



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*May 22, 2018
6:00 p.m.*

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. **APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES**
 - A. Regular City Council Meeting 5/8/2018
 - B. Finance Committee Meeting 5/3/2018
 - C. Human Resource Meeting 5/3/2018
 - D. Public Service Meeting 5/3/2018
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**
10. **BID OPENINGS**
11. **BID AWARDS** - Bid for Wibaux Fountain
12. **PUBLIC HEARINGS**
 - A. **RESOLUTION NO. 4153- A Resolution Establishing Revised Rates for Labor & Equipment**
 - B. **ORDINANCE NO. 1325- An Ordinance Revising Section 17-114 of the City Code of the City of Miles City, Montana, Requiring Liability Insurance in Specified Amounts Prior to Issuance of a Park Use Permit**
13. **UNFINISHED BUSINESS**
 - A. **RESOLUTION NO. 4153- (Second Reading) A Resolution Establishing Revised Rates for Labor & Equipment**
 - B. **ORDINANCE NO. 1325- (Second Reading) An Ordinance Revising Section 17-114 of the City Code of the City of Miles City, Montana, Requiring Liability Insurance in Specified Amounts Prior to Issuance of a Park Use Permit**
 - C. **Update on Burlington Northern Santa Fe Depot**

14. NEW BUSINESS

- A. **Approval on Flood Plain Administrator Raise of \$2.00/hr**
- B. **RESOLUTION NO. 4158- A Resolution Authorizing the City of Miles City to Enter Into an Agreement With the Custer County Water and Sewer District for Flushing Hydrants in Calendar Year 2018**
- C. **RESOLUTION NO. 4159- A Resolution Revising City of Miles City Personnel Policies Regarding Employment Orientation Policy**
- D. **RESOLUTION NO. 4161- *(First Reading)* A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2017-2018 to Increase the Budgeted Amount in Fund # 4000-101000**
- E. **RESOLUTION NO. 4162- A Resolution Authorizing the City of Miles City to Enter Into a Montana Department of Commerce Coal Board Contract to Assist With Funding Architectural and Engineering Design**
- F. **Drawing on K-9 Raffle Ticket Drawing #2**

15. 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 May 8, 2018
7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, May 8, 2018, 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 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, Public Utilities Director Tom Speelman, Police Chief Doug Colombik, Fire Chief Branden Stevens, Planner II Dawn Colton, Building Inspector Dennis Hirsch, and Minute Recorder Ally Capps.

PLEDGE OF ALLEGIANCE

Mayor Hollowell led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 4/24/2018

- ** *Councilperson Uden moved to approve the minutes of the Regular Council Meeting of April 24, 2018, subject to any corrections or changes, seconded by Councilperson Gardner. The motion **passed** by unanimous consent, 8-0.*

Finance Committee Minutes: 4/19/2018

- ** *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of April 19, 2018, seconded by Councilperson Kassner. The motion **passed** by unanimous consent, 8-0.*

Human Resource Minutes: 4/19/2018

- ** *Councilperson Erlenbusch moved to approve the minutes of the Human Resource Committee Meeting of April 19, 2018, seconded by Councilperson Wilcox. The motion **passed** by unanimous consent, 8-0.*

Public Service Minutes: 4/25/2018

- ** *Councilperson Uden moved to approve the minutes of the Public Service Committee Meeting of April 25, 2018, seconded by Councilperson Gardner. The motion **passed** by unanimous consent, 8-0.*

SCHEDULE MEETINGS

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

- Finance Committee Meeting May 17 @ 6 p.m.
- Human Resource Meeting June 7 @ 5:15 p.m.

REQUEST OF CITIZENS & PUBLIC COMMENT

Citizen Jennifer Mahan 110 New-Vu, MCI² representative, asked for Council approval for an alcohol variance permit for Wibaux Park, on approximately September 15, 2018. MCI² is asking for the variance for a Low Country Boil Fundraiser to help raise awareness and funds for the splash-pad. The fundraiser would show the location of the splash-pad with the Froggy Pool. Council had a discussion on Wibaux Park being a family orientated park and prohibited use of alcohol in the past. Would this be setting a new precedence if an alcohol variance occurred?

Citizen Brandon Jansten 604 C Center Avenue, MCI² representative, explained this particular event now focused on business and persons for greater donations and sponsorships to further the splash-pad. MCI² is selling tickets for the fundraiser and is targeting the event mainly for adults. Councilperson Huber stated he would rather see the variance used for Riverside Park and keep Wibaux Park a family orientated park and is against granting the variance.

Mayor Hollowell asked to table the request, until documentation be researched and discussed with Attorney Rice.

APPOINTMENTS

Police Commission- Ed Curnan

** *Councilperson Uden moved to approve Ed Curnan to the Police Commission for another term, seconded by Councilperson Huber. The motion **passed** by unanimous consent, 8-0.*

PROCLAMATIONS

Mayor Hollowell read the International Code Council Building Safety Proclamation, proclaiming the month of May as Building Safety Month.

STAFF REPORTS

Fire Chief Stevens is looking to promote a Deputy Fire Inspector in June; we are just waiting to hear back from the Union waiving the time requirements for the new Deputy Inspector. The community meeting on the Training Center held in the Fire Station received public input on the color choice of the building, adding some trees and graveling the boulevard. Three new part-paid fire fighters were hired; they do not have any previous training. Emergency Medical Technician (EMT) training will start June 4 through the end of August and they will test in October. There will be a blood drive in the fire station Wednesday the 9th, from 11 am – 3pm, hotdogs, cookies and juice will be served. Red Cross cancelled the fire alarm event but the fire department did install fire alarms at citizen's request.

Inspector Hirsch came to inspect the fire station and in the attic, he observed split rafters and the electrical was in need of replacement. Inspector Hirsh commented the rafters are deteriorating from the leaking roof. Silicone has been placed on the roof to help seal the leaking areas; this is just a temporary fix. Inspector Hirsch stated that the roof would not be able to hold another snow load and needs to have a permanent fix before this coming winter. An insurance claim with Montana Municipal Interlocal Authority on the roof is in progress. Currently Chief Stevens is getting bids on repairing or replacing the roof and electrical.

Director Gray is in the process of getting bids for repair on the building at Bender Park. Montana Municipal Interlocal Authority is hoping to come down and visually inspect the building at Bender Park. Director Gray also wanted to remind people of the Ordinance stating, no dogs in City parks or near athletic fields. This seems to be more of a local problem, out of towners seems to respect the signs or at least pick up after their dogs. City parks have signage stating, no dogs in park. Councilperson Uden brought up perhaps more signage is necessary. Councilperson Huber thought an ad in the paper maybe a nice reminder with the weather being warmer. Councilperson Andrews mentioned a possible revision for Spotted Eagle, being people like to take their dogs out to go swimming. Councilperson Gardner thought putting a fenced dog park area in the City maybe something to look into.

Director Speelmon commented turbidity meters for the Water Plant were installed and operational. We are looking at installing new flow meters, right now there is only one at the plant. The lift station by Riverside Park is repaired and fully functional. There is a Public Service Announcement going out to the citizens of Bridge, Legion and Main Street, their water will be shut-off, from 9am- noon while the City works on replacing a 10" water main to install a fire hydrant by the Fire Department. The last position Utilities has to fill will open on Friday May 11.

Police Chief Colombik is working on a detailed statistic report on the last four months breaking down the different types of incidents. Chief Colombik was pleased to announce the police department is staffed with sixteen employees. Lucy Heller donated her time and created a new website for the police and dispatch departments.

The website should be ready to go live on Thursday. Councilperson Gardner asked for an update on the K-9 Unit. Chief Colombik responded that the gun raffle would be on May 22, at the next Council Meeting. Currently donations for the K-9 unit are around \$23,000K. The community has been very generous and supportive in helping to raise money for the K-9 Unit. An officer will go to training this fall to prepare for the K-9 Unit. In the meantime, we will keep raising money with a third raffle.

Planner II Dawn Colton updated Council on near completion of Subdivision regulations. Beginning work on the Local Update of Census Addresses (LUCA) project that matches address from the Local Update of Census Address with actual addresses. Dave DeGrandpre or Joel Nelson will be here next week to start on the cost-benefit analysis for the industrial park. The Continuously Operation Reference Station (CORS) at the airport went through another 72-hour testing for the GIS Mapping System.

CITY COUNCIL COMMENTS

Councilperson Andrews commented the community meeting, held at the Fire Department for the Training Center, Council did not have good communication with the homeowners. The last input the Community had heard from the Fire Department had been over a year ago. Input from the meeting focused on the Training Center color and does it need to be fire station red. They asked the Fire Department if it would be possible to change the color to something neutral that would blend with the neighborhood. Chief Stevens is looking into other color options. Councilperson Andrews thought if the color change is a way for adjacent neighbors to feel heard and valuable, this is an important decision to make.

Councilperson Uden asked for an update on the Burlington Northern Santa Fe Railroad Depot. He has received questions concerning the Depot and would like it placed on the agenda for the next council meeting for an update. Mayor Hollowell had left a message with Mr. Ball from Burlington Northern Santa Fe Railroad and he had been on vacation. Mayor Hollowell will try again before the next council meeting to update Council.

MAYOR COMMENTS

Mayor Hollowell presented to Chief Colombik and the Miles City Police Department an award for Miles City ranking the seventh Safest City in Montana, due to its commitment to safety and security of its residents.

COMMITTEE RECOMMENDATIONS

Send \$19,590.47 to collections for Ambulance

** *Councilperson Galbraith moved to send \$19,590.47 to collections, seconded by Councilperson Wilcox. The motion **passed** by unanimous consent, 8-0.*

BID OPENINGS - Bids for construction on Wibaux/Stacey Fountain

Director Gray had a single bid for the Wibaux/Stacey Fountain. Haynes Enterprises submitted a bid for \$57,209.02.

Councilperson Uden asked when the project would be complete. Director Gray stated one of the bid requirement terms stated completion would be October 31, 2018 or inclement weather.

** *Councilperson Wilcox motioned to have the bid sent to the Finance Committee for further review and recommendation, seconded by Councilperson Galbraith.*

Councilperson Uden asked if this is the only bid, why do we need to send it to the Finance Committee, could we not just award the bid. Councilperson Wilcox wanted to know how budgeting had been set to finance the project and if this bid falls within the budget. Director Gray said the funds were not there to cover this bid amount. Funds were allocated to repair the Press Box at Denton Field, which was a safety hazard and needed immediate fixing. Lily Cruise and her group donated funds to help with repair and refurbishing the Stacey Fountain. Councilperson Galbraith commented \$18,000K is allocated for the fountain for the fiscal year.

Citizen Mark Ahner 13 S. Stacy wanted to thank the Parks and Utilities Directors for keeping the Stacey Fountain project alive. This project has been in the works for four years, each year it gets more expensive to repair. This is the first bid received, of the three times the fountain has gone to bid. If the funds donated to the Stacey Fountain are not allocated for this next fiscal year, what happens to those funds? There have been eight benches purchased at \$1000.00 each to go around the fountain; does that money go back to the donator? If the Council agrees not to proceed with the restoration, could the Historic Preservation Committee take the specifications and go to other communities, in Montana, Wyoming or the Dakotas, to see if they have somebody that could build the fountain to specifications that have already been approved. Then as a sole source award the quote.

Citizen Lilly Cruise 908 S. Center asked if the paver stone donations would be return to donators. Is the fountain something that should be abandoned or should there be more fundraisers? Mayor Hollowell responded referring the fountain to Committee where the bid, expenses, fiscal year budgeting and donations would be compared and discussed.

The motion passed by unanimous consent, 8-0.

BID AWARDS

-None-

PUBLIC HEARINGS

-None-

UNFINISHED BUSINESS

-None-

NEW BUSINESS

A. Approval of Ryan Herzog Home Occupation Permit Request

****** *Councilperson Galbraith moved to approve the home occupation permit for Ryan Herzog, seconded by Councilperson Gardner.*

Councilperson Wilcox asked about business hours and how close they are located to their neighbors; will noise from their business disturb neighbors? Citizen Herzog would have 8am-5pm business hours. Councilperson Erlenbusch asked for confirmation that cars not remain parked on the road or stack up in front of the proposed shop. Citizen Herzog assured Council that would not happen. He owns property on 4612 Valley Drive East and if they needed to store vehicles, they would be stored there.

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

B. Approval to add Camper and Port-a-Potty to Jim Dighans Lease at Industrial Site (Resolution No. 3929)

****** *With no motion the approval failed*

C. RESOLUTION NO: 4156- A Resolution Approving an Extension Agreement Between the City of Miles City and the Custer County Water and Sewer District No. 2

****** *Councilperson Galbraith moved to approve the Resolution, read by title only, seconded by Councilperson Gardner, and on roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4156 passed*

D. RESOLUTION NO: 4157- A Resolution Authorizing the Mayor to Submit an Application to Treasure State Endowment program for a Planning Grant to Prepare a Capital Improvements Plan for the Miles

City Water and Wastewater Treatment and Distribution Facilities and Agreeing to Conform to the Requirements of Said Application

** *Councilperson Uden moved to approve the Resolution, read by title only, seconded by Councilperson Galbraith, and on roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4157 passed*

E. ORDINANCE NO. 1325- (First Reading) An Ordinance Revising Section 17-114 of the City Code of the City of Miles City, Montana, Requiring Liability Insurance in Specified Amounts Prior to Issuance of a Park Use Permit

** *Councilperson Gardner moved to approve the Ordinance, read by title only, seconded by Councilperson Kassner, and on roll call vote, passed by unanimous consent, 8-0.*

Councilperson Galbraith referred Ordinance No. 1325 to the Finance Committee

F. Approval of April Claims

** *Councilperson Galbraith moved to approve the April claims, seconded by Councilperson Kassner and passed unanimously, 8-0.*

ADJOURNMENT

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

The meeting adjourned at 7:34p.m.

John Hollowell, Mayor

Ally Capps, Minute / Recorder

Finance Committee Meeting

May 3, 2018

The Finance Committee met Thursday, May 3, 2018 at 6:00 p.m. in the City Hall Conference room. Present were Committee Chairperson Susanne Galbraith and Committee Members Rick Huber, Dwayne Andrews and Kathy Wilcox.

Also present were: Planner II Dawn Colton and City Clerk/Recorder Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens:

None

2. Committee Member Comments

Chairperson Galbraith explained an item that will need to be solved before 18/19 budget:

- TIFD payback- Thought the fund could pay back more than \$500 a year to the City

3. Discussion and Recommendation on Training Center Loan Schedule

Clerk Pearce said the Committee had recommended paying the 20 year loan schedule, but the terms and condition for the bridge loan stated 25 years. She asked for the 25 year schedule so Finance could see it and make an educated decision. The 25 year schedule would save approximately \$2,500 a year.

*** Committee Member Andrews moved to recommend implementing the 25 year loan schedule for the fire training center in the budget, seconded by Committee Member Wilcox. The motion passed 4-0*

4. Discussion and recommendation to add camper and port-a-potty to Jim Dighans lease at Industrial Site- Resolution No. 3929

Planner Colton explained that the County Zoning plan states the camper can be on the property for 180 consecutive days, then it would need to be removed. She did not know for how long the camper would need to be off the premises. City Attorney Rice thought it was incidental to Mr. Dighans use. She also wondered who would police the property.

Committee Member Andrews thought the property looked trashy, and he would not vote for it.

Committee Member Wilcox agreed with Committee Member Andrews and was concerned that there was not a police report filed on the vandalism.

*** Committee Member Andrews moved to recommend to Council to deny adding a camper and port-a-potty to Jim Dighans lease at Industrial Site, seconded by Committee Member Wilcox. Motion passed 4-0*

5. Discussion and recommendation on amount of money to transfer from General Fund to Capital Improvement Plan

Chairperson Galbraith explained that from the cash carryover in Fiscal Year 16/17, she recommended to transfer \$75,000 to the Capital Improvement Fund. That was the amount that was transferred into the fund last year.

Clerk Pearce explained that the spreadsheet demonstrates the expenditures difference of \$104,999 that was appropriated, but not spent last year. Per City Ordinance, this money could be transferred to the CIP fund.

*** Committee Member Andrews moved to recommend to Council to transfer \$75,000 from FY16/17 carry over cash to the Capital Improvement Fund, seconded by Committee Member Wilcox. The motion passed 4-0*

6. Discussion and recommendation on increasing the TBID from \$1.00 to \$2.00

Chamber of Commerce Representative John Laney explained that the Tourism Business Improvement District Board met and all agreed to increase the tax from \$1.00 to \$2.00. He recently returned from the State Board meeting and the Cities that have a TBID are going to try and raise theirs to \$2.00. The program cannot do brick and mortar, but it can take over the marketing aspect of different organizations. The board found a marketing company that would give the Community an incredible opportunity for advertising tourism.

*** Committee Member Huber moved to recommend to Council the approval of the increase, seconded by Committee Member Andrews. The motion passed 4-0*

7. Discussion on budget meeting schedule

All Committee Members agreed on the schedule presented.

8. Approval to send \$19,590.47 to collections for Ambulance

*** Committee Member Andrews moved recommending to Council to send \$19,590.47 to collections for the Ambulance fund, seconded by Committee Member Wilcox. The motion passed 4-0*

9. Adjournment

*** Committee Member Andrews moved to adjourn the meeting, seconded by Committee Member Galbraith 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
May 3, 2018

The **Human Resources Committee** met Thursday, May 3, 2018, at 5:15 p.m. in the Conference Room at City Hall. Present were Committee Members Kathy Wilcox, Susanne Galbraith, Jeff Erlenbusch and John Uden. Also present were Public Works Director Scott Gray, Public Utilities Director Tom Speelmon, Floodplain Administrator/Assistant PW/PU Director/Auto Cad Samantha Malenovsky and Deputy City Clerk/HR Officer /Committee Recorder Linda Wilkins.

Committee Chairperson Kathy Wilcox called the meeting to order.

1. Request of Citizens
None

2. Committee Member Comments
Committee Member Uden will be out of town May 10 – 19.

3. Unfinished Business
None

4. New Business

A. Review and Recommendation: Wage Increase requests for FY 2018-2019

Administrator Malenovsky was the only employee presenting a request for a wage increase at this meeting. After discussion and review of the position duties and expectations the committee thought a \$2/hour increase was appropriate as requested.

***Committee Member Uden moved that Sam's request for a raise be supported by this committee for a \$2/hour raise, seconded by Committee Member Galbraith. On roll call vote the motion passed unanimously 4-0.*

B. Review and Recommendation: Employee Orientation Personnel Policy

The changes to the Employee Orientation Personnel Policy were reviewed. The New Hire Checklist was also reviewed that goes along with the policy. Chairperson Wilcox suggested that the effective date of the policy be June 1, 2018.

***Committee Member Uden moved to approve the Employee Orientation Personnel Policy and New Hire Checklist, seconded by Committee Member Erlenbusch. On roll call vote the motion passed unanimously 4-0.*

5. Next Meeting: Thursday June 7, 2018 @ 5:15 p.m.

4. Adjournment

***Committee Member Galbraith moved to adjourn, seconded by Committee Member Erlenbusch. The motion passed unanimously 4-0.*

The meeting was adjourned at 5:40 p.m.

Respectfully submitted,

Chairperson Kathy Wilcox

Recorder Linda Wilkins

PUBLIC SERVICE COMMITTEE MEETING
May 3, 2018

The Public Service Committee met Thursday, May 3, 2018 at 5:40 pm in the City Hall Conference Room, 17 S. 8th Street, Miles City, Montana.

Present were Committee Members: Dwayne Andrews, Ken Gardner, Kathy Wilcox and Chairperson John Uden. Also present were Public Works Director Scott Gray, City Clerk Lorrie Pearce and Minute Recorder Ally Capps.

Committee Chair Uden called the meeting to order at 5:40pm.

1. **Request of Citizens/Public Comment**
-None-
2. **Committee Member Comments**
-None-
3. **Unfinished Business**
-None-
4. **Review and Revise Wording for Bouncy House Type of Play Equipment Used on City Property.**

Committee Member Uden commented City Attorney Dan Rice has updated Section 17-114, on required liability insurance for vendors in Ordinance 1325. Public Works Director Gray stated the City's insurance company, Montana Municipal Interlocal Authority, will no longer cover bounce houses or similar play structures. Revising the wording and adding bounce house type of play equipment to the Ordinance will state, that vendors need to hold an annual policy with liability being set at \$750K per claim and \$1.5 million per occurrence.

*** Committee Member Andrews recommended approving the revised wording to Resolution No. 1325, seconded by Committee Member Wilcox. On a roll-call vote, the Motion passed 4-0.*

5. **Discuss and Recommend Mid-Rivers Contract.**

City Clerk Pearce explained the contract is a ten-year contract and is expiring in August. City Clerk Pearce and City Attorney Rice had discussed the approaching

renewal and if Mid-Rivers offered the best choice for the residences of Miles City.

Committee Member Andrews stated he liked supporting a local Montana company. Committee Member Uden added he felt Mid-Rivers has been very good to the community. Mid-Rivers pays a quarterly dividend to the City roughly totalling \$100K a year, which goes into general fund.

*** Committee Member Gardner recommended keeping Mid-Rivers and renewing the upcoming contract, seconded by Committee Chair Wilcox. On a roll-call vote, the Motion passed 4-0.*

6. Discuss and Recommend Bed Tax Fee Increase from \$1.00 to \$2.00.

City Clerk Pearce explained she had spoken to John Laney, from Miles City Area Chamber of Commerce. The Tourism Business Improvement District Board is making a request that the Bed Tax increase from the current \$1.00 fee to \$2.00. If the Bed Tax does pass, there will be an expense of sending out public hearing notices to the hotels and motels. Committee Member Andrews asked if the Chamber would be willing to share in the cost of sending out hearing notices.

*** Committee Member Andrews made a recommendation to increase the Bed Tax from \$1.00 to \$2.00, seconded by Committee Chair Gardner. On a roll-call vote, the Motion passed 4-0.*

7. Adjournment

*** Committee Member Wilcox moved to adjourn, seconded by Committee Member Uden, motion passed unanimously.*

John Uden, Committee Chair

Ally Capps, Recorder



*Wubowf / Stacy
Fountain bid*

Estimate

Date 3/27/2018
Estimate # 613

Name / Address

City of Miles City
P.O. Box 910
Miles City, MT 59301

HAYNES ENTERPRISES LLC
86 AGATE DRIVE
MILES CITY, MT 59301

WWW.CURBMT.COM
CURBMT@HOTMAIL.COM
406-234-5296

P.O. #

Terms

Due on receipt

Due Date

3/27/2018

Project

Item	Description	Qty	Rate	Total
Labor	1) Mobilization / Demobilization 2 days 3 men 48 hrs labor group 3	48	22.90	1,099.20
Insurance/Bond	2) WA Mitchell Bond to replace antique marble rim if damaged 30 per thousand	55.5	30.00	1,665.00
Insurance/Bond	2) WA Mitchell Insurance General liability 55.93 per 1000 payroll	12.3	55.93	687.94
Insurance/Bond	2) Work comp code 5213 10.89 per 100 payroll	123	10.89	1,339.47
Materials	3a) Safety Signs for site specific	1	250.00	250.00
Sub-Contractor	3b) Matt Ronning Fence \$9 per panel 6-10(8)foot sections / without markup 1.5 months	1.5	600.00	900.00
Sub-Contractor	3b) Matt Ronning Fence delivery & pickup / without markup	2	200.00	400.00
Sub-Contractor	3b) Matt Ronning Fence set up and tear down prevailing wage / no markup	2	400.00	800.00
Sub-Contractor	3c) Holmlund lock and key for 4 number lock brand is Stephanie	4	34.50	138.00
Sub-Contractor	3c) Star Structures 3 month min Rental at 150 month for Storage container for onsite of materials, delivery 150 set up fee no markup	4	150.00	600.00
Materials	3c) Wi fi surveillance camera system to monitor live feeds as well as recording of the entire job viewable from any computer or phone	1	1,500.00	1,500.00
Sub-Contractor	3c) Verizon network card for wi-fi system	1	175.00	175.00
Labor	4b) reassemble marble rim (16*39.42 / 8*39.40) Same for center rim	2	945.52	1,891.04
Materials	4b) grout material and color estimated	1	225.00	225.00
Labor	4b) transportation of marble to job site, and all insurance on that truck and trailer, flaggers etc. / cost to uload. Should be done once site it completely clear and a pre meeting has taken place. Coordinate with crane service	0	0.00	0.00
Total				



Estimate

Date 3/27/2018

Estimate # 613

Name / Address

City of Miles City
 P.O. Box 910
 Miles City, MT 59301

HAYNES ENTERPRISES LLC
 86 AGATE DRIVE
 MILES CITY, MT 59301

WWW.CURBMT.COM
 CURBMT@HOTMAIL.COM
 406-234-5296

P.O. #	Due on receipt	Due Date	3/27/2018	Project
Terms				

Item	Description	Qty	Rate	Total
Labor	4d) measure the rim, maybe have that done by sub contractor and let them assume responsibility, HE will verify all measurements before pour. 2 men 8 hrs	16	34.69	555.04
Labor	4e) Clean and polish marble per City technique, not sure it can be polished since it was acid washed in the 80s, but we recommend buffing the marble	48	32.20	1,545.60
Sub-Contractor	5b) Transport marble structure by installer and they assume responsibility	0	0.00	0.00
Sub-Contractor	6a/6b) (regan said there was not enough info on plumbing for a proper bid) Regan Plumbing if needed for plumbing the fountain 3/4" galvanized supply line to water fountain head, water supply off 1.5" PVC and 1.5" return line, Plumb basin to provide 4 outside emitters to sprays in marble rim, and provide adequate drainage 4" PVC return lines to the sewer man hole possibly have them set and coordinate all water fountain sparays in existing marble and let them assume the responsibility to check before we pour (center base exterior wall and interior floor		0.00	0.00
Sub-Contractor	6b) City to excavate hole	0	0.00	0.00
Labor	6b) Fountain Footer & vault 4'H 4'6"x4'6" (6x34.69 / 12x29.58)	2	563.12	1,126.24
Labor	6b)pour footings labor - labor to setup (24*22.90)& pour (8*29.58), pack gravel base concrete and rebar labor to strip(14*22.90), no pump truck, stand guard over night (8*22.90) //46x22.90+8x29.58	1	1,290.04	1,290.04
Materials	Concrete footer 5.5 yardsx125 and center footer-vault 5 yards @125	10.5	125.00	1,312.50
Labor	6b) set rebar in footer and wall as well as center footer and vault	1	1,328.00	1,328.00
Labor	6b) form exterior wall 40 hrs (8x22.90 / 8x39.40 / 8*38.61 / 16*37.65	1	1,409.68	1,409.68
Total				



Estimate

Date 3/27/2018
Estimate # 613

Name / Address

City of Miles City
P.O. Box 910
Miles City, MT 59301

HAYNES ENTERPRISES LLC
86 AGATE DRIVE
MILES CITY, MT 59301

WWW.CURBMT.COM
CURBMT@HOTMAIL.COM
406-234-5296

				Project	
P.O. #	Terms	Due on receipt	Due Date	3/27/2018	
Item	Description	Qty	Rate	Total	
Labor	6b) pour exterior wall 40 (24x29.58 / 16*30.82)	1	1,203.04	1,203.04	
Materials	6b) Coated rebar single mat, there is no spec or bend spec noted 11#5 @30-0 Footer / 15 #5 @ 30-0 Wall / 55 #5 @ 4-7 -Bent 0-10x3-9 Dowel / 55#5 @5-6 Vert With additional sticks for the center footer and vault 1350+400 for Delivery from Billings	1	1,750.00	1,750.00	
Materials	6b) Exterior wall 5.5' tall 10" thick 69.25 feet long 11.5 yards+1	12.5	125.00	1,562.50	
Materials	6b) Item 1 Macon Form rental 10 foot radius (call and verify that 10' will work and how so) 6 foot panels from Macon Supply no markup for 28 days (104 14" panels with an outside gain of 1.5" per panel 10" filler at the end no markup	1	1,100.00	1,100.00	
Materials	6d) Item 2 10" x-flat wall ties approximate 500 no markup	5	46.00	230.00	
Materials	6d) Item 3 J-1A Form release 2300 sq ft per 5 gal	1	70.00	70.00	
Travel time & fuel	6d) Item 4 freight of Forms from Macon no markup	2	1,000.00	2,000.00	
Labor	Labor to pack around exterior wall inside and out with jumping jack and native soil until base layer for concrete gravel (8*39.40 / 10*30.82	1	623.40	623.40	
Labor	6e) Regans to insure security of placement of plumbing prior to pour	0	0.00	0.00	
Labor	6f) GENERAL LABOR to pack and set grade for center circle 8r floor (8x38.61 / 6*39.40 / 12*30.82	1	915.12	915.12	
Labor	6f) Pour center floor (18*29.58)	18	29.58	532.44	
Materials	6f) Materials for center floor / did not ask for rebar in bid	4.5	125.00	562.50	
Total					



Estimate

Date 3/27/2018

Estimate # 613

Name / Address

City of Miles City
P.O. Box 910
Miles City, MT 59301

HAYNES ENTERPRISES LLC
86 AGATE DRIVE
MILES CITY, MT 59301

WWW.CURBMT.COM
CURBMT@HOTMAIL.COM
406-234-5296

				Project	
P.O. #	Terms	Due on receipt	Due Date	3/27/2018	
Item	Description	Qty	Rate	Total	
Labor	6f) Calibrate design and pour of concrete interior floor fountain basin with pump and water capacity specs of the precise angle and slop sufficient to facilitate appropriate recirculation and drainage of water within fountain structure 1) time to set grade) 2) Materials 3) labor hours to pour	0	0.00	0.00	
Labor	6f) stand guard of floor pour overnight (8*22.90)	8	22.90	183.20	
Materials	6g) QuiKrete Company waterproofing material provided by city?		0.00	0.00	
Labor	6g) apply waterproofing material N/A is city applying this?	0	0.00	0.00	
Labor	7a) Research and placement and attachment of Marble center fountain and marble rim to specs that i need to see. (20*39.42)	20	39.42	788.40	
Labor	8a) Excavation and trenching done or will be done by city	0	0.00	0.00	
Labor and materials	9) Fountain plumbing N/A		0.00	0.00	
Labor and materials	10a/b)		0.00	0.00	
Sub-Contractor	11) Tim at Glader looked at the documents and the site and said \$660 with not markup	1	660.00	660.00	
Labor and materials	12) Pour cement 8.5 foot wide ring around finished fountain	1,410	9.50	13,395.00	
Labor	12) Guard sidewalk concrete pour overnight	8	22.90	183.20	
Labor	13) Project close, cleanup and reseed any areas damaged	24	22.90	549.60	
Labor	Unemployment Ins	12,233	0.04	489.32	
Labor	Paycheck match 12%	12,233	0.12	1,467.96	
Sub-Contractor	Place Marble with Crane if needed, N/A		0.00	0.00	
Sub-Contractor	Doden Construction for the gravel base 20 cu yards	20	18.00	360.00	
Labor	Apply stucco on outside wall	1	895.00	895.00	
Sub-Contractor	City of Miles City for Water N/A		0.00	0.00	
Total					



Estimate

Date 3/27/2018

Estimate # 613

Name / Address

City of Miles City
 P.O. Box 910
 Miles City, MT 59301

HAYNES ENTERPRISES LLC
 86 AGATE DRIVE
 MILES CITY, MT 59301

 WWW.CURBMT.COM
 CURBMT@HOTMAIL.COM
 406-234-5296

P.O. #

Terms

Due on receipt

Due Date

3/27/2018

Project

Item	Description	Qty	Rate	Total
Sub-Contractor	Glader electric for temporary power panel and MDU for power use N/A		0.00	0.00
Building Permit	Building Permit N/A		0.00	0.00
Labor	Potential profit to run the project 40% of Labor cost plus use of skid steer and packers (2,000)	12,233	0.56349	6,893.20
Materials	Gross Receipts	0.01	55739.23	557.39
	*Everything is included with the exception of the plumbing as Regans was not able to get me a bid when needed.			
Total				\$57,209.02

**PUBLIC HEARINGS
&
UNFINISHED BUSINESS**

RESOLUTION NO: 4153

A RESOLUTION ESTABLISHING REVISED RATES FOR LABOR AND EQUIPMENT

WHEREAS, the City, from time to time, charges a fee for the contracted use of City equipment and personnel; and

WHEREAS, the City has determined that said fees should be adjusted to reflect the current costs of providing said services;

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

1. That the City of Miles City shall charge for contracted use of City equipment and personnel those rates set forth in Exhibit "A", which is hereby incorporated into this resolution as if fully set forth herein.

2. BE IT FURTHER RESOLVED that a public hearing shall be held on said fees on the 22nd day of May, 2018, at 6:00 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, pursuant to §7-1-4128 MCA, 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 24th day of April, 2018.

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 22nd day of May, 2018.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A

Labor & Equipment W/O Labor Rates

April 24, 2018

*Proposed
New Rates*

Labor: Regular Time \$40/ Hour

1 ½ Time \$60/ Hour

Double Time \$80/ hour

Public Works & Utilities Equipment:

Description	Per Hour	Description	Per Hour
Bagela	\$75.00	Sewer TV Van Equipment	\$100.00
Excavator	\$180.00	Wacker Steel Wheel RT	\$50.00
Backhoe	\$110.00	Durapatcher	\$75.00
Loader	\$130.00	Sullair Air Comp w/Tools	\$65.00
Vactor Hydro flusher	\$180.00	Wood Chipper	\$50.00
#29 Hydro flusher	\$100.00	Oil Distributor	\$65.00
10 & 12 Yd. Dump Trucks	\$95.00	Bucket Truck	\$90.00
5 Yd. Dump Truck & Belly Dump	\$70.00	Service Truck	\$90.00
Motor grader	\$135.00	3" Mud Pump	\$30.00
Pelican Sweeper	\$110.00	3" Wacker Mud Pump	\$30.00
Mini Excavator	\$100.00	4" Trash Pump Trl.Mount	\$50.00
Case 85 XT Skidster	\$95.00	6" Trash Pump Trl Mount	\$60.00
Sanders	\$75.00	T50T Triple Axle Trailer	\$75.00
Flusher Truck	\$85.00	Snow Crete Snow Blower	\$125.00
Sakai Roller	\$65.00	5 th Wheel trailer	\$35.00
JD Weed Mower	\$85.00	Grove Man Lift	\$65.00
Asphalt Miller	\$75.00	Steamer	\$80.00
Transport Truck & Trailer	\$150.00	Barricades (\$50 to replace)	\$5.00 Day

Parks Equipment:

Description	Per Hour
Toro Weed Mower 325 D	\$50.00
Toro Mower 322 D	\$65.00
Toro Mower 328 D	\$65.00
Toro Fairway Mower 4100	\$75.00
John Deere Zero Turn Mower	\$65.00
BobcatToolcat	\$90.00
Parks Sweepers	\$75.00
Polaris Ranger	\$50.00
Kawasaki Mule	\$50.00
4 Wheeler w/ Sprayer	\$65.00
Garbage Truck	\$70.00
Kubota Tractor	\$90.00
John Deere Tractor	\$75.00
Trencher	\$65.00
V Blade	\$50.00
Auger	\$50.00
Broom	\$50.00
Seeder	\$50.00
Aerator	\$50.00
Big Tex Trailer	\$35.00
Tree Spade	\$100.00

****Fees do not include fuel and materials****

ORDINANCE NO. 1325

AN ORDINANCE ~~ENACTING-REVISING~~ SECTION 17-114 OF THE CITY CODE OF THE CITY OF MILES CITY, MONTANA, ~~SO AS TO REQUIRE~~ REQUIRING LIABILITY INSURANCE IN SPECIFIED AMOUNTS PRIOR TO ISSUANCE OF A PARK USE PERMIT.

WHEREAS, the City Code of the City of Miles City authorizes the use of City park grounds and recreational facilities so long as an application is filed and park use permit is issue;

AND WHEREAS, the City of Miles City ~~has desires to~~ established criteria for the type and amount of liability insurance which shall be carried by the applicant, ~~and as a result of recent coverage changes to the City's insurance, desires to revise the same;~~

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

Section 1. A new Section 17-114 is hereby enacted, and shall read as follows:

Sec. 17-114. – Liability Insurance Required. Liability insurance shall be required for certain uses of City owned property. All policies of liability insurance required in this part shall name the City of Miles City, Montana, as an additional insured, on a primary / noncontributory basis.

1. Prior to the issuance of a park use permit, or any permit for the use of any City owned property, the following insurance requirements shall apply, for each requested use, and based on the hazard level designation set forth in this part:
 - a. For activities included under **Hazard Level I** which will include less than 50 people in attendance, no liability insurance shall be required.
 - b. For activities included under **Hazard Level I** which are anticipated to include 50 or more people, and for activities included under Hazard Level II, proof of liability insurance in the amount of Five

Hundred Thousand Dollars (\$500,000.00) per claim, One Million Dollars (\$1,000,000.00) per occurrence, shall be required.

- c. For activities included under **Hazard Level III**, proof of liability insurance in the amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00) per claim, One Million Five Hundred Thousand Dollars (\$1,500,000.00) per occurrence, shall be required.
2. Liquor liability coverage in the same amount as is required for each hazard designation, but not less than the amount required for Hazard Level I events attended by 50 or more people, shall be required for all events which include the sale or consumption of alcohol, with the exception of host provided alcohol, or privately provided alcohol, consumed at private events which are attended by 50 or fewer people, for which no admission or other fee is paid, and so long as an alcohol variance has been properly obtained from the City.
3. Property damage coverage in the amount of \$50,000.00 shall be required for all Hazard Level I events which are anticipated to include 50 or more people in attendance, and for all Hazard Level II events. Property damage coverage in the amount of \$100,000.00 shall be required for all Hazard Level III events.
4. In the event multiple organizations, entities, or vendors will be operating under one permit, each must be covered and show proof of all insurance required herein.
5. All permittees shall ensure that employees are covered by workers compensation, and may be required to provide proof of the same.
6. All vehicles which are used on city owned property must be covered by personal or business liability auto coverage.
7. The following hazard level designations shall be used for determination of required insurance coverages in this part. Any proposed use which is not covered by the following shall be assigned a hazard level designation by the City's Lease Administrator. The City of Miles City reserves the right to increase the hazard level of an activity based on information received by the City which tends to show that the activity is of a greater risk than that designated below. The City of Miles City may refuse to issue a park use permit, or any permit for the use of City owned property, for an activity for which the City may determine, through its Lease Administrator, poses too great a risk for public safety, regardless of the hazard level classification of the activity.
 - a. **Hazard Level I:** Antique shows, art festivals/shows, auctions, auto shows, awards presentations, ballets, banquets, bazaars, beauty pageants, bingo games, boat shows, body building contests, business meetings / shows, chamber of commerce events, charity benefits (including auctions/sales), cinemas, civic club meetings, classical music concerts, indoor concerts under 1,500 people,

symphony concerts, consumer shows, indoor conventions, craft shows, dance shows (including rehearsals), debutante balls, dinner theaters, drill team exhibitions / competitions, educational exhibitions, electronics conventions, indoor exhibitions / exhibits, indoor expositions, fashion shows, indoor fishing events, flower shows, garden shows, graduation ceremonies, gymnastics competitions, harvest festivals, home/housing shows, ice skating shows, instructional classes (non-mechanical), civic club events, lectures, luncheons, indoor meetings, mobile home shows, motion picture theaters, musicals (not including rock music), operas/operettas, organized sightseeing tours, pageants, parties/celebrations (no liquor), picnics, plays, proms, pumpkin patches / corn mazes, recitals (music, dance, piano), religious assemblies, RV shows, scouting jamborees, seminars, speaking engagements, teleconferences, telethons, theatrical stage performances, trade shows (indoor), vacation shows, weddings and receptions wedding photography.

- b. **Hazard Level II:** Aerobics / Jazzercise classes, animal training, block parties / street enclosures, Christmas tree lots / farms, outdoor concerts under 1,500 (except as otherwise addressed herein), corporate events, dances, debuts, dog shows, evangelistic meetings (revivals), outdoor exhibitions, outdoor exposition, outdoor fishing events, food concessions, graduation night (university only, no high school), haunted houses, horse shows, hotel shows, jam & jazz sessions, job fairs, marathons, outdoor meetings, parades, parties / celebrations (with liquor, other than those addressed under Hazard I), political rallies, reunions, rummage sales, school band exhibitions / competitions, séances, sidewalk sales, state & county fairs, street fairs, trade shows (outdoors), voter registration.
- c. **Hazard Level III:** Bounce castles or houses or similar structures or activities. Animal shows, bicycle rallies, carnivals (no rides), casino & lounge shows, comedy shows, rock concerts under 5,000, alternative music concerts under 1,500, country western events (no equine), film productions, head of state events, kiddielands (no rides), live entertainment (except as otherwise addressed herein), livestock shows, martial arts events, night club shows, petting zoos, promoters, recreational events, skating parties, ski events / demos, sporting events (indoor, outdoor, baseball, basketball, softball, soccer, tennis, etc.), swimming events, theatrical road shows, union meetings, zoos.

Section 2. This ordinance shall be in full force and effect thirty (30) days after its final passage and approval.

Said Ordinance read and put on its passage this 8th day of May, 2018.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 22nd day of May, 2018.

Formatted: Superscript

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

New Business

Increase to Base
Floodplain Administrator - Sam Malenovsky
Fiscal Year 2018/2019

Department		Total Increase to Budget
Utilities	Water 23	\$ 661.00
	Sewer 31	\$ 661.00
Works	Building	\$ 541.00
	Streets 204	\$ 1,215.00
	Streets 205	\$ 307.00
Flood Admin		\$ 2,153.00
GRAND TOTAL		<u>\$ 5,538.00</u>

Projected Personnel Cost		Pension: 8.4700%		SS/MED		7.6500%		Single: \$739.70			
Year:	Fiscal Year 18-19										
Water Dept:	Water Dist- 023										
To Date:	30-Jun-19										
		Unemp. Ins:	0.1500%								
Name	Position	Wk. Comp. Code	Hire Date	Long Years	Longevity New	Base Rate	Certification Pay	Total Pay	Total Monthly Pay	Percent	Gross Monthly Salary
Brockway, Tyler	HEO	9410	12-May-14	5	\$0.26	\$20.37	\$0.35	\$20.72	\$3,605.28	50%	\$1,803.00
Hoff, Eric	Laborer	9410	27-Oct-15	4	\$0.18	\$17.01		\$17.01	\$2,959.74	50%	\$1,480.00
Hutchling, Robert	Cust. Service/HEO	9410	25-Apr-11	8	\$0.41	\$20.37		\$20.37	\$3,544.38	50%	\$1,772.00
Johnson, Bucky	Utilities Foreman	9410	7-Jul-08	11	\$0.55	\$23.53		\$23.53	\$4,094.22	50%	\$2,047.00
Larson, Dianna	Eng. Secretary	8810	3-May-93	26	\$1.31	\$19.74		\$19.74	\$3,434.76	18%	\$618.00
Malenovsky, Sam	Floodplain	9410	4-May-09	10	\$78.21	\$3,591.57		\$3,591.57	\$3,591.57	10%	\$359.00
Rosencranz, Ryan	Laborer	9410	20-Nov-17	2	\$0.08	\$17.01		\$17.01	\$2,959.74	50%	\$1,480.00
Speelmon, Tom	Public Utilities Dir.	9410	14-Aug-08	11	\$81.62	\$5,570.93		\$5,570.93	\$5,570.93	30%	\$1,671.00
Vacant	Laborer	9410		0	\$0.00	\$17.01		\$17.01	\$2,959.74	50%	\$1,480.00

# of Employees	9										
									Monthly		\$12,710.00
									Yearly		\$152,520.00
									Minus Vacation		\$7,600.00
									Minus Sick		\$5,000.00
									Total Yearly for #111		\$139,920.00
									Overtime (#121)		\$10,200.00
									Holiday Pay (#134)		\$2,100.00
									Other Leave Pay (comp) (#133)		\$3,172.00
									TOTAL ANNUAL SALARY BUDGET		\$167,992.00

Other Leave Pay (comp) (#133)	9410 Malenovsky	120	20.72	50%	\$1,243.24
	Speelmon	120	32.14	50%	\$1,928.40

Mod Factor	Pension	Worker's Comp.	Unemploy. Ins.	SS/MED	Health Code	Health Ins.	Cost Per Month	Cost Per Year	
8743	0.43%								
8810	1.27%								
9410	5.78%								
9420	7.72%								
	0.99								
									Emp. Share: 1= single, 0= no coverage
\$152.71	\$103.35	\$2.70	\$137.93	1	\$369.85	\$2,569.54	\$30,834.48		Brockway, Tyler
\$125.36	\$84.84	\$2.22	\$113.22	1	\$369.85	\$2,175.49	\$26,105.88		Hoff, Eric
\$150.09	\$101.57	\$2.66	\$135.56	1	\$369.85	\$2,531.73	\$30,380.76		Hutchling, Robert
\$173.38	\$117.34	\$3.07	\$156.60	1	\$369.85	\$2,667.24	\$34,406.88		Johnson, Bucky
\$52.34	\$7.77	\$0.93	\$47.28	1	\$133.15	\$859.47	\$10,313.59		Larson, Dianna
\$30.41	\$20.58	\$0.54	\$27.46	1	\$73.97	\$511.96	\$6,143.52		Malenovsky, Sam
\$125.36	\$84.84	\$2.22	\$113.22	1	\$369.85	\$2,175.49	\$26,105.88		Rosencranz, Ryan
\$141.53	\$95.78	\$2.51	\$127.83	1	\$221.91	\$2,260.56	\$27,128.72		Speelmon, Tom
\$125.36	\$84.84	\$2.22	\$113.22	1	\$369.85	\$2,175.49	\$26,105.88		Vacant
\$1,076.54	\$700.91	\$19.07	\$972.32			\$2,648.13	\$18,126.97		Total Monthly Expense:
\$12,918.48	\$8,410.92	\$228.84	\$11,667.84			\$31,777.51	\$217,523.59		Total Annual Expense:
\$863.94	\$0.00	\$15.30	\$780.30			\$0.00	\$11,859.54		Overtime (#121)
\$177.87	\$0.00	\$3.15	\$160.65			\$0.00	\$2,441.67		Holiday Pay (#134)
\$268.67	\$207.53	\$4.76	\$242.66			\$0.00	\$3,895.62		Other Leave Pay (comp) (#133)
\$14,229.00	\$8,618.00	\$252.00	\$12,851.00			\$31,778.00	\$217,524.00	\$235,720.00	TOTAL ANNUAL SAL BUDGET
							\$0.00		

5210-023-430550	
WATER DISTRICT - 023	
#111 Salaries & Wages:	\$139,920.00
#121 Overtime:	\$10,200.00
#131 Vacation:	\$7,600.00
#132 Sick Leave:	\$5,000.00
#133 Other Leave Pay:	\$3,172.00
#134 Holiday Pay:	\$2,100.00
#141 Unemployment Ins:	\$252.00
#142 Workers' Comp:	\$8,618.00
#143 Health Insurance:	\$31,778.00
#144 FICA:	\$12,851.00
#145 PERS:	\$14,229.00
TOTAL:	\$235,720.00

4/8/2018
 4/15/18 \$2/hr Increase S Malenovsky Wage
 Increase to Budget = \$661.00

Projected Personnel Cost Pension: 0.4700% SS/MED 7.6500% Single: \$739.70
 Year: Fiscal Year 18-19
 Water Dept. Sewer Dist- 031 Unemp. Ins. 0.1500%
 To Date: 30-Jun-19

Name	Position	WK. Comp. Code	Hire Date	Long Years	Longevity	Base Rate	Certification Pay	Total Pay	Total Monthly Pay	Percent	Gross Monthly Salary
Brockway, Tyler	HEO	9410	12-May-14	5		\$0.26	\$20.37	\$20.98	\$3,649.97	50%	\$1,825.00
Hoff, Eric	Laborer	9410	27-Oct-15	4		\$0.18	\$17.01	\$17.19	\$2,991.73	50%	\$1,496.00
Hutchling, Robert	Cust. Service/HEO	9410	25-Apr-11	8		\$0.41	\$20.37	\$20.78	\$3,615.60	50%	\$1,808.00
Johnson, Bucky	Utilities Foreman	9410	7-Jul-08	11		\$0.55	\$23.53	\$24.08	\$4,189.80	50%	\$2,095.00
Larson, Dianna	Eng. Secretary	8810	3-May-83	26		\$1.31	\$19.84	\$21.15	\$3,679.89	17%	\$828.00
Malenovsky, Sam	Floodplain	9410	4-May-09	10		\$76.00	\$3,591.57	\$3,667.57	\$3,667.57	10%	\$367.00
Rosencranz, Ryan	Laborer	9410	20-Nov-17	2		\$0.08	\$17.01	\$17.09	\$2,973.73	50%	\$1,487.00
Speelmon, Tom	Public Utilities Dir.	9410	14-Aug-08	11		\$82.00	\$5,570.83	\$5,652.83	\$5,652.83	25%	\$1,413.00
Vacant	Laborer	9410		0		\$0.00	\$17.01	\$17.01	\$2,959.74	50%	\$1,480.00

of Employees 9
 Monthly \$12,597.00
 Yearly \$151,164.00
 Minus Vacation \$7,300.00
 Minus Sick \$4,800.00
 Total Yearly for #111 \$139,064.00
 Overtime (#121) \$10,200.00
 Holiday Pay (#134) \$2,100.00
 Other Leave Pay (comp) (#133) \$3,226.00
 TOTAL ANNUAL SALARY BUDGE \$166,690.00

Mod Factor	Rate	Emp. Share:
8743	0.43%	1= single
8810	1.27%	0= no coverage
9410	5.79%	
9420	7.72%	
	0.99	

Pension	Worker's Comp.	Unemploy. Ins.	SS/MED	Health Code	Health Ins.	Cost Per Month	Cost Per Year	
\$154.58	\$104.61	\$2.74	\$139.61	1	\$369.85	\$2,596.39	\$31,156.68	Brockway, Tyler
\$126.71	\$85.75	\$2.24	\$114.44	1	\$369.85	\$2,194.99	\$26,339.88	Hoff, Eric
\$153.14	\$103.64	\$2.71	\$138.31	1	\$369.85	\$2,575.85	\$30,907.80	Hutchling, Robert
\$177.45	\$120.09	\$3.14	\$160.27	1	\$369.85	\$2,925.80	\$35,109.60	Johnson, Bucky
\$53.02	\$7.87	\$0.94	\$47.89	1	\$125.75	\$861.47	\$10,337.63	Larson, Dianna
\$31.08	\$21.04	\$0.55	\$28.08	1	\$73.97	\$521.72	\$6,260.64	Malenovsky, Sam
\$125.95	\$85.24	\$2.23	\$113.76	2	\$0.00	\$1,814.18	\$21,770.16	Rosencranz, Ryan
\$119.68	\$80.89	\$2.12	\$108.09	1	\$184.93	\$1,908.81	\$22,905.66	Speelmon, Tom
\$125.36	\$84.84	\$2.22	\$113.22	1	\$369.85	\$2,175.49	\$26,105.88	Vacant
\$1,086.97	\$694.07	\$18.89	\$963.67		\$2,233.89	\$17,574.49		Total Monthly Expense:
\$12,803.64	\$8,328.84	\$226.68	\$11,564.04		\$26,806.73	\$210,893.93	\$210,893.93	Total Annual Expense:
\$863.94	\$0.00	\$15.30	\$780.30		\$0.00	\$11,859.54	\$11,859.54	Overtime (#121)
\$177.87	\$0.00	\$3.15	\$160.65		\$0.00	\$2,441.67	\$2,441.67	Holiday Pay (#134)
\$273.24	\$211.07	\$4.84	\$246.79		\$0.00	\$3,961.94	\$3,961.94	Other Leave Pay (comp) (#133)
\$14,119.00	\$8,540.00	\$250.00	\$12,752.00		\$26,807.00	\$210,894.00	\$229,157.00	TOTAL ANNUAL SAL BUDGET
\$229,158.00							\$0.00	

5310-031-430630 SEWER DISTRICT - 031	
#111 Salaries & Wages:	\$139,064.00
#121 Overtime:	\$10,200.00
#131 Vacation:	\$7,300.00
#132 Sick Leave:	\$4,800.00
#133 Other Leave Pay:	\$3,226.00
#134 Holiday Pay:	\$2,100.00
#141 Unemployment Ins:	\$250.00
#142 Workers' Comp:	\$8,540.00
#143 Health Insurance:	\$26,807.00
#144 FICA:	\$12,752.00
#145 PERS:	\$14,119.00
TOTAL:	\$229,158.00

4/9/2018
 4/15/18 - Corrected Dept In Coll 3
 4/15/18 - Updated Annual Comp. Total for Dept 3 regular rates. Placeholder for 4/15/18 \$2/hr Increase S. Malenovsky Wage. Increase to Budget = \$661.00

Projected Personnel Cost	Pension:	6.4700%	SS/MED	7.6500%	Single:	\$739.70				
Year:	Fiscal Year 18-19									
To Date:	Building	Unemp. Ins:	0.1500%							
	30-Jun-19									
Name:	Position	Wk. Comp. Code	Hire Date	Longevity Years	Longevity Increase	Base Rate	Total Pay	Monthly Pay	Percent	Monthly Pay
Larson, Dianna	Admn Asst/Bldg Permb	8810	3-May-93	26	\$1.31	\$19.74	\$21.05	\$3,862.49	20%	\$732.00
Malenovsky, Sam	Flood Plain Admin	9410	4-May-09	10	\$78.00	\$3,591.57	\$3,667.57	\$3,667.57	10%	\$367.00
# of Employee		2								

Monthly	\$1,099.00
Yearly	\$13,188.00
Minus Vacation	\$1,000.00
Minus Sick	\$800.00
Total Yearly for #111	\$11,588.00
Overtime (#121)	\$240.00
Holiday Pay (#134)	\$0.00
Other Leave Pay (comp) (#133)	\$254.00
TOTAL ANNUAL SALARY BUDGET	\$13,682.00

Other Leave Pay (comp) (#133) 9410 Malenovsky 120 \$21.16 10% \$253.91

8810	1.27%	Emp. Share:	1= single					
9410	5.79%		0= no coverage					
9420	7.72%							
Mod Factor:	0.99							
Pension	Worker's Comp.	Unemploy. Ins.	SS/MED	Health Code	Health Ins.	Cost Per Month	Cost Per Year	
\$62.00	\$9.20	\$1.10	\$56.00	1	\$147.94	\$1,008.24	\$12,098.88	Larson, Dianna
\$31.08	\$21.04	\$0.55	\$28.08	1	\$73.97	\$521.72	\$6,260.64	Malenovsky, Sam
\$93.08	\$30.24	\$1.65	\$84.08		\$221.91	\$1,529.98		Total Monthly Expense:
\$1,116.96	\$362.88	\$19.80	\$1,008.96		\$2,682.92		\$18,359.52	Total Annual Expense:
\$20.33	\$0.00	\$0.36	\$18.36		\$0.00		\$279.05	Overtime (#121)
\$0.00	\$0.00	\$0.00	\$0.00		\$0.00		\$0.00	Holiday Pay (#134)
\$21.51	\$0.00	\$0.38	\$19.43		\$0.00		\$295.32	Other Leave Pay (comp) (#133)
\$1,159.00	\$363.00	\$21.00	\$1,047.00		\$2,563.00		\$18,934.00	TOTAL ANNUAL SAL BUDGET

2394-018-420531	
BUILDING	
#111 Salaries & Wages:	\$11,588.00
#121 Overtime:	\$240.00
#131 Vacation:	\$1,000.00
#132 Sick Leave:	\$600.00
#133 Other Leave Pay:	\$254.00
#134 Holiday Pay:	\$0.00
#141 Unemployment Ins:	\$21.00
#142 Workers' Comp:	\$363.00
#143 Health Insurance:	\$2,663.00
#144 FICA:	\$1,047.00
#145 PERS:	\$1,159.00
ANNUAL BUDGET TOTAL:	\$18,935.00
4/9/2018	
4/15/18 \$2/hr increase S Malenovsky Wage	
Increase to Budget = \$541.00	

Projected Personnel Cost		Pension: 6.4700%		SS/MED		7.6500%		Single		\$739.70				
Year:	Fiscal Year 18-19	Unemp. Ins: 0.1500%												
To Date:	30-Jun-19													
Name	Position	Wk. Comp. Code	Hire Date	Longevity Years	Old Longevity Years	Longevity Old	Longevity New	Base Rate	Tool Pay	Certification Pay	Total Pay	Total Monthly Pay	Percent	Total Monthly Pay
Garza, Jim	Mechanic - HEO	9410	16-Oct-06	13	0	\$0.00	\$0.64	\$20.69	\$0.35	\$0.00	\$21.68	\$3,771.56	59%	\$2,225.00
Gray, Scott	Public Works Director	9410	20-Jan-95	24	0	\$0.00	\$183.43	\$5,487.73	\$0.00	\$0.00	\$5,671.16	\$5,671.16	58%	\$3,289.00
Hilderbrand, Max	HEO	9410	27-Dec-08	11	0	\$0.00	\$0.53	\$20.37	\$0.00	\$0.00	\$20.90	\$3,635.84	79%	\$2,872.00
Larson, Dianna	Clerk/Receptionist	8810	3-May-93	26	0	\$0.00	\$1.31	\$19.74	\$0.00	\$0.00	\$21.05	\$3,662.49	80%	\$2,930.00
Malenovsky, Sam	Flood Plain Admin	9410	4-May-09	9	0	\$0.00	\$68.71	\$3,591.57	\$0.00	\$0.00	\$3,660.28	\$3,660.28	24%	\$878.00
Mosely, Mark	HEO	9410	25-Oct-15	4	0	\$0.00	\$0.18	\$20.37	\$0.00	\$0.00	\$20.55	\$3,576.39	79%	\$2,825.00
Nile, Wayne	HEO	9410	15-Nov-76	43	16	\$1.96	\$1.33	\$20.37	\$0.00	\$0.35	\$24.01	\$4,178.17	79%	\$3,301.00
Rel, Albert	HEO	9410	3-Mar-14	5	0	\$0.00	\$0.27	\$20.37	\$0.00	\$0.00	\$20.64	\$3,590.74	79%	\$2,837.00
Ronning, Bill	Public Works Foreman	9410	20-Jan-95	24	0	\$0.00	\$1.22	\$23.53	\$0.35	\$0.00	\$25.10	\$4,367.90	79%	\$3,451.00
St Louis, James	Laborer	9410	19-Mar-18	1	0	\$0.00	\$0.06	\$17.01	\$0.00	\$0.00	\$17.07	\$2,970.90	79%	\$2,347.00

# of Employee	10													
Monthly	\$26,955.00													
Yearly	\$323,460.00													
Minus Vacation	\$19,600.00													
Minus Sick	\$13,000.00													
Total Yearly for #111	\$290,860.00													
Overtime (#121)	\$9,100.00													
Holiday Pay (#134)	\$3,000.00													
Other Leave Pay (comp) (#133)	\$4,727.00													
TOTAL ANNUAL SALARY BUDGET	\$340,287.00													

Mod Factor	Workers' Comp.	Unemploy. Ins.	SS/MED	Health Code	Health Ins.	Cost Per Month	Cost Per Year	
8743	0.43%							Emp. Share: 1= single, 0= no coverage
8810	1.27%							
9410	5.79%							
9420	7.72%							
	0.99							
\$188.46	\$127.54	\$3.34	\$170.21	1	\$436.42	\$3,150.97	\$37,811.68	Garza, Jim
\$278.58	\$188.53	\$4.93	\$251.61	1	\$429.03	\$4,441.68	\$53,300.11	Gray, Scott
\$243.26	\$164.63	\$4.31	\$219.71	1	\$584.36	\$4,088.27	\$49,059.28	Hilderbrand, Max
\$248.17	\$36.84	\$4.40	\$224.15	1	\$591.76	\$4,035.32	\$48,423.84	Larson, Dianna
\$74.37	\$50.33	\$1.32	\$67.17	1	\$177.53	\$1,248.72	\$14,984.62	Malenovsky, Sam
\$239.28	\$161.93	\$4.24	\$216.11	1	\$584.36	\$4,030.02	\$48,371.08	Mosely, Mark
\$279.59	\$189.22	\$4.95	\$252.53	1	\$584.36	\$4,611.65	\$55,339.84	Nile, Wayne
\$240.29	\$162.62	\$4.26	\$217.03	1	\$584.36	\$4,045.56	\$48,546.76	Rel, Albert
\$292.30	\$197.81	\$5.18	\$264.00	1	\$584.36	\$4,794.65	\$57,535.84	Ronning, Bill
\$198.79	\$134.53	\$3.52	\$179.55	1	\$584.36	\$3,447.75	\$41,373.04	St Louis, James
\$2,283.09	\$1,413.98	\$40.45	\$2,062.07		\$5,140.92	\$37,895.51		Total Monthly Expense:
\$27,397.08	\$16,967.76	\$485.40	\$24,744.84		\$61,690.98	\$454,746.06		Total Annual Expense:
\$770.77	\$0.00	\$13.65	\$696.15		\$0.00	\$10,580.57		Overtime (#121)
\$254.10	\$0.00	\$4.50	\$229.50		\$0.00	\$4,078.36		Holiday Pay (#134)
\$400.38	\$309.27	\$7.09	\$361.62		\$0.00	\$5,215.10		Other Leave Pay (comp) (#133)
\$28,822.00	\$17,277.00	\$511.00	\$26,032.00		\$61,691.00	\$474,620.00		TOTAL ANNUAL SALARY BUDGET

2510-107-430220	
STREETS 204	
#111 Salaries & Wages:	\$290,860.00
#121 Overtime:	\$9,100.00
#131 Vacation:	\$19,600.00
#132 Sick Leave:	\$13,000.00
#133 Other Leave Pay:	\$4,727.00
#134 Holiday Pay:	\$3,000.00
#141 Unemployment ins:	\$511.00
#142 Workers' Comp:	\$17,277.00
#143 Health Insurance:	\$61,691.00
#144 FICA:	\$26,032.00
#145 PERS:	\$28,822.00
ANNUAL BUDGET TOTAL:	\$474,620.00

4/9/2018
 4/15/18 \$2/hr Increase S Malenovsky Wage
 Increase to Budget = \$1215.00

Projected Personnel Cost		Pension: 8.4700%		SS/MED		7.6500%		Single: \$739.70						
Year:	Fiscal Year 18-19	Unemp. Ins: 0.1500%												
To Date:	30-Jun-19													
Name	Position	Wk Comp. Code	Hire Date	Longevity Years	Old Longevity Years	Longevity -Old	Longevity New	Base Rate	Toot Pay	Certification Pay	Total Pay	Total Monthly Pay	Percent	Total Monthly Pay
Garza, Jim	Mechanic - HEO	9410	16-Oct-06	13	0	\$0.00	\$0.64	\$20.69	\$ 0.35	\$0.00	\$21.68	\$3,771.56	20%	\$754.00
Gray, Scott	Public Works Director	9410	20-Jan-95	24	0	\$0.00	\$183.43	\$5,487.73	\$ -	\$0.00	\$5,671.16	\$5,671.16	22%	\$1,248.00
Hilderbrand, Max	HEO	9410	27-Dec-08	11	0	\$0.00	\$0.53	\$20.37	\$0.00	\$0.00	\$20.90	\$3,635.84	20%	\$727.00
Larson, Dianna	Clerk/Receptionist	8810	3-May-93	26	0	\$0.00	\$1.31	\$19.74	\$0.00	\$0.00	\$21.05	\$3,662.49	17%	\$623.00
Malenovsky, Sam	Flood Plain Admin	9410	4-May-09	9	0	\$0.00	\$68.71	\$3,591.57	\$ -	\$0.00	\$3,660.28	\$3,660.28	6%	\$220.00
Moseley, Mark	HEO	9410	26-Oct-15	4	0	\$0.00	\$0.18	\$20.37	\$ -	\$0.00	\$20.55	\$3,576.39	20%	\$715.00
Nile, Wayne	HEO	9410	15-Nov-76	43	16	\$1.86	\$1.33	\$20.37	\$ -	\$0.35	\$24.01	\$4,178.17	20%	\$836.00
Rel, Albert	HEO	9410	3-Mar-14	5	0	\$0.00	\$0.27	\$20.37	\$ -	\$0.00	\$20.64	\$3,590.74	20%	\$718.00
Ronning, Bill	Public Works Foreman	9410	20-Jan-95	24	0	\$0.00	\$1.22	\$23.53	\$ 0.35	\$0.00	\$25.10	\$4,367.90	19%	\$830.00
St Louis, James	Laborer	9410	19-Mar-18	1	0	\$0.00	\$0.06	\$17.01	\$ -	\$0.00	\$17.07	\$2,870.90	20%	\$594.00
# of Employee		10												

Monthly	\$7,265.00
Yearly	\$87,180.00
Minus Vacation	\$6,000.00
Minus Sick	\$3,800.00
Total Yearly for #111	\$77,380.00
Overtime (#121)	\$2,500.00
Holiday Pay (#134)	\$800.00
Other Leave Pay (comp) (#133)	\$1,176.00
TOTAL ANNUAL SALARY BUDGET	\$91,656.00

Other Leave Pay (comp) (#133)	9410 Gray	120	\$32.72	20%	\$785.24
Other Leave Pay (comp) (#133)	9410 Malenovsky	120	\$17.14	19%	\$390.79

Mod Factor	Pension	Worker's Comp.	Unemploy. Ins.	SS/MED	Health Code	Health Ins.	Cost Per Month	Cost Per Year	
8743	\$63.86	\$43.22	\$1.13	\$57.68	1	\$147.94	\$1,067.83	\$12,813.96	Garza, Jim
8810	\$105.71	\$71.54	\$1.87	\$95.47	1	\$162.73	\$1,685.32	\$20,223.89	Gray, Scott
9410	\$61.58	\$41.67	\$1.09	\$55.62	1	\$147.94	\$1,034.90	\$12,418.80	Hilderbrand, Max
9420	\$52.77	\$7.83	\$0.93	\$47.66	1	\$125.75	\$857.94	\$10,295.27	Larson, Dianna
	\$18.63	\$12.61	\$0.33	\$47.66	1	\$44.38	\$343.61	\$4,123.34	Malenovsky, Sam
	\$60.56	\$40.98	\$1.07	\$16.83	1	\$147.94	\$882.38	\$11,788.56	Moseley, Mark
	\$70.81	\$47.92	\$1.25	\$54.70	1	\$147.94	\$1,158.62	\$13,903.44	Nile, Wayne
	\$60.81	\$41.16	\$1.08	\$63.95	1	\$147.94	\$1,032.94	\$12,395.28	Rel, Albert
	\$70.30	\$47.58	\$1.25	\$54.83	1	\$140.54	\$1,144.60	\$13,735.24	Ronning, Bill
	\$50.31	\$34.05	\$0.89	\$63.50	1	\$147.94	\$880.69	\$10,688.28	St Louis, James
	\$615.34	\$388.56	\$10.89	\$558.00		\$1,361.05	\$10,198.84		Total Monthly Expense:
	\$7,384.08	\$4,662.72	\$130.68	\$6,696.00		\$16,332.56		\$122,366.08	Total Annual Expense:
									Vacation (#131)
									Sick Leave (#132)
									Total for #111
	\$211.75	\$0.00	\$3.75	\$191.25		\$0.00		\$2,906.75	Overtime (#121)
	\$67.76	\$0.00	\$1.20	\$61.20		\$0.00		\$930.16	Holiday Pay (#134)

2520-108-430220	
STREETS 205	
#111 Salaries & Wages:	\$77,380.00
#121 Overtime:	\$2,500.00
#131 Vacation:	\$6,000.00
#132 Sick Leave:	\$3,800.00
#133 Other Leave Pay:	\$1,176.00
#134 Holiday Pay:	\$800.00
#141 Unemployment Ins:	\$137.00
#142 Workers' Comp:	\$4,740.00
#143 Health Insurance:	\$16,333.00
#144 FICA:	\$7,038.00
#145 PERS:	\$7,763.00
ANNUAL BUDGET TOTAL:	\$127,667.00
4/9/2018	

\$99.61	\$76.94	\$1.76	\$89.96	\$0.00	\$1,444.27	Other Leave Pay (comp) (#133)
\$7,763.00	\$4,740.00	\$137.00	\$7,038.00	\$16,333.00	\$127,667.00	TOTAL ANNUAL SAL BUDGET

4/15/18 \$2/hr Increase S Malenovsky Wage
 Increase to Budget = \$307

Projected Personnel Cost Pension 8.4700% SS/MED 7.6500% Single \$739.70
 Year: Fiscal Year 18-19
 Dept: Flood Prevention/General Fund Unemp. Ins: 0.1500%
 To Date: 30-Jun-19

Name	Position	Wk Comp Code	Hire Date	Longevity Years	Longevity	Base Wage	Total Monthly Pay	Percent	Gross Monthly Salary
Malenovsky, Sam	Flood Plain Administrator	9410	4-May-09	10	\$76.21	\$3,591.57	\$3,667.78	40%	\$1,467.00
# OF EMPLOYEES 1									

Total Monthly Expense:	Monthly	\$1,467.00
Total Annual Expense:	Yearly	\$17,604.00
Vacation (#131)	Minus Vacation	\$1,000.00
Sick Leave (#132)	Minus Sick	\$500.00
Total for #111	Total Yearly for #111	\$16,104.00 #111
Overtime (#121)	Overtime (#121)	\$0.00 #121
Holiday Pay (#134)	Holiday OT Pay (#134)	\$0.00 #134
Other Leave Pay (comp) (#133)	Other Leave Pay (comp,mil) (#133)	\$1,016.00 #133
	TOT ANNUAL SALARY BUDGET	\$18,620.00

8743	0.43%	
8810	1.27%	Emp. Share:
9410	5.79%	1= single
9420	7.72%	0= no coverage
Mod Factor:	0.99	

Pension	Worker's Comp.	Unemploy Ins.	SS/MED	Health Code	Health Ins.	Cost Per Month	Cost Per Year	
\$124.25	\$84.09	\$2.20	\$112.23	1	\$295.88	\$2,085.65	\$25,027.80	Malenovsky, Sam
\$124.25	\$84.09	\$2.20	\$112.23		\$295.88	\$2,085.65	\$25,027.80	Total Monthly Expense:
\$1,491.00	\$1,009.08	\$26.40	\$1,346.76		\$3,550.56	\$25,027.80	\$25,027.80	Total Annual Expense:
\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	Overtime (#121)
\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	Holiday OT Pay (#134)
\$86.06	\$58.24	\$1.52	\$77.72		\$0.00	\$1,239.54	\$1,239.54	Other Leave Pay (comp,mil) (#133)
\$1,577.00	\$1,067.00	\$28.00	\$1,424.00		\$3,551.00	\$26,267.00	\$26,267.00	TOTAL ANNUAL SALARY BUDGET
						\$0.00	\$0.00	

\$26,267.00

1000-201-431200 FLOOD PREVENTION	
#111 Salaries & Wages:	\$16,104.00
#121 Overtime:	\$0.00
#131 Vacation:	\$1,000.00
#132 Sick Leave:	\$500.00
#133 Other Leave Pay:	\$1,016.00
#134 Holiday OT Pay:	\$0.00
#141 Unemployment Ins.:	\$28.00
#142 Workers' Comp:	\$1,067.00
#143 Health Insurance:	\$3,551.00
#144 FICA:	\$1,424.00
#145 PERS:	\$1,577.00
TOTAL:	\$26,267.00

4/10/2018

2018/04/10 10:56 AM: John Smith: 01/01/2018: Budget provided by: Personnel Center
 4/15/18 \$2/hr Increase S. Malenovsky Wage
 Increase to Budget = \$2153

RESOLUTION NO. 4158

A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO ENTER INTO AN AGREEMENT WITH THE CUSTER COUNTY WATER AND SEWER DISTRICT FOR FLUSHING HYDRANTS IN CALENDAR YEAR 2018.

WHEREAS, The City of Miles City, acting through its Fire Department, has proposed to the Custer County Water and Sewer District to provide hydrant flushing services to the district for 2018 for the sum of Five Thousand dollars and no/100 (\$5,000.00), as reflected in the proposal attached hereto as Exhibit "A;"

AND WHEREAS, the Custer County Water and Sewer District is agreeable to the City providing such services according to the terms contained in said proposal;

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

The 2018 Proposal for Hydrant Flushing Services attached hereto as Exhibit "A," and made a part hereof, is hereby approved, and Chief of the Miles City Fire Department is hereby empowered and authorized to carry out the terms of this Agreement on behalf of the City of Miles City.

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 22nd DAY OF MAY, 2018.

CITY OF MILES CITY, MONTANA

By: _____
John Hollowell, Mayor

Attest: _____
Lorrie Pearce, City Clerk

CUSTER COUNTY WATER AND
SEWER DISTRICT No. 2

By: _____
President

Attest: _____
Secretary



EXHIBIT A
Miles City Fire Rescue
CITY OF MILES CITY

www.milescityfirerescue.com



2800 Main Street
Miles City, MT 59301

Telephone (406) 234-2235
Fax (406) 874-8666

May 9, 2018

2018 Proposal for hydrant flushing services

The City of Miles City Fire Rescue proposes to flush the Water and Sewer District fire hydrants for a fee of \$5,000 with a maximum of 65 hydrants. District will pay all invoices within 30 days of billing by the City. District will pay for all water utilized in the procedure. Services would be provided pursuant to standard hydrant flushing procedures used by MCFR. The district will have risk of breakage or damage to valves or pipes resulting from the flushing process. The City will provide all equipment needed to flush the hydrants.

The service is not guaranteed to be completed based on emergency call volume, any hydrants that are not flushed will be refunded to the Water and Sewer District. Flushing will begin as soon as final approval from the Miles City Council, and if needed can continue into September 30th 2018. As such this offer is contingent upon final approval of the agreement by the Miles City Council.

Sincerely,

Fire Chief
Branden Stevens

RESOLUTION NO. 4159

A RESOLUTION REVISING CITY OF MILES CITY PERSONNEL POLICIES REGARDING EMPLOYMENT ORIENTATION POLICY

WHEREAS, the City of Miles City has established certain personnel policies for employees of the City of Miles City, which are set forth in the City of Miles City Personnel Manual;

AND WHEREAS, the City Council finds that certain revisions to such policies should be adopted;

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

1. That the following revised policy: Section 3, Employee Orientation Policy attached as Exhibit "A" and New Hire Checklist Exhibit "B"
2. Such changes to the policy shall become effective June 1, 2018 upon the passage of this resolution.


SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 22ND DAY OF MAY 2018.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

“EXHIBIT A”

 CITY OF MILES CITY PERSONNEL POLICY	Section 3:	Employment Information
	Effective:	10/14/2014
	Last Revised:	
Employee Orientation		
Resolution #		

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

PURPOSE

The City of Miles City believes that employee orientation is critical for new employees. The orientation process familiarizes new employees with the City of Miles City policies, procedures, regulations, people and the department layout.

POLICY

It is the policy of the City of Miles City that all new employees will meet for general orientation with the Human Resources Officer on his or her first day of work.

New employees will be required to sign an acknowledgement form that he/she received a copy of the Personnel Policy Manual and Safety Manual and will be responsible for reviewing all the materials therein. New employees will be given the option of receiving these manuals in paper or electronic formats.

All employees new to the City of Miles City will be required to present documentation regarding identity and employment eligibility within three (3) days of hire.

PROCEDURE

A. Employee Orientation:

On the first day of employment, the Human Resources Officer shall conduct an orientation session with the new employee to complete necessary employment documents, review key City policies and compensation terms, organizational structure, position description, explain City benefits, and provide any other human resource and payroll related information needed to orient and integrate the

employee into the City of Miles City service. The topics covered shall be documented on the "Orientation Checklist" form.

During the first week of employment, the employee's Department Director and/or supervisor shall review with the employee the Department organizational structure job content, performance and safety standards, working conditions, and any other matters of operational importance needed to orient and integrate the employee into City of Miles City service. Any documents used to incorporate the employee into his or her department should be signed by the employee and the Department Director and/or supervisor and shall be provided to the Human Resources Office to be placed in the employees personnel file.

The Human Resources Officer, Department Director and Supervisors should ensure that new employees are given adequate time to gain a clear understanding of the information they have been provided and have the opportunity to ask questions.

CLOSING

Prior to the new employee's first payday, the Human Resources Officer will provide him/her with the following information:

- Personnel Policy and/or Union Contract Review
 - Harassment
 - Job Classifications
 - Overtime
 - Position Description
 - Workers' Compensation
- Employment date
- Longevity date
- Eligibility date for use of sick leave
- Eligibility date for use of vacation leave
- Probationary Wage
- Any applicable stipends/incentives
- Standard Deduction List
 - ✓ Federal Income Tax (FIT)
 - ✓ State Income Tax (SIT)
 - ✓ Retirement (if applicable)
 - ✓ Medicare (if applicable)
 - ✓ Social Security (if applicable)
 - ✓ Union dues (if applicable)
 - ✓ Association/Fund dues (if applicable)
- Voluntary Employee Deductions
 - ✓ Medical Insurance
 - ✓ Deferred Compensation
 - ✓ Other.



“EXHIBIT B”
CITY OF MILES CITY

17 N 8th Street, PO Box 910
Miles City, MT 59301

New Hire Checklist

Resolution # _____

Applicant Name: _____

Date: _____

Pre-hire forms

- Employment Application (completed and signed)
- Reference form signed by applicant
- References verified and signed by authorized employee
- Certifications verified (CDL, etc.)
- Motor Vehicle Record check completed (Drivers only)
- Job title and description explained to and signed by applicant
- Subsequent Injury Fund form provided to applicant
- Background check release form signed by employee

At-time of hire forms

- Pre-Placement Physical Disclaimer signed
- Employee contract or letter of hire signed by employee and employer
- Form I-9 completed, proof of citizenship status with original documentation
- Tax forms
 - W-4 Employee's Withholding Allowance Certificate (Federal & State)
- State New Hire Form
- Direct Deposit Form with voided check attached, if direct deposit is desired
- Employee Data Sheet (emergency contact information)
- Proof of auto insurance, required for employees driving on the job (current proof must be on file)

Required policy communications/trainings

- Mission statement (Cannot find a mission statement for the City)
- Personnel Policy Manual with receipt acknowledgement
- Union Contract – Local 283A, Local 283B, Local 600
- Safety Orientation
- Policy highlights from Personnel Policy & Procedure Manual to be especially noted
 - Harassment, outside activities, confidentiality, drug-alcohol, standards of conduct, political activities and smoke-free workplace
 - Working hours, pay periods, timesheets, current holiday schedule, expense forms, performance evaluation, grievance policy
 - Exempt or non-exempt status; compensatory time and/or overtime eligibility
- Staff list with position titles, personnel directory information

Benefits

- Eligibility: regular, temporary, or seasonal; full-time, part-time
 - Eligible for all benefits
 - Eligible for prorated benefits
 - Not eligible for benefits
- Benefit enrollment/declination form (Employees working 30 hours on a permanent basis)
- Paid time off
 - Annual leave
 - Sick leave
 - FMLA

- Other leave
- Leave Form

- Employer subsidized health insurance coverage
 - Health insurance coverage benefit summary statement
 - Eligibility Date of Employment – Employee only
 - Cost: "pretax"/employer contribution – Spouse, Children, or Family
 - Insurance benefit package: health, dental, and vision
- Health insurance coverage application form
- Employee Assistance Program

- PERS, FURS or MPORS retirement plan:
 - Retirement plan summary statement
 - Eligibility date
 - Employee "pretax"/employer contribution
 - Retirement benefit brochures defining custodian and custodial account investment options
 - Retirement plan application form (beneficiary names and social security numbers)
- Flexible benefits summary plan description
- Supplemental insurance information
 - Group life insurance information
 - Disability insurance (short and long term)
 - Cancer insurance
 - 483(b) Retirement - Nationwide

On behalf of the City of Miles City, I have discussed these items with, provided materials to, and received all required documents from the new employee.

 Authorized employer signature Date

I certify that I have received the documents, forms, and information listed above

 New employee signature Date

RESOLUTION NO. 4161

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2017-2018 TO INCREASE THE BUDGETED AMOUNT IN FUND # 4000-101000.

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2017-2018 to increase the budgeted amount in Fund No. 4000-101000 (Capital Improvements Program Fund Cash Reserves), and to transfer the amount of \$75,000 from Fund No. 1000-101000 (General Fund Cash Reserves) to said Capital Improvements Fund;

AND WHEREAS, such amendment of the final budget will result in an overall increase in appropriation authority within such Capital Improvements Fund,

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:

That the appropriations for the Final Budget for Fiscal Year 2017-2018 for Fund No. 4000-101000 (Capital Improvements Program Fund Cash Reserves), shall be increased in the amount of \$75,000; and that a budget transfer to said Capital Improvements fund from Fund No. 1000-101000 (General Fund Cash Reserves) in the amount of \$75,000 is hereby authorized.

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2017-2018 on the 12th day of June, 2018, at 6:00 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 22ND DAY OF MAY, 2018.

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 12TH DAY OF JUNE, 2018.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4162

A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO ENTER INTO A MONTANA DEPARTMENT OF COMMERCE COAL BOARD CONTRACT TO ASSIST WITH FUNDING ARCHITECTURAL AND ENGINEERING DESIGN.

WHEREAS, the Montana Department of Commerce Coal Board has awarded a grant to the City of Miles City in an amount not to exceed \$43,900.00 to assist in funding certain architectural and engineering design services;

AND WHEREAS, the Board has presented the City with a Contract setting forth the obligations of the parties with respect to such grant;

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

1. The “Montana Department of Commerce Coal Board Contract #MT-CB-PL-19-0831,” 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 Contract on behalf of the City of Miles City and bind the City of Miles City thereto; and
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 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 DULY CALLED MEETING THIS 22ND DAY OF MAY, 2018.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A

**MONTANA DEPARTMENT OF COMMERCE
COAL BOARD
CONTRACT #MT-CB-PL-19-0831**

This agreement ("Contract") is entered into by the City of Miles City, Montana ("Grantee") and the Montana Coal Board ("Board").

The Grantee and the Board hereby agree to the following terms:

Section 1. PURPOSE

The purpose of this Contract is to provide funding for project activities approved by the Montana Coal Board ("Board" or "Program") for which the Grantee has applied for grant funds pursuant to Sections 90-6-201 et seq., Montana Code Annotated ("MCA").

Section 2. AUTHORITY

- (a) This Contract is issued under authority of Title 90, Chapter 6, Part 2 of the MCA, and Title 8, Chapter 101, of the Administrative Rules of Montana ("ARM"). The Board is attached to the Montana Department of Commerce ("Department") for administrative purposes under Section 2-15-1821, MCA. The Department provides staff for the Board and the Department and its staff are specifically authorized to direct and supervise the budgeting, recordkeeping, reporting, and related administrative and clerical functions of the Board with respect to this Contract per Section 2-15-121 MCA.
- (b) The Grantee warrants that it is eligible for Coal Board grants as required by Title 90, Chapter 6, Part 2, MCA, and has the statutory authority to make expenditures to provide the particular government service or facility funded under this Contract.
- (c) The Grantee acknowledges that the authorization of any Program funds by this Contract is subject to the availability of funds in the Coal Natural Resource Account provided for in 90-6-1001, MCA.

Section 3. APPLICATION INCORPORATED BY REFERENCE

The Grantee's application for Program assistance, including any written modifications or reports resulting from the review of the application by the Board and/or the Department (collectively "Project"), is specifically incorporated into this Contract by this reference and the representations made therein are binding upon the Grantee.

Section 4. ACCEPTANCE OF PROGRAM REQUIREMENTS

- (a) The Grantee will comply with all applicable local, state, and federal laws as well as all applicable regulations, ordinances, and resolutions now in effect or as may be amended during the term of this Contract. Grantee will comply with all administrative directives

and procedures that may be established or amended by the Board or the Department for the Program, including all the provisions, guidelines, and requirements set forth on the Board's website at: <http://comdev.mt.gov/Boards/Coal>.

- (b) The Grantee agrees that all contracts and subcontracts entered into for the completion of the activities described in Section 6 will require such contractors, subcontractors, and subrecipient entities to also comply with all requirements placed on the Grantee in paragraph (a) of this Section.
- (c) The Grantee agrees that the Project shall adhere to all applicable design standards, including the most current *Uniform Application for Montana Public Facility Projects* (preliminary engineering grants) or the *CDBG Application Guidelines for Housing Projects* (preliminary architectural reports), available at <http://comdev.mt.gov/Home>.
- (d) The Grantee agrees to repay to the Department any funds advanced under this Contract that the Grantee, its contractors, subcontractors, or subrecipient entities, or any public or private agent or agency to which it delegates authority to carry out portions of this Contract, expends in violation of the terms of this Contract, the statutes, and regulations governing the Program or any applicable local, state, or federal requirements.

Section 5. EFFECTIVE DATE AND TIME OF PERFORMANCE

- (a) This Contract shall take effect upon execution by the parties and will terminate on June 30, 2019 or upon approval of Grantee's Project completion report by the Department, whichever is later, unless otherwise terminated in accordance with this Contract.
- (b) All authorized expenses to be reimbursed must be incurred by the Grantee between June 22, 2017 and June 30, 2019. All requests for reimbursement must be submitted to the Department within ninety (90) days after June 30, 2019.
- (c) The activities to be performed by the Grantee will be completed according to the implementation schedule set forth in Exhibit A. The Grantee may modify the implementation schedule set forth in Exhibit A only with prior written approval of the Department.
- (d) The Board or the Department may grant an extension to this Contract upon request by the Grantee if the Department determines, in its sole discretion, that the Grantee has demonstrated progress toward completion of the Project, has engaged in a good faith effort to comply with the duties, terms, and conditions of this Contract, and that the failure to comply with any of those services, duties, terms, or conditions resulted from circumstances beyond the Grantee's control. A written request for an extension must be submitted at least sixty (60) days prior to June 30, 2019.

Section 6. SCOPE OF WORK

The Grantee will complete the Project and administer this Contract as set forth in the Grantee's application for Program assistance, including any amendments, resulting from the review of the application by the Board or the Department. The Grantee will use Program funds for the following major components of the Project:

- Airport Engineering and Design work

Section 7. BUDGET

- (a) The total amount to be awarded to the Grantee under this Contract shall not exceed \$43,900.
- (b) A copy of the Project budget is attached as Exhibit B and specifically incorporated herein by this reference. Any changes to the budget as proposed and incorporated within this Contract require a written request to and approval by the Department.
- (d) Any authorized funds not expended under this grant by the later date referenced in Section 5(b) or otherwise accounted for in accordance with the provisions of this Section will revert to the Board and may be used to finance other Program projects.

Section 8. ACCESS TO AND RETENTION OF RECORDS

- (a) The Grantee agrees to create and maintain records supporting the services covered by this Contract, including but not limited to, financial records, supporting documents, and such other records as are required by law or other authority, for a period of five (5) years after either the termination date of the Contract or the conclusion of any claim, litigation, or exception relating to the Contract taken by the State of Montana or third party, whichever is later. These records will be kept in the Grantee's offices in Miles City, Montana.
- (b) The Grantee shall provide the Board, the Department, Montana Legislative Auditor, or their authorized agents access to any records necessary to determine contract compliance.

Section 9. LIAISONS

All project management on behalf of the Board and the Department shall be through a single point of contact designated as the Department's liaison. Grantee shall designate a liaison that will provide the single point of contact for management and coordination of Grantee's work. All work performed pursuant to this Contract shall be coordinated between the Department's liaison and the Grantee's liaison. The liaisons for this Contract are:

For the Department:
Anne Pichette (or successor)
Program Specialist, MDOC
301 S. Park Ave.
P.O. Box 200523
Helena, MT 59620-0523
406-841-2598
anpichette@mt.gov

For the Grantee:
John Hollowell (or successor)
City of Miles City
PO Box 910
Miles City, MT 59301
406-874-8603
mayor@milescity-mt.org

Section 10. METHOD OF REIMBURSEMENT

- (a) The Board or the Department will not release any Program funds to the Grantee until the Grantee has obtained firm commitments for all other financial resources to be involved in the Project, as defined in Section 6 and Exhibit B. The Grantee may not expend or obligate any Program funds, other than for administrative purposes, until the Board or the Department determines that this condition has been satisfied.
- (b) Payment to the Grantee for approved Project activities under this Contract will generally be in accordance with the disbursement schedule listed below:
 - (i) Payment #1 – 50% of the grant award amount will be available after the Department receives a draft of the Project deliverables in accordance with the preliminary conference call. This draft will also serve to document that the Grantee is adequately proceeding toward the preparation of a complete and acceptable final product.
 - (ii) Payment #2 – The remaining 50% of the grant award amount will be available after the Department receives a final copy of all required deliverables to be completed under the Contract, a Project completion report, and the Grantee's final request for funds.
- (c) The Board and the Department will not reimburse the Grantee for any costs incurred prior to the date identified in Section 5(b), any expenses not included in Exhibit B or an approved adjustment thereto, any ineligible expenses as set forth in the Program application or guidelines, or any expenses not adequately supported by the Grantee's records.
- (d) As set forth in Section 17, if the Grantee fails to or is unable to comply with any of the terms and conditions of this Contract any costs incurred will be the Grantee's sole responsibility and the Grantee agrees to repay the Board any funds advanced under the Contract.
- (e) The Department is allowed fifteen (15) working days to process a request for reimbursement once adequate supporting documentation has been received by the Department. The Grantee shall provide banking information before or at the time of Contract execution in order to facilitate electronic funds transfer payments.

- (f) If the Grantee changes one of its sources of funding or the cost of the Project increases after the Grantee has obtained the firm commitment of non-Program funds, the Board or the Department may suspend the distribution of Program funds until the Grantee obtains a firm commitment of funds for the full Project budget.
- (g) The Board or the Department may reduce the Grantee's scope of work or the amount of Program funds provided by this Contract if actual Project expenses are lower than projected by the Grantee in Exhibit B or the Grantee obtains a greater amount of grant funds from other sources than as presented in the Project application.
- (h) If the Board or the Department determines that the Grantee has failed to satisfactorily carry out its responsibilities under this Contract or has breached the terms of this Contract, the Board or the Department may withhold reimbursement to the Grantee until such time as the Department and the Grantee agree on a plan to remedy the deficiency.
- (i) Requests for reimbursement for contracted or subcontracted services must include appropriate documentation demonstrating compliance with contract requirements.
- (j) The Grantee may not use monies provided through this Contract as payment for Project costs that are reimbursed from other sources.

Section II. REPORTING REQUIREMENTS

- (a) Project Progress Reports: During the term of this Contract the Grantee will submit Project progress reports to the Department (as prescribed by the Department) in conjunction with each request for reimbursement. These reports will describe the status of the activities set forth in Section 6, including, at a minimum, the percentage completed, costs incurred, funds remaining, and projected completion date. Additionally, the report must provide documentation supporting each claim for expenses to be reimbursed, describe any significant problems encountered in carrying out the Project, and the scope of any necessary modifications the Grantee is requesting in the Project scope of work, budget, or implementation schedule. The Department, at its sole discretion, may decline to honor any request for reimbursement if the required project progress report has not been submitted to or approved by the Department.
- (b) Project Completion Report: Upon completion of the Project, the Grantee will submit a final Project completion report (as prescribed by the Department) for Department approval. The Project completion report will describe the total costs incurred for the Project, identify the final completion date, and summarize any significant problems encountered in carrying out the Project. Upon approval of the Project completion report, the Department will issue a notice of Project close-out.

Section 12. PROJECT MONITORING

The Board, the Department, or any of its authorized agents may monitor and inspect all phases and aspects of the Grantee's performance to determine compliance with Section 6 of this Contract, the proper use of funds, and other technical and administrative requirements of this Contract, including the adequacy of the Grantee's records and accounts. The Department may advise the Grantee of any specific areas of concern and provide the Grantee opportunity to propose corrective actions acceptable to the Department or the Board.

Section 13. NOTICE

All notices required under the provisions of this Contract must be in writing and delivered to the parties' liaisons identified herein either by first class mail or personal service.

Section 14. REFERENCE TO CONTRACT

The Contract number must appear on all invoices, reports, and correspondence pertaining to the Contract.

Section 15. ASSIGNMENT, TRANSFER AND SUBCONTRACTING

- (a) The Grantee may subcontract any portion of this Contract to accomplish the completion of the Project. However, Grantee accepts responsibility for the adherence to the terms of this Contract by such contractors, subcontractors, or subrecipient entities and by any public or private agents or agencies to which it delegates authority to carry out any portion(s) of this Contract. The Grantee may not otherwise assign or transfer any portion of this Contract without the express written consent of the Board or the Department.
- (b) The Grantee's assignment, transfer, or subcontract of this Contract or any portion thereof neither makes the Board or the Department a party to that agreement nor creates any right, claim, or interest in favor of any party to that agreement against the Board or the Department. No contractual relationships exist between any subcontractor, assignee, or transferee and the Board or the Department.
- (c) The Grantee must immediately notify the Board and the Department of any litigation concerning any assignment, transfer, or subcontract of this Contract or any portion thereof.

Section 16. CONTRACT AMENDMENT

This Contract may not be enlarged, modified, or altered without a written agreement signed by all parties to the Contract.

Section 17. TERMINATION OF CONTRACT

This Contract may only be terminated in whole or in part as follows:

- (a) Termination Due to Loss or Reduction of Funding: The Board may terminate or reduce the scope and budget of this Contract if any funding sources are eliminated or reduced for any reason. If a termination or modification is required, the Board may, if sufficient Program funds are available, compensate the Grantee for eligible services rendered and actual, necessary, and eligible expenses incurred as of the revised termination date. The Department will notify the Grantee of the effective date of the termination or modification of this Contract and, if a reduction in funding is required, provide the Grantee with a modified Project budget amount.
- (b) Termination for Cause with Notice to Cure Requirement: The Board may terminate this Contract for failure of the Grantee, its contractors, subcontractors, or subrecipient entities to perform or comply with any of the services, duties, terms, or conditions contained in this Contract after giving the Grantee written notice of the stated failure. The written notice will demand performance of the stated failure within a specified period of time not less than thirty (30) days. If the demanded performance is not completed within the specified period, the termination is effective at the end of the specified period.
- (c) Effect of Termination: In the event of termination due to the Grantee's, its contractors', subcontractors', or subrecipient entities' failure to perform or comply with any of the services, duties, terms, or conditions of this Contract, any costs incurred will be the responsibility of the Grantee. However, the Board or the Department may approve requests by the Grantee for reimbursement of eligible expenses incurred. The Department's or the Board's decision to authorize payment of any costs incurred or to recover expended Program funds will be based on a consideration of the extent to which the expenditure of those funds represented a good faith effort of the Grantee to comply with any of those services, duties, terms, or conditions of this Contract, and on whether the failure to comply with any of those services, duties, terms, or conditions resulted from circumstances beyond the Grantee's control.

Section 18. COMPLIANCE WITH APPLICABLE LAWS

- (a) The Grantee, in performance of work under the Contract, must fully comply with all applicable federal, state, or local laws, rules and regulations, including but not limited to, the Montana Human Rights Act, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973, the Patient Protection and Affordable Care Act ("ACA"), and Executive Order No. 12-2015, *Amending and Providing For Implementation of the Montana Sage Grouse Conservation Strategy*. Any subletting or subcontracting by the Grantee subjects subcontractors to the same requirements.
- (b) In accordance with Section 49-3-207, MCA and Executive Order No. 04-2016, the Grantee agrees that the hiring of persons to perform the Contract will be made on the basis of merit and qualifications and there will be no discrimination based upon race,

color, sex, pregnancy, childbirth or medical conditions related to childbirth, political or religious affiliation or ideas, culture, creed, social origin or condition, genetic information, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, military service or veteran status, or marital status.

- (c) The ACA requires a Grantee, if Grantee is an applicable large employer under the ACA, to provide healthcare coverage for its employees, who provide services for the State and work for thirty (30) or more hours per week. This coverage must also cover the eligible employee's dependents under the age of 26. The coverage must meet the minimum essential coverage, minimum value, and affordability requirements of the employer responsibility provisions of the ACA under Section 4980H, and otherwise satisfy the requirements of the ACA Section 4980 H if provided by the State.

Section 19. ACCOUNTING, COST PRINCIPLES, AND AUDITING

- (a) The Grantee, in accordance with Sections 2-7-503 and 18-4-311, MCA and other authorities, must maintain for the purposes of this Contract an accounting system of procedures and practices that conforms to Generally Accepted Accounting Principles ("GAAP").
- (b) The Board, the Department, any other legally authorized governmental entity, or their authorized agents may, at any time during or after the term of this Contract, conduct in accordance with Sections 2-7-503, 5-13-304, and 18-1-118, MCA and other authorities, audits for the purposes of ensuring the appropriate administration, expenditure of monies, and delivery of services provided through this Contract.

Section 20. AVOIDANCE OF CONFLICT OF INTEREST

- (a) The Grantee will comply with Sections 2-2-121, 2-2-201, 7-3-4256, 7-3-4367, 7-5-2106, and 7-5-4109, MCA, and any other applicable local, state, or federal law regarding the avoidance of conflict of interest.
- (b) The Grantee agrees that none of its officers, employees, or agents will solicit or accept gratuities, favors, or anything of monetary value from contractors, subcontractors, or potential contractors and subcontractors, who provide or propose to provide services relating to the project funded under this Contract.
- (c) The Grantee shall promptly refer to the Department any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor, or other person has submitted any false claim or has committed any criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving funds provided under this Contract.

Section 21. COMPLIANCE WITH WORKERS' COMPENSATION ACT

Grantees are required to comply with the provisions of the Montana Workers' Compensation Act while performing work for the State of Montana in accordance with Sections 39-71-401, 39-71-405, and 39-71-417, MCA. Proof of compliance must be in the form of workers' compensation insurance, an independent contractor's exemption, or documentation of corporate officer status. Neither the Grantee nor its employees are employees of the State. This insurance/exemption must be valid for the entire term of the Contract. Proof of compliance and renewal documents must be sent to the Department within thirty (30) days of Contract execution.

Section 22. OWNERSHIP

- (a) Ownership and Publication of Materials. All reports, information, data, and other materials prepared by the Grantee or any of its contractors or subcontractors in furtherance of this Contract are the property of the Grantee, the Board, and the Department. The Grantee, the Board, and the Department have the royalty-free, nonexclusive, and irrevocable right to reproduce, publish, authorize others to use, and to otherwise use, in whole or part, such property and any information relating thereto. No material produced in whole or part under this Contract may be copyrighted or patented in the United States or in any other country without the prior written approval of the Board, the Department, and the Grantee.
- (b) Property Management and Equipment. Title to real property or capital equipment acquired under a grant or subgrant will vest upon acquisition in the Grantee or subgrantee, respectively. The Grantee may not transfer title to any real property or capital equipment acquired in whole or in part with the funds provided under this Contract without first receiving the Board's written approval of the transfer. The Grantee is liable to the Board for the value of any real property or capital equipment disposed of in violation of this provision.

Section 23. INSURANCE

- (a) General Requirements: Grantee must maintain and assure that its representatives, assigns, and subcontractors maintain for the duration of the Contract, at their own cost and expense, liability insurance against claims for injuries to persons or damages to property, including contractual liability, that may arise from or in connection with the performance of the duties and obligations in the Contract by Grantee, its agents, employees, representatives, assigns, or subcontractors. This insurance must cover such claims as may be caused by any negligent act or omission. The State, its officers, officials, employees, and volunteers must be covered as additional insureds for all claims arising out of the use of grant proceeds provided by the State of Montana.
- (b) General Liability Insurance: At its sole cost and expense, Grantee must purchase occurrence coverage with minimum combined single limits of \$1 million per occurrence and \$2 million aggregate per year, or as established by statutory tort limits of \$750,000

per claim and \$1,500,000 per occurrence as provided by a self-insurance pool insuring counties, cities, or towns, as authorized under Section 2-9-211, MCA.

- (c) Professional Liability Insurance: Grantee shall assure that any representatives, assigns, and subcontractors performing professional services under this Contract purchase occurrence coverage with combined single limits for each wrongful act of \$1,000,000 per occurrence and \$2,000,000 aggregate per year. *Note: if "occurrence" coverage is unavailable or cost prohibitive, the contractor may provide "claims made" coverage provided the following conditions are met: (1) the commencement date of the Contract must not fall outside the effective date of insurance coverage and it will be the retroactive date for insurance coverage in future years; and (2) the claims made policy must have a three (3) year tail for claims that are filed after the cancellation or expiration date of the policy.*
- (d) General Provisions: All insurance coverage must be with a carrier licensed to do business in the State of Montana and with a Best's rating of at least A-, or by a public entity self-insured program either individually or on a pool basis as provided by Title 2, MCA. All certificates and endorsements must be received by the Department prior to beginning any activity provided for under the Contract. Grantee must notify the Department immediately of any material change in insurance coverage, such as changes in limits, coverage, change in status of policy, etc. The Department reserves the right to request complete copies of Grantee's insurance policy, including endorsements, at any time.

Section 24. HOLD HARMLESS AND INDEMNIFICATION

The Grantee agrees to protect, defend, and save the State, its elected and appointed officials, agents, and employees, while acting within the scope of their duties as such, harmless from and against all claims, demands, causes of action of any kind or character, including the cost of defense thereof, arising in favor of the Grantee's employees or third parties on account of bodily or personal injuries, death, or damage to property arising out of services performed, omissions of services, or in any way resulting from the acts or omissions of the Grantee and/or its agents, employees, representatives, assigns, or subcontractors under this Contract.

Section 25. DEFAULT

Failure on the part of either party to perform the provisions of the Contract constitutes default. Default may result in the pursuit of remedies for breach of contract as set forth herein or as otherwise legally available, including but not limited to damages and specific performance.

Section 26. DEBARMENT

The Grantee certifies and agrees to ensure during the term of this Contract that neither it nor its principals, contractors, subcontractors, or subrecipient entities are debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this Contract by any governmental department or agency.

Section 27. FORCE MAJEURE

Neither party will be responsible for failure to fulfill its obligations due to causes beyond its reasonable control, including without limitation, acts or omissions of government or military authority, acts of God, materials shortages, transportation delays, fires, floods, labor disturbances, riots, wars, terrorist acts, or any other causes, directly or indirectly beyond the reasonable control of the non-performing party, so long as such party is using its best efforts to remedy such failure or delays.

Section 28. SEPARABILITY

A declaration by any court, or any other binding legal forum, that any provision of the Contract is illegal and void shall not affect the legality and enforceability of any other provision of the Contract, unless the provisions are mutually dependent.

Section 29. ARBITRATION

Unless otherwise agreed to in writing or provided for by law, arbitration is not available to the parties as a method of resolving disputes that would arise under the Contract.

Section 30. NO WAIVER OF BREACH

No failure by the Board to enforce any provisions hereof after any event of breach will be deemed a waiver of its rights regarding that event, or any subsequent event. No express failure of any event of breach will be deemed a waiver of any provision hereof. No such failure or waiver will be deemed a waiver of the right of the Board to enforce each and all the provisions hereof upon any further or other breach on the part of the Grantee.

Section 31. JURISDICTION AND VENUE

This Contract is governed by the laws of Montana. The parties agree that any litigation concerning this Contract must be brought in the First Judicial District in Lewis and Clark County, State of Montana and each party must pay its own costs and attorney fees.

Section 32. INTEGRATION

The Contract contains the entire agreement between the parties. No statements, promises, or inducements of any kind made by either party or the agents of either party, not contained herein or in a properly executed amendment hereto are valid or binding.

IN WITNESS OF THE TERMS SET OUT ABOVE, the parties hereto have caused this Contract to be executed.

CITY OF MILES CITY:

John Hollowell, Mayor

Date

ATTEST:

Lorrie Pearce, City Clerk

APPROVED AS TO FORM:

Dan Rice

Dan Rice, Attorney

MONTANA COAL BOARD:

John Williams, Chair

Date

EXHIBIT A
Implementation Schedule

TASK	QUARTERS 2018				QUARTERS 2019			
	1 ST	2 ND	3 RD	4 TH	1 ST	2 ND	3 RD	4 TH
<u>PROJECT START-UP</u>								
A. Sign contract with Coal Board		x						
B. Secure approval of other funding		x						
C. Submit progress reports and reimbursement requests (Progress reports quarterly if no requests submitted)		x	x	x	x	x		
<u>PROJECT CONSTRUCTION</u>								
A. Engineering Design		x	x	x	x	x		
B. Conduct pre-construction conference								
C. Construction and purchase and installation of equipment								
D. Monitor Progress								
E. Final Inspection								
<u>PROJECT CLOSE-OUT</u>								
A. Submit project completion report					x			
B. Project closeout						x		

EXHIBIT B
Budget

ADMINISTRATIVE/ FINANCIAL COSTS	SOURCE: Coal Board	SOURCE: County	SOURCE: FAA	TOTAL:
Other (Bid advertisement, Legal review, Independent fee estimate)	\$ 0	\$ 350.00	\$ 3,150.00	\$ 3,500.00
TOTAL ADMINISTRATIVE/ FINANCIAL COSTS	\$ 0	\$ 350.00	\$ 3,150.00	\$ 3,500.00
ACTIVITY COSTS:				
Snow Removal Equipment Cost	\$ 0	\$ 8,500	\$ 76,500.00	\$ 85,000.00
Architectural/Engineering Design	\$ 43,900.00	\$ 0	\$339,840.00	\$ 383,740.00
TOTAL ACTIVITY COSTS	\$ 43,900.00	\$ 8,500	\$416,340.00	\$ 468,740.00
TOTAL PROJECT COSTS	\$ 43,900.00	\$ 8,850	\$419,490.00	\$ 472,240.00

CDD CONTRACT INFORMATION SHEET

Division staff are required to complete the items in blue print.

Date of Gov. Award Letter:	<u>6/22/2017</u>	Date Met StartUp Conditions:	<u>6/22/2017</u>
Contract Number:	<u>MT-CB-PL-19-0831</u>	Division:	<u>CDD</u>
Contractor's Name:	<u>City of Miles City</u>		
Approved to Form Name:	<u>Dan Rice</u>		
Approved to Form Email:	<u>drice@milescity-mt.org</u>		
Contractor (Signee) Name:	<u>John Hollowell</u>		
Contractor's Email:	<u>mayor@milescity-mt.org</u>		
Contractor's Address:	<u>PO Box 910</u>		
	<u>Miles City, MT 59301</u>	Vendor Number:	<u>23484</u>
Contractor's Address 2:			
Attest Name:	<u>Lorrie Pearce</u>		
Attest Email:	<u>cityclerk@milescity-mt.org</u>		
Coal Board Chair Name:	<u>John Williams</u>		
Coal Board Chair Email:	<u>wolfmtn.jw@gmail.com</u>		
Duns Number:		Begin Date:	<u>6/22/2017</u>
(Federal Funds Required)			
Amount:	<u>\$43,900</u>	End Date:	<u>6/30/2019</u>
Organization Number:	<u>601831</u>		
RFP Number (if applicable):			
Program Number:	<u>60</u>		

Liaison:	<u>Anne Pichette</u>	Program Manager:	
Liaison Email:	<u>anpichette@mt.gov</u>	Bureau Chief:	<u>a.c.rothenbuecher@mt.gov</u>
Liaison Phone:	<u>406-841-2598</u>	Additional Email:	<u>jeolson@mt.gov</u>

Signatures:		Carbon Copies:	
Division Administrator	<u>Jennifer Olson</u> 5/2/2018	Liaison:	<input checked="" type="checkbox"/>
Fiscal Review	<u>Leri Quinlan</u> 5/2/2018	Director (> \$200K):	<input type="checkbox"/>
Legal Counsel	<u>Amy Barnes</u> 5/2/2018	Deputy Director (<\$25K):	<input type="checkbox"/>
		Perceptive Content	<input checked="" type="checkbox"/>
		Secretary of State:	<input type="checkbox"/>
		BIA:	<input type="checkbox"/>
		Clerk of Court:	<input type="checkbox"/>