

**REGULAR COUNCIL MEETING January 23, 2018**

**7:00 p.m.**

**CALL TO ORDER**

The Regular Council meeting was held Tuesday, January 23, 2018, in the City Hall Conference Room at City Hall, 17 S. 8<sup>th</sup> Street, Miles City, Montana. Mayor John Hollowell called the meeting to order. Council Members present were Brant Kassner, Dwayne Andrews, Ken Gardner, John Uden, Rick Huber, Jeff Erlenbusch, Kathy Wilcox and Susanne Galbraith.

Also present were City Attorney Dan Rice, Public Works Director Scott Gray, Police Chief Doug Colombik, Fire Chief Branden Stevens, Grant Administrator /Historic Preservation Officer Connie Muggli, Floodplain Administrator/AutoCad/AssistantPWPV Samantha Malenovsky, 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: 1/9/2018**

\*\* *Councilperson Uden moved to approve the minutes of the Regular Council Meeting of January 09, 2018, and seconded by Councilperson Erlenbusch. The motion passed by unanimous consent, 8-0.*

**SCHEDULE MEETINGS**

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

- Human Resource: Thursday, February 2<sup>nd</sup> @ 5:15 p.m.
- Flood: Thursday, February 2<sup>nd</sup> @ 5:15 p.m.
- Public Safety: Thursday, February 2<sup>nd</sup> @ 6:30 p.m.

**REQUEST OF CITIZENS & PUBLIC COMMENT**

None

**APPOINTMENTS**

Councilperson Andrews to replace Councilperson Erlenbusch on Local 600/Labor Contract Negotiation Committee

\*\* *Councilperson Galbraith moved to approve Councilperson Andrews to replace Councilperson Erlenbusch on Local 600/Labor Contract Negotiation Committee, seconded by Councilperson Gardner and passed unanimously.*

**PROCLAMATIONS**

None

**STAFF REPORTS**

**Scott Gray-** Commended the Public Works and Utilities for the good job on the snow removal. Stated that the skating rink is open, warming house is open from 7am to 11pm and the bull sale will be on Main Street February 2<sup>nd</sup>. Also the bucket truck was down and looking at replacing it.

**Branden Stevens-** Reported the following:

# PROCEEDING OF CITY COUNCIL

MILES CITY, MONTANA

- Fire Department will be at full staff on February 3<sup>rd</sup>, drastically reducing the overtime
- Promotion for Officers next Monday
- EMS staff will be going through EMT refresher training in January
- Tender 23 still out of service
- Ambulance grant is going out to bid this Friday
- Department water tower has been fixed
- Putting in for a \$300,000 grant to purchase Self Contained Breathing Apparatus and Cascades
- Training center passed the environmental portion of the process
- Narcan training for the police will be soon
- Station roof is leaking and MMIA is looking into it

### ***Doug Colombik-*** Reported the following:

- The narcotic dog raffle has produced \$2,900 and felt it was going to take quite a while to collect the amount needed for the dog, training and vehicle
- Lyne Anderson-*** Reported the following:
- Tried to apply for a grant to help with the GIS purchase, but the City had an active grant so it was denied. The County has agreed to apply for the grant, and asked for a letter of support from the Mayor
  - 911 goals are to purchase the software, coordinate the system and have City, County and 911 match

### **CITY COUNCIL COMMENTS**

***Jeff Erlenbusch-*** With the Tokyo and Hawaii scare, wondered if the Miles City Star could do an article as to where fallout shelters are in Miles City

***John Uden-*** Thanked the fire department for coming to his house and supplying battery operated smoke alarms

***Rick Huber-*** Thanked everyone for the good job on snow removal, thought everyone worked together well

### **MAYOR COMMENTS**

None

### **COMMITTEE RECOMMENDATIONS**

None

### **BID OPENINGS**

None

### **BID AWARDS**

None

### **PUBLIC HEARINGS**

- A. **ORDINANCE NO. 1318- An Ordinance Amending Chapter 15 of the Code of Ordinances of Miles City, Montana, With Regards to Weeds, and the Enforcement of Nuisances**

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. 1318: (Second Reading) An Ordinance Amending Chapter 15 of the Code of Ordinances of Miles City, Montana, With Regards to Weeds, and the Enforcement of Nuisances**

\*\* *Councilperson Erlenbusch moved to approve the Ordinance, read by title only, seconded by Councilperson Gardner.*

# PROCEEDING OF CITY COUNCIL

MILES CITY, MONTANA

Councilperson Andrews stated the Finance Committee discussed the Ordinance and thought Administrative fees should be added to the ordinance. It was reported that if the ordinance went through all the phases that it could cost the City up to \$400.

*\*\* Councilperson Wilcox moved to add under (l) to include administrative cost and publication cost associated with the enforcement, seconded by Councilperson Uden, and on roll call vote, passed unanimously 8-0*

*\*\* The main motion passed 8-0 Ordinance No. 1318 was adopted*

## **B. Approval on City Paying for Black Mountain Software for TIFD taxes**

*\*\* Councilperson Galbraith moved to approve the City pay for Black Mountain Software for TIFD taxes, and seconded by Councilperson Wilcox.*

Mayor Hollowell explained the payment will be paid one third by the City, County and TIF District.

*\*\* On roll call vote, the motion passed by unanimous consent, 8-0.*

## **NEW BUSINESS**

### **A. Approval for the Outlaw Baseball Association to Renovate Stanley Field into a Baseball Field**

Outlaw Baseball representative Chuck Notbohm presented the following phases needed to have the field playable by June 1, 2018:

- Phase 1- Ground work, grass and sprinkler system. A verbal confirmation had been received that the Montana Baseball League approving a grant for the mentioned items
- Phase 2- Dug Outs, Back Stop, Fencing and Crow's Nest Facility. The dug out, back stop and fencing had been confirmed by the donors and volunteers. The Crow's Nest Facility had not yet been designed.
- Phase 3- Lighting and Scoreboard will be installed once the funds are collected.

Attorney Rice explained the association would need to follow the Cities donation policy and needed to work with Director Gray on it.

Director Gray said that the association would bring in porta potties at the beginning and is looking into hooking up to the sewer system when funds are available. The horseshoe pits may have to for more parking and thought with the hiring of one full time parks employee they could handle the mowing of the park.

Administrator Malenovsky suggested that the association would need to submit a building application to the County.

*\*\* Councilperson Uden moved to approve permission for the Outlaw Baseball Association to renovate Stanley Field into a baseball field, and seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 8-0.*

### **B. Approval to Issue a Park Permit to the Outlaw Baseball Association for the Usage of Stanley Field**

*\*\* Councilperson Gardner moved to approve issuing the Outlaw Baseball Association a park permit for the usage of Stanley Field, and seconded by Councilperson Galbraith.*

Councilperson Galbraith asked if the permit would be exclusive to the Outlaw Baseball Association. Direct Gray explained that the agreement with the association would need to be amended and approved by Council.

*\*\* Councilperson Gardner amended his motion to approve the issuing of the park permit with commitment to the primary user of Stanley Field subject to Council approval, seconded by Councilperson Galbraith.*

*\*\* On roll call vote, the amended motion passed by unanimous consent, 8-0.*

**C. ORDINANCE NO. 1319- (First Reading) An Ordinance Amending Chapter 5 Section 2 of the Code of Ordinances of Miles City, Montana, With Regards to Adoption of Model Technical Codes and Administrative Regulations**

*\*\* Councilperson Wilcox moved to approve the Ordinance, read by title only, and seconded by Councilperson Huber.*

Attorney Rice explained that the Mayor can adopt certain issues by executive order, which do not get codified. He felt if all issues were approved by Ordinance then they would end up in the codes.

*\*\* On roll call vote, the motion passed 8-0.*

**D. ORDINANCE NO 1320- (First Reading) An Ordinance Repealing Section 12 of the Code of Ordinances of the City of Miles City and Enacting a New Section 12 of Said Code of Ordinances of the City of Miles City**

*\*\* Councilperson Erlenbusch moved to approve the Ordinance, read by title only, and seconded by Councilperson Wilcox.*

Administrator Malenovsky explained the changes:

- Section 12-75 is a change to what Federal charges are for the variances
- Only the property owners can approve the application

*\*\* On roll call vote, the motion passed by unanimous consent, 8-0.*

**E. Discussion and Approval to Pursue a Temporary Occupancy Permit from BNSF to Ascertain Viability of the Depot for City Use**

*\*\* Councilperson Kassner moved to approve to pursue a temporary occupancy permit from BNSF to ascertain viability of the depot for City use, seconded by Councilperson Huber.*

Administrator Muggli explained the permit could cost \$2,700. It could cost less or be waived by BNSF. She felt the structural study should be the first thing done so the City knows if renovation could be completed and it needed to be done to be eligible for grants. She has an architect that would complete the inspection, but the City would need to pay for his travel expenses.

*\*\* On roll call vote, the motion passed 7-1, with Councilperson Uden voting no*

**F. Approval to send to collections an amount of \$609.67 for delinquent payments to Bulk Water and Repair Leaking Curb Stop**

PROCEEDING OF CITY COUNCIL

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\*\* Councilperson Galbraith moved to send to collections an amount of \$609.67 for delinquent payments on bulk water and repair leaking curb stop, seconded by Councilperson Huber.

\*\* After a short discussion, Councilperson Galbraith moved to amend the amount to \$239.87, seconded by Councilperson Huber.

\*\*On roll call vote, the amended motion passed 8-0

**ADJOURNMENT**

\*\* Councilperson Huber moved to adjourn the meeting, seconded by Councilperson Kassner and passed unanimously.

The meeting was adjourned at 8:35p.m.

  
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John Hollowell, Mayor

  
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Lorrie Pearce, City Clerk