

REGULAR COUNCIL MEETING June 12, 2018

6:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, June 12, 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, Fire Chief Branden Stevens, Flood Plain Administrator/Auto Cad/Assistant PWPV Samantha Malenovsky, Dispatch Supervisor Lyne Anderson and City Clerk/Minute Recorder Lorrie Pearce.

PLEDGE OF ALLEGIANCE

Mayor Hollowell led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 5/22/2018

** *Councilperson Uden moved to approve the minutes of the Regular Council Meeting of May 22, 2018, subject to any changes, and seconded by Councilperson Erlenbusch. The motion passed by unanimous consent, 8-0.*

Finance Committee Minutes: 5/17/2018

Finance Committee Meeting

May 17, 2018

The Finance Committee met Thursday, May 17, 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: Fire Chief Branden Stevens, Public Works Director Scott Gray, Public Utilities Director Tom Speelmon, Flood Plain Administrator/ AutoCAD/Assistant PWPV Samantha Malenovsky, Lieutenant Detective Dan Baker, 911 Supervisor Lyne Anderson and City Clerk/Recorder Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens:

There was an open discussion on the Emergency Services Building as to why it is being looked at and what is being looked at:

- The police department will no longer receive "free rent" from the Veterans Administration and will be evicted in 18-24 months
- Fire Department building has massive amount of damage
- Looked at four properties- 1) Bump out the fire department on the West Side of the building, adding about 60,000 square feet. The street presently there would be shut down 2) Buy 1.84 acres on the east side for approximately \$390,000 3) Buy 1.92 acres for \$500,000 or 4) Buy .5 acres, which everyone felt was not enough land to build on
- SouthEastern Economic Development representative Julie Korkow is in the process of writing a study grant with a 25% match on \$30,000 equaling \$7500
- A bid for the repairs to the Fire Hall was \$270,000, which MMIA states should be approximately \$30,000. MMIA did say that they would put that money towards building new.
- Drug Task Force and Highway Patrol is interested in finding a place to lease since they are also in the same predicament as the Police Department. Montana Parole is also interested in moving, but would have to wait two years
- If the City built up, an elevator is needed
- Would the City consider naming the Emergency Service Building the Lynam Center
- Dispatch would be interested in moving into the Building, but would need double the space available now
- Would like to add a Community Center that would be used for meeting and training for 40-50 people

PROCEEDING OF CITY COUNCIL

MILES CITY, MONTANA

2. Review and Recommendation on Bid for Florence Stacy Fountain

Director Gray explained that one bid was received for the fountain. He felt the bid was very high and that the project should have a design for contractors to bid on. The bid was from a company that is not experienced in building a fountain and there was no plumbing in the bid. He felt that the City needs to step back, hire an engineer and start from there. He thought it would cost approximately \$20,000 to receive specifications on the fountain.

**** After a brief discussion, Committee Member Wilcox moved to deny the bid received for the Florence Stacy Fountain, seconded by Chairperson Galbraith. The motion passed 4-0**

3. Review and Recommendation on Raise for Flood Plain Administrator

Human Resource Chairperson Wilcox said the HR committee recommended a \$2.00 an hour raise. The committee went over the paperwork and the decision was made based on Performance Evaluation, job description it found everything in order, There were no comparable salaries from other cities so the committee based the increase on similar types of requirements of jobs that the City had.

Director Gray explained that 50% of her salary is paid out of General Fund and 50% is split between other funds. After a long discussion, it was decided that the increase would be \$5,500 a year.

**** Committee Member Wilcox moved to recommend to Council raising the salary of the Flood Plain Administrator by \$2.00 an Hour, beginning July 1, 2018, seconded by Committee Member Andrews. The motion passed 4-0**

4. Review and Recommendation on Resolution No. 4051- A Resolution Approving an Engagement Letter With Jackson Murdo & Grant, P.C. For Certain Legal Services Related to the Custer County Miles City Flood Protection Project

**** Committee Member Andrews moved to recommend to Council approving a new resolution assigned to the Jackson Murdo & Grant P.C., seconded by Committee Member Huber. Motion passed 4-0**

5. Review and Recommendation on MidRivers Franchise Contract

**** Committee Member Wilcox moved to recommend to Council to approve the Mid Rivers Franchise Contract, seconded by Committee Member Wilcox.**

Chairperson Galbraith explained that MidRivers pays the City 5% of the gross revenue from franchise fees.

Clerk Pearce said that the renewal of the contract went to Public Service and Mr. Uden was going to call MidRivers to talk about the renewal of the contract. She asked Chairperson Galbraith if she would talk with Mr. Uden and give her an update. She would rather not want it to go to Council for approval until MidRivers is aware that the contract is coming.

**** The motion passed 4-0**

6. Adjournment

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

The meeting was adjourned at 7:05 p.m.

**** Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of May 17, 2018, and seconded by Councilperson Andrews. The motion passed by unanimous consent, 8-0.**

Public Safety Committee Minutes: 5/30/2018

Public Safety Committee Meeting May 30, 2018

The Public Safety Committee met Thursday, May 30, 2018, at 5:30 pm in the City Hall Conference Room, 17 S 8th. Present were Committee Chairperson Brant Kassner and Committee Members John Uden and Jeff Erlenbusch. Committee Member Ken Gardner was excused. Also present were: Police Chief Doug Colombik and Deputy City Clerk/Recorder Linda Wilkins.

Chairperson Kassner called the meeting to order.

1. Request of Citizens

None

PROCEEDING OF CITY COUNCIL
MILES CITY, MONTANA

2. **Committee Member Comments**

None

3. **Review and recommendation:** Resolution No. 4165 A Resolution Pursuant to Section 16-48 of the Miles City Code of Ordinances. Establishing Dates, Times and Locations for the Discharge of Fireworks within the City Limits for the Year 2018.

***Committee Uden moved to discuss, and seconded by Committee Member Erlenbusch.*

The committee discussed the days, times and places allowed for the discharge of fireworks. The committee recommended removal of the hours between 10:00 a.m. and 10:00 p.m. on Thursday, July 5, 2018 and the removal of the Riverside Park location for all days from the resolution.

***Committee Member Erlenbusch moved to have the language changes made to resolution as discussed and move the recommendation to full council, seconded by Committee Member Uden and **passed** unanimously; 3-0.*

4. **Adjournment**

***Committee Member Erlenbusch moved to adjourn the meeting, seconded by Committee Member Uden and **passed** unanimously; 3-0.*

The meeting was adjourned at 5:44 p.m.

*** Councilperson Erlenbusch moved to approve the minutes of the Finance Committee Meeting of May 30, 2018, and 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: Tuesday, June 19th @ 7:00 p.m.
- Human Resource Committee Thursday, June 21st @ 5:15 p.m.

REQUEST OF CITIZENS & PUBLIC COMMENT

None

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Branden Stevens: Reported that the deputy fire inspector position will be filled soon. One hundred and eighty five applications were handed out at the consortium, and a few have been sent back and received. Ambulance 24 broke down in May and he had to call for mutual aid assistance from Rosebud County because the City did not have a working ambulance available. Ambulance 24 has been permanently taken out of service because it is not safe. The City should receive its new ambulance by June 29th. EMT class scheduled for this summer ended up with three students. The old section of the fire station has been condemned by the building inspector and he has given the department until this fall to move out. Chief Stevens is working on a contingency plan as to how the department will set up for winter.

Samantha Malenovsky: Thanked the public works crew for setting up barriers on the levy during Memorial Day weekend. Explained that the National Weather Service saw a big storm heading to Miles City and it predicted that the Yellowstone River could jump up to 17.9 feet, which would have put us above the 2011 levels. A decision was made to close the levy off for safety purposes. Over the weekend the NWS lowered their prediction to 13 feet. She thanked dispatch and 911 for getting the public service messages out to the public. And added that the levy does not get closed just because the river is high; it gets closed a lot of the times because there is potential damage to the levy.

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Tom Speelman: Reported that his crew and the Public Works crew are working on filling potholes and repairing service cuts caused by water breaks this last winter. Director Gray's crew is also working on alleys, concrete pours and cleaning up after the last storm. Concrete has been poured for the press box stairs. The waste plant was having problems with the digesters and they got inspected this week. All three membrane cassette will have to be replaced. They were damaged because of leaves and cotton choking them out and covers are needed.

Lyne Anderson: Reported that 911 received 2,870 calls in May. The police responded to 604 of them. Call volume is increasing because of the weather and more calls on animals are coming in. She anticipated that there will be an additional 4,000 calls this year if the pace continues.

CITY COUNCIL COMMENTS

Susanne Galbraith: Said she inspected the May invoices and found on dispatches Midrivers invoice a pie chart that shows approximately 63.6 GB for entertainment was used, which adds up to over 30% of usage. She felt if the public knew that their tax dollars were being spent on watching Hulu, Netflix and HBOGo they would be outraged. She talked with Dispatch Supervisor Anderson and found that the jailers are using the services to watch movies. After a long discussion, most Council Members felt that communication with the County is needed to stop the behavior.

MAYOR COMMENTS

Mayor Hollowell received an e-mail from Jim Atchison, Executive Director of Southeastern Montana Development, on developing a potential EDA Grant Application for water/sewer infrastructure improvements in the West End industrial Area. He reminded Council that there will be budget training at the Courthouse on June 19th.

COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

- A. **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**

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

UNFINISHED BUSINESS

- A. **RESOLUTION NO. 4161- (Second 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**

****** *Councilperson Uden moved to approve the Resolution, read by title only and seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4161 passed*

- B. **Update on Burlington Northern Santa Fe Depot**
Mayor Hollowell reported that there was no new information available.

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Councilperson Uden said the City has been dealing with the depot for about ten years and moved to schedule on the next meeting a roll call vote as to whether the City wants to proceed with it or turn it back to BNSF for demolition. The motion was seconded by Councilperson Wilcox, and passed by anonymous vote. **8-0**

Councilperson Uden asked for a minute of silence for the passing of Kathy Doeden.

NEW BUSINESS

A. **RESOLUTION NO. 4160- (First Reading) A Resolution Approving the Work Plan and Budget For Fiscal Year 2018-2019 for Business Improvement District No. 101, to Include an Increase in Bed Tax From \$1 to \$2, and providing for Hearing Thereon**

** *Councilperson Huber moved to approve the Resolution, read by title only and seconded by Councilperson Andrews. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4160 passed first reading*

B. **RESOLUTION NO. 4164- A Resolution Approving an Engagement Letter With Jackson Murdo & Grant, P.C. For Certain Legal Services Related to the Custer County Miles City Flood Protection Project**

** *Councilperson Galbraith moved to approve the Resolution, read by title only and seconded by Councilperson Erlenbusch. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4164 passed.*

C. **ORDINANCE NO. 1326- (First Reading) An Ordinance Granting a Cable Television Franchise to Cable & Communications Corporation, and Providing an Effective Date Thereof**

** *Councilperson Galbraith moved to approve the Ordinance, read by title only and seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 8-0. Ordinance No. 1326 passed first reading*

D. **Approval of May Claims**

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

ADJOURNMENT

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

The meeting was adjourned at 6:47 p.m.



John Hollowell, Mayor



Lorrie Pearce, City Clerk