claims arising solely out of the intentional or negligent acts or omissions of County, its officers, employees, or agents. County shall indemnify, defend and hold City harmless from any liability, damages or claims arising out of the intentional or negligent acts or omissions of County in County's performance of the services it is providing to City under this Contract except as to any liability, damages or claims arising solely out of the intentional or negligent acts or omissions of City, its officers, employees or agents.

CITY OF MILES CITY

By: _____
John Hollowell, Mayor

Dated: _____

Custer County, Montana

BY: _____
Kevin Krausz, Commissioner

BY: _____
Jason Strouf, Commissioner

BY: _____
Keith Holmlund, Commissioner

Dated _____

EXHIBIT "1"

SERVICES

- a. Bullard Street Lift Station
- b. Fairgrounds Water
- c. Central Dispatch Services
- d. Animal Control Services within the exterior boundaries of Custer County.
- e. Ambulance Service within the exterior boundaries of Custer County

Initialed by parties to indicate review and agreement with this Exhibit:

CUSTER COUNTY:

Kevin Krausz, Chairperson

DATE:

CITY OF MILES CITY:

John Hollowell, Mayor

DATE

EXHIBIT "2"

SERVICES TO BE PROVIDED TO THE CITY BY THE COUNTY

1. SERVICES

- a. Provision of space, free of rent, to the CITY for operation of Central Dispatch at the Emergency Operating Center.
- b. The COUNTY will provide booking services for individuals referred by the Miles City Police Department or the City Judge.

Initialed by parties to indicate review & agreement with this Exhibit:

CUSTER COUNTY: _____ DATE _____
Kevin Krausz, Chairperson

CITY OF MILES CITY: _____ DATE _____
John Hollowell, Mayor

RESOLUTION NO. 4017

**A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO AWARD A
DOWNTOWN FAÇADE IMPROVEMENT GRANT TO AUTOMATIC TRANSMISSIONS**

WHEREAS, the City has established a Façade Improvement Grant for qualified applicants within the Miles City Downtown Urban Renewal District, *and*

WHEREAS, the City has adopted Guidelines for said grant program, and

WHEREAS, Automatic Transmissions has applied for a Downtown Façade Improvement Grant and has met all program criteria set forth in said Guidelines,

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

1. The City hereby awards a Downtown Façade Improvement Grant to Automatic Transmissions in the amount of \$1,100 to assist with signage at their building at 516 Bridge, Miles City Montana.
2. The Mayor of the City of Miles City is hereby empowered and authorized to execute such further documents as may be necessary to facilitate the delivery said award.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,
MONTANA, THIS 27TH DAY OF DECEMBER.**

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

State of Montana
Surplus Property Program
P O Box 200137
Helena, MT 59620-0137
(406) 444-9923

RESOLUTION

4018

Donee #: <u>871318</u>
Approved to acquire:
State: Yes No
Federal: Yes No

BE IT RESOLVED THAT: City of Miles City
(Print Legal Name of Applicant Organization)

STREET ADDRESS: 17 South 8th Street City: Miles City MT 59301

MAILING ADDRESS: P O Box 190 City: Miles City MT 59301

PHONE NUMBER: 406-234-3462 FAX NUMBER: 406-234-2093

E-MAIL ADDRESS: cityclerk@miles-city-mt.org

by its Governing Board (or) by the Chief Administration Officer, if not governed by a board, shall obligate the Applicant and its funds to the extent necessary to comply with the TERMS and CONDITIONS listed on the reverse side of this form. **The employee(s) whose name(s) and signature(s) appears on this document is (are) authorized to acquire federal surplus property from the State of Montana, Surplus Property Program for the above Applicant.**

BE IT FURTHER RESOLVED THAT this certified copy of the Resolution shall be submitted to the State of Montana, Surplus Property Program and the same remain in effect until written notice is given to the Property & Supply Bureau to change or rescind said Resolution.

CERTIFICATION: I, John Hollowell hereby certify that I am the
(Chairman of the Board (or) Administrative Officer)

Mayor of the City of Miles City
(Title) (Full Legal Name of Governing Board)

of the above applicant that the foregoing is

- (1) a true and correct copy of the Resolution adopted by the vote of the majority of said board present at a duly-convened
- (2) meeting of the said board on the 27th day of December, 2016 at which a quorum was present.

OR
(2) an executive action taken by me on the _____ day of _____, 2016.

SIGNATURE: _____
(Chairman of the Board (or) Administrative Officer)

AGENTS AUTHORIZED TO ACQUIRE SURPLUS PROPERTY AND THEIR SIGNATURES (required)

TYPE OR PRINT NAME:	SIGNATURE	DEPARTMENT:
1. <u>John Hollowell</u>	_____	<u>Mayor</u>
2. <u>Allen Kelm</u>	_____	<u>Public Util, Dir</u>
3. <u>Scott Gray</u>	_____	<u>Public Works Dir</u>
4. <u>Doug Colombik</u>	_____	<u>Police Chief</u>
5. <u>Gary Warren</u>	_____	<u>Fire Chief</u>
6. <u>Lorrie Pearce</u>	_____	<u>City Clerk</u>

AGENTS AUTHORIZED TO ACQUIRE SURPLUS PROPERTY AND THEIR SIGNATURES (required) – Page 2

TYPE OR PRINT NAME:

SIGNATURE

DEPARTMENT:

7. Sonja Woods Library Dir

8. Jeff Langaau Airport Dir

9. _____

10. _____

11. _____

12. _____

13. _____

14. _____

15. _____

16. _____

17. _____

18. _____

19. _____

20. _____

21. _____

22. _____

23. _____

24. _____

25. _____

26. _____

27. _____

28. _____

29. _____

30. _____

31. _____

32. _____

RESOLUTION NO. 4019

A RESOLUTION APPROVING A LETTER OF AGREEMENT RELATED TO THE SHARING OF COSTS FOR FLOOD PROTECTION PROJECT EXPENSES BETWEEN THE CITY OF MILES CITY, AND CUSTER COUNTY.

WHEREAS, the City of Miles City and Custer County desire to share in the cost of obtaining certain services related to the Custer County / Miles City Flood Protection Project:

AND WHEREAS, a Letter of Agreement has been drafted which establishes the cost share for certain professional services related to said project;

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

The Letter of Agreement re: Interlocal Agreement for Sharing Costs of Certain Flood Protection Project Expenses, attached hereto as Exhibit "A" and made a part hereof, is hereby approved by the City Council of the City of Miles City.

The Mayor is hereby authorized to execute said Letter of Agreement on behalf of the City, and to bind the City thereto.

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 27TH DAY OF DECEMBER, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A

LETTER OF AGREEMENT

Re: Interlocal Agreement for Sharing Costs of Certain Flood Protection Project Expenses

This LETTER OF AGREEMENT entered into this ____ day of _____, 2016, by and between CUSTER COUNTY, MONTANA, a political subdivision of the State of Montana, hereinafter referred to as "COUNTY", and the CITY OF MILES CITY, MONTANA, a Montana municipal corporation, hereinafter referred to as "CITY".

WHEREAS, COUNTY and CITY desire to share in the cost of obtaining certain services related to the Custer County / Miles City Flood Protection Project.

AND WHEREAS, the parties wish to reduce their agreement as to such cost share to writing;

NOW, THEREFORE, IT IS HEREBY AGREED AMONG THE PARTIES AS FOLLOWS:

1. Cost Share: CITY agrees to pay 70% of the costs not covered by grants or outside funding for the services set forth below; and COUNTY agrees to pay 30% of the costs not covered by grants or outside funding for the service set forth below. This Agreement as to cost sharing is limited to the services set forth herein and does not bind the parties with regards to the percentages of costs to be shared for the remaining portions of the Custer County / Miles City Flood Protection Project.

2. Services Subject to Agreement: The services which are subject to this agreement include the following:

- a. USACE Section 205, Study Portion;
- b. Supplemental professional services for the CCMC Flood Protection Project;
- c. Bond Counsel services used in connection with determining project funding options.

3. Additional Services: Additional services may be added to those set forth in Paragraph 2 by written agreement of the parties.

CUSTER COUNTY, MONTANA

CITY OF MILES CITY

By: _____
Kevin Krausz, Commissioner

By: _____
John Hollowell, Mayor

By: _____
Jason Strouf, Commissioner

Attest:

Lorrie Pearce, City Clerk

By: _____
Keith Holmlund, Commissioner

RESOLUTION NO. 4020

A RESOLUTION APPROVING AN ADDENDUM TO THE SHORT FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF MILES CITY, MONTANA, AND INTERSTATE ENGINEERING, INC., EXTENDING THE TERM OF SAID AGREEMENT

WHEREAS, the City of Miles City has engaged Interstate Engineering, Inc., for professional services related to the development of the Miles City Long Range Transportation Plan;

AND WHEREAS, the parties desire to extend the term of said agreement until March 31, 2017, to allow for completion of the terms of the Short Form of Agreement Between Owner and Engineer for Professional Services previously entered into by the parties.

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

1. The Addendum to the Short Form of Agreement Between Owner and Engineer for Professional Services, between the City of Miles City, Montana, and Interstate Engineering, Inc., attached hereto as Exhibit "A", and made a part hereof, is hereby approved and adopted by this Council.

2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said document on behalf of the City of Miles City and bind the City of Miles City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A REGULAR MEETING THIS 27th DAY OF DECEMBER, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

Exhibit "A"

ADDENDUM

This ADDENDUM to the **Short Form of Agreement Between Owner and Engineer for Professional Services** dated 9-23-2015 (the "Agreement") and amended 9-27-2016, between the City of Miles City, Montana, and Interstate Engineering, Inc., services related to the Miles City Long Range Transportation Plan, approved by the City of Miles City through Resolution No. 3854, is hereby amended to read as follows:

"1.01 Basic Agreement and Period of Service

B. Engineer shall complete its services on or before the 31st day of March, 2017"


The Agreement shall remain unchanged in all respects except as otherwise expressly set forth herein.

DATED this _____ day of _____, 2016

CITY OF MILES CITY, MONTANA

INTERSTATE ENGINEERING, INC.

By: _____
John Hollowell, Mayor

By: 
Charles B. Strum, P.E.
Sr. Transportation Engr./Office Manger

Attest:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4021

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2016-2017 TO INCREASE THE BUDGETED AMOUNT IN FUND # 4000-501-410100-940 AND TO FUND THE PURCHASE OF ONE POLICE VEHICLE

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2016-2017 to provide funding for one police vehicle, 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 # 4000-501-410100-940,

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 2016-2017 for General Fund Capital Improvement Fund No. 4000 shall be increased in the following amount:

Fund No. 4000-501-410100-940 (General Fund Capital Improvement Fund No. 4000, Machinery and Equipment), in the sum of \$39,867.00.

The appropriations for the Final Budget for Fiscal Year 2016-2017 for General Fund Capital Improvement Fund No. 4000 shall be decreased in the following amount:

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2016-2017 on the 10th day of January, 2017, 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 §7-1-4127 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 27TH DAY OF DECEMBER, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY

RESOLUTION NO. 4023

A RESOLUTION APPROVING AN AMENDMENT TO THE MILES CITY AREA TRANSPORTATION PLAN SUBRECIPIENT AGREEMENT EXTENDING TERM OF AGREEMENT.

WHEREAS, the City of Miles City and the Montana Department of Transportation entered into a funding agreement related to the Miles City Area Transportation Plan on April 2, 2015, which is still in the process of being developed;

AND WHEREAS, the parties desire to extend the term of such agreement to ensure that completion occurs within the contract period;

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

1. "Amendment 1 to the Miles City Area Transportation Plan Subrecipient Funding Agreement Between The Montana Department of Transportation and The City of Miles City," attached hereto as Exhibit "A", and made a part hereof, is hereby approved and adopted by the Council;

2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said Agreement on behalf of the City of Miles City and to bind the City of Miles City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 27th DAY OF DECEMBER, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A

AMENDMENT II TO THE
MILES CITY AREA TRANSPORTATION PLAN
SUBRECIPIENT FUNDING AGREEMENT
BETWEEN

THE MONTANA DEPARTMENT OF
TRANSPORTATION AND
THE CITY OF MILES CITY

The City of Miles City (SUBRECIPIENT) and the Montana Department of Transportation (DEPARTMENT) do hereby agree and acknowledge that the Miles City Area Transportation Plan Update Funding Agreement entered into April 1, 2015, is amended as follows:

Section 2, Time of Performance The term of this agreement is extended to twenty-four (24) months unless terminated before this date as provided in Section 10 of the initial agreement.

This change is necessary to accommodate an extended schedule and does not affect agreed upon funding or scope.

The agreement between the LOCAL AUTHORITIES and DEPARTMENT executed on April 1, 2015, and as amended herein, constitutes the entire agreement between the parties and no statements, promises, or inducements made by either party, or agents of either party, which are not contained in written agreement, shall be binding or valid.

WITNESS WHEREOF, the parties have caused this agreement to be executed.

CITY OF MILES CITY

By: _____
Mayor
City of Miles City

Date: _____, 2016

STATE OF MONTANA - DEPARTMENT OF TRANSPORTATION

By: _____
Transportation Planning Division

Date: _____, 2016

Approved for Legal Content:

By:  _____
Department Legal Services

Date: 12/16, 2016