

REGULAR COUNCIL MEETING July 24, 2018

6:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, July 24, 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, Wayne Andrews, Ken Gardner, John Uden, Rick Huber, Jeff Erlenbusch, Kathy Wilcox and Susanne Galbraith.

Also present were City Attorney Dan Rice, Public Utilities Director Tom Speelmon, Public Works Director Scott Gray, Police Chief Doug Colombik, Planner II Dawn Colton, Animal Control/Code Enforcer Mark Winkley, 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: 7/10/2018

** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of July 10, 2018, subject to any changes, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 8-0.*

SCHEDULE MEETINGS

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

- Public Service: Tuesday, July 31st @ 5:30 p.m.
- Human Resource: Tuesday, August 21st @ 5:30

REQUEST OF CITIZENS & PUBLIC COMMENT

None

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Dawn Colton- Discussion on SmartNet for Installation and Maintenance of COR Station

Planner Colton presented a proposal from Smart Net for the installation and maintenance of the Continually Operating Reference Station:

- SmartNet has a reference stage of approximately 1300 stations in the country and there are a empty holes in Southeastern Montana, it has offered to take over the City's COR station
- SmartNet would install, maintain and operate the station at no cost to the City. The City would become the host and would be able to use the station for free
- All donors to the project would have free service for two years
- By having SmartNet take the project over the City would not have to pay for the installation or the maintenance of the station
- The equipment was paid for by a grant. Donations were received to pay for the installation. She talked to all the donors and they have no problem if the City reimburses them the money donated and are in favor of the project

**PROCEEDING OF CITY COUNCIL
MILES CITY, MONTANA**

- SmartNet makes their money from selling subscriptions. Subscribers can pay SmartNet yearly or day to day usage
- The City has two radio license, which means two SIMS cards will be received from SmartNet for free
- SmartNet will provide information to the National Geographic Service for free

****** *Councilperson Uden moved to approve to pursue the system until such time Council can review the system, seconded by Councilperson Wilcox. The motion passed unanimously 8-0*

Doug Colombik- Read a commendation letter from Captain Prell for Mark Winkley. The letter described the professionalism Officer Winkley showed in helping a person who was trapped in a boom bucket while the truck was on fire. Officer Winkley called 911, grabbed a fire extinguisher from his truck and helped put out the totally engulfed truck. He assisted the person from the boom bucket and escorted him and another worker to a safe area. Officer Winkley saved the person from severe burns and possible death.

Officer Winkley said he was happy to be at the right place at the right time.

Chief Colombik handed out a list describing all calls the police responded to in the last three days. He said the police force is very, very busy.

Dan Rice- Explained that there is a property on Knight Street that has a public nuisance warrant on it. The owner is deceased and the family is giving the house for taxes, which means the City will have to wait three years before the house is sold to get reimbursed for the cleanup cost. In the Nuisance Ordinance the City has 15 days to react after a notice has been issued and that time has passed. It also states the Public Works Director can have City employees clean the area up or contract it out. He asked for the consensus of Council as to how the property should be cleaned up. After a short discussion, the consensus of Council was to contract it out.

CITY COUNCIL COMMENTS

Dwayne Andrews- Commented that the pigeon problem has resurfaced. After a long discussion it was decided that the Mayor will continue to contact other Cities to see how they handle the problem. Councilperson Andrews said the City needs to keep looking at ways because the problem is not going to get any better.

Susanne Galbraith- Read a letter from a citizen concerning fireworks and the way the City handles the process. The citizen thought the wording in the Ordinance should be changed and the citizen was against the lighting of fireworks in City limits. Councilperson Galbraith received an unsigned letter that was derogatory to two city employees. She felt the letter was about the city employees' life style after work and felt it was none of her business.

Rick Huber- Talked to the citizen concerning the fireworks and they would be open to be on a committee to come up with a solution to make all citizens happy. He thought two residents from each ward would be adequate.

Jeff Erlenbusch- Asked if a public announcement or ad could be put in the paper to notify homeowners that a building permit was needed before roofing began on their property.

MAYOR COMMENTS

Read a letter from the Fourth of July committee thanking the City for their support in the Fourth of July activities.

COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

- A. RESOLUTION NO. 4170- 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 # 2270-037-440140-350

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. 4170- *(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 # 2270-037-440140-350

** Councilperson Galbraith 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. 4170 passed.

NEW BUSINESS

- A. RESOLUTION NO. 4172- A Resolution Authorizing the City of Miles City to Enter Into an Agreement With Shallow Creek Kennels Inc. For K9 Acquisition Training Services

** Councilperson Uden moved to approve the Resolution, read by title only and seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4172 passed.

- B. RESOLUTION NO. 4173- A Resolution Approving a Change Order to the Agreement With Ovivo, USA, For the purchase of Digester Covers at the City Wastewater Treatment Plant

** Councilperson Galbraith 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. 4173 passed.

- C. RESOLUTION NO. 4174-*(First Reading)* A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2017-2018 for State of Montana Payments on Behalf of Retirement Accounts and Providing for Hearing Thereon

** Councilperson Galbraith moved to approve the Resolution, read by title only and seconded by Councilperson Huber. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4174 passed first reading

- D. RESOLUTION NO. 4175- A Resolution Authorizing the City of Miles City to Enter Into an Amendment to Task Order With Kadrmas, Lee & Jackson, Inc. Related to the Darling Addition Street and Utilities Rehabilitation Project

**PROCEEDING OF CITY COUNCIL
MILES CITY, MONTANA**

** *Councilperson Galbraith moved to approve the Resolution, read by title only, and seconded by Councilperson Andrews.*

Director Gray explained the amendment is to complete a project on streets that connect to Stower Street. In doing the project early it will prevent four blocks being closed off that would affect the Broadus Interchange project scheduled to begin this fall. The City then can move the project North, getting out of the Broadus Interchange project way. The City will ask for bid proposals on August 6th and then open the bids at the August 28th Council meeting.

Director Speelmon added that this small project will prevent having to go back and replace pipes at a later date, which would mean digging up the new cement.

** *On roll call vote, the motion passed by unanimous consent, 8-0.
Resolution No. 4175 passed.*

E. Discussion and Approval on the Process that the City Should take on Acquiring the Veteran Administration Hospital Building

Mayor Hollowell explained that the maintenance cost on the building would be \$500,000 a year or more. The County has offered the building to the City at a cost of \$1.00. He felt there was no place for the fire department, so the City would need to change the structure.

Councilperson Andrew felt it was a white elephant and the City should bury it and get it off the shelf. He felt it was a huge liability and if the City accepted it, it would be a huge dis service to tax payers. Most Councilpersons expressed that they agreed with him

** *Councilperson Galbraith moved to not acquire the Veteran Administration Hospital building and seconded by Councilperson Uden. On roll call vote, the motion passed by unanimous consent, 8-0.*

F. Approval on the Planning Boards Vision Statement “Come Enjoy our Western Heritage and our Thriving Business Friendly Community”

** *Councilperson Galbraith moved to approve the vision statement presented to Council and seconded by Councilperson Wilcox. On roll call vote, the motion passed by unanimous consent, 8-0.*

G. Approval on Deputy Clerk/Human Resource Officer Wage Increase of \$1.08/hr

** *Councilperson Wilcox moved to approve the wage increase and seconded by Councilperson Kassner.*

Councilperson Galbraith explained that the increase for the Deputy Clerk/Human Resource Officer and the City Clerk is fifty percent to where it should be. It is consistent to the first wage increase passed earlier.

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

H. Approval on City Clerk Wage Increase of \$1.68/hr

** *Councilperson Galbraith moved to approve the wage increase only and seconded by Councilperson Uden. On roll call vote, the motion passed by unanimous consent, 8-0.*

I. **Discussion on Statement of Expenditure-Budget Vs. Actual Report**

Clerk Pearce explained that there were four funds in the General Fund that overspent. They were mostly due to wages. Councilperson Galbraith asked if the report could be put on the agenda twice a year.

J. **Approval on June Claims**

** *Councilperson Uden moved to approve the June claims and seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 8-0.*

ADJOURNMENT

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

The meeting was adjourned at 7:45 p.m.


John Hollowell, Mayor


Lorrie Pearce, City Clerk