

REGULAR COUNCIL MEETING August 28, 2018

6:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, August 28, 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, Police Chief Doug Colombik, Fire Chief Branden Stevens, Historic Preservation Officer/Urban Renewal Agency Director Louise deMontigny, Planner II Dawn Colton, Public Utilities Director Tom Speelmon, Police Lieutenant Dan Baker, Police Captain Casey Prell, Police Sergeants Spencer Anderson and Clay Bott, Police Patrol Officers Ryan Ketchum, Dustin Sloan, Coy Sheets and Sydney Tharp, Animal Control/Code Enforcement Officer Mark Winkley, City Judge Ken Stein, City Court Clerk Gail Krezelak, Deputy City Court Clerk Nicole Richardson Children's Librarian Hannah Nash, 283A Union Secretary Jase Kinsey, City Clerk Lorrie Pearce and Deputy City Clerk/Recorder Linda Wilkins.

PLEDGE OF ALLEGIANCE

Mayor Hollowell led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 8/14/2018

****** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of August 14, 2018, subject to any changes, and seconded by Councilperson Gardner. The motion **passed** by unanimous consent, 8-0.*

Public Service Committee Minutes: 7/31/2018

**PUBLIC SERVICE COMMITTEE MEETING
July 31, 2018**

The Public Service Committee met Tuesday, July 31, 2018 at 5:30 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 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. New Business**

Review and make recommendations for installing a "No Parking Private Drive", sign for private residence at 1014 Milwaukee Drive across from Garfield School.

Citizen Dennis Hafla 1014 Milwaukee, gave history on his experiences when Garfield School is in session. Parents dropping and picking up children have been disrespectful and unconcerned about parking and blocking the drive of their home. Asking politely to those parked in his drive, a parent has told him, she is just picking up her child and left her car in the driveway and walked away. He has one car pull out only to have another car take its place and double parking in front of the drive at peak hours is a problem. Citizen Hafla feels his relationship with the police department is strained and has not had the support from the officers as he had in the past with his parking issues. He asked the committee to have the City install a, "No Parking – Private Drive" at his residence to avoid having this school session cause the same issues as in the past.

Committee Member Gardner explained in the past the City did post a private drive sign close to school, but in that case, both of the people using the driveway were disabled.

Citizen Hafla, mentioned he has put cones out in front of his driveway in the past and that did deter parking in the driveway plus the neighbor's driveway. A person ran over the cones and parked in the driveway, so he asked the Miles City Police Department to reimburse the cost of the cones and Police Department did not do so.

He did not feel that this was his responsibility to place cones in the driveway every morning and afternoon. Committee Member Gardner explained that the City has a new Code Enforcement Officer and maybe this school year would be an improvement over the last few years with an extra officer on shift during school hours.

Committee Member Uden promised Mr. Hafla that he would personally talk to Police Chief Colombik so he would be aware of the trouble Mr. Hafla was having and could help come up with a solution for this school season.

Citizen Hafla responded that he was very familiar with Officer Mark Winkley and has complained to him in the past of noxious weeds on Garland and went on to explain other address that he has also reported to Officer Winkley.

Committee Member Andrews commented that this is a seasonal problem and only during certain times of the day. If the cones have worked in the past and were successful then Mr. Hafla should continue with what has worked.

Committee Member Wilcox explained she also lives by a school and it gets busy in the morning and especially busy during the end of the school day. The parking problem is citywide and needs to be addressed by the City Planning Board.

Citizen Hafla said what gave him the idea was a residence by Washington School has a "No Parking – Private Drive" sign and that seems to be working for him.

Committee Member Uden commented that you are allowed to post a sign that states "No Parking – Private Drive", at your residence. It would be easier for the police to enforce, because the person parked in the driveway now had parked in a spot that is noticed as "private".

Committee Member Andrews recommended that Mr. Hafla get a post and put up a sign stating "No Parking – Private Drive" if he feels that will work. Mr. Hafla stated he did not have the necessary tools to put up the sign.

***Committee Member Uden made a motion to recommend to Council to approve adding the "No Parking – Private Drive" on the 1014 Milwaukee Avenue residence.*

*** Hearing no second, Council Member Uden asked again for a second, hearing none the motion failed.*

5. Adjournment

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

*** Councilperson Uden moved to approve the minutes of the Public Service Committee Meeting of July 31, 2018, subject to any changes, and seconded by Councilperson Kassner. The motion **passed** by unanimous consent, 8-0.*

Special City Council Minutes: 8/22/2018

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

Finance Committee Minutes: 8/23/2018

Finance Committee Meeting

August 23, 2018

The Finance Committee met Thursday, August 23, 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: Public Utility Director Tom Speelmon, Public Works Director Scott Gray, Planner II Dawn Colton and City Clerk/Recorder Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens:
2. Review and Recommendation on bids received for Darling Addition Project

KLJ e-mailed a presentation that showed a tabulation of the bids received, and a letter to Director Gray recommending MT Civil, LLC. The letter explained the company is new and received many positive references.

*** Committee Member Andrews moved to recommend to Council to approve MT Civil, LLC, and seconded by Committee Member Huber. The motion **passed** 4-0*

3. Review and Recommendation on bids received for Industrial Park Lease on Lot 30,31&32

*** Committee Member Huber moved to recommend to Council to approve the bid received for the Industrial Park Lease, and seconded by Committee Member Wilcox.*

Planner Colton explained that when the bid was advertised, it was advertised for tracts with paved road frontage at a minimum bid of 0.025 per square foot. She later discovered that lots 30, 31, and 32 are gravel road frontage. The committee can either accept the bid as received, which is actually higher than the minimum bid for 0.020 per square foot, or advertise the lots again at the correct per square foot cost.

*** Committee Member Huber withdrew his motion.*

*** Committee Member Huber moved to recommend to Council to re-advertise at the correct price per square foot, and seconded by Committee Member Wilcox. The motion **passed** 4-0*

4. RESOLUTION NO. 4176- A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2018-2019 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon

*** Committee Member Wilcox moved to recommend to Council to approve the resolution, and seconded by Committee Member Huber.*

Clerk Pearce explained that 23.98 mills will be taxed to help pay for medical benefits to City employees.

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

5. RESOLUTION NO. 4177- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 165 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019

*** Committee Member Wilcox moved to recommend to Council to approve the resolution, and seconded by Committee Member Andrews.*

Clerk Pearce explained the taxable amount increased \$1.91 per lot.

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

6. RESOLUTION NO. 4178 - A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 167 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019

*** Committee Member Wilcox moved to recommend to Council to approve the resolution, and seconded by Committee Member Huber.*

Clerk Pearce explained the taxable amount increased \$10.90 per lot.

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

7. RESOLUTION NO. 4179- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 171 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019

*** Committee Member Huber moved to recommend to Council to approve the resolution, and seconded by Committee Member Wilcox.*

Clerk Pearce explained the taxable amount increased \$.27 per lot.

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

8. RESOLUTION NO. 4180- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 172 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019

*** Committee Member Wilcox moved to recommend to Council to approve the resolution, and seconded by Committee Member Huber.*

Clerk Pearce explained the taxable amount increased \$24.52 per lot.

Director Gray explained the increase was to replace a few of the lights to LED. He said it will take about 3-4 years to complete the project.

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

- 9. RESOLUTION NO. 4181-** A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 195 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019

**** Committee Member Huber moved to recommend to Council to approve the resolution, and seconded by Committee Member Wilcox.**

Clerk Pearce explained the taxable amount decrease \$ 3.32 per lot.

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

- 10. RESOLUTION NO. 4182-** A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 202 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019

**** Committee Member Wilcox moved to recommend to Council to approve the resolution, and seconded by Committee Member Huber.**

Clerk Pearce explained the taxable amount increased \$ 3.32 per lot.

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

- 11. RESOLUTION NO. 4183-** A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 173 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019

**** Committee Member Huber moved to recommend to Council to approve the resolution, and seconded by Committee Member Wilcox.**

Clerk Pearce explained the taxable amount increased \$ 15.52 per lot.

Director Gray explained that two lights will be converted to LED.

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

- 12. RESOLUTION NO. 4184-** A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 204 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 204 for the Fiscal Year 2018-2019

**** Committee Member Wilcox moved to recommend to Council to approve the resolution, and seconded by Committee Member Huber.**

Clerk Pearce explained the taxable amount increased \$ 76.72 per lot.

Director Gray explained the increase is to cover the Darling Addition Project expenses and build up cash for snow removal.

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

- 13. RESOLUTION NO. 4185-** A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 205 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 205 for the Fiscal Year 2018-2019

**** Committee Member Huber moved to recommend to Council to approve the resolution, and seconded by Committee Member Wilcox.**

Clerk Pearce explained the taxable amount increased \$ 67.18 per lot.

Director Gray explained the increase will cover the cost for the slough study and flood assessment. Also, he would like to build up cash for snow removal.

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

- 14. RESOLUTION NO. 4186-** A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 207 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 207 for the Fiscal Year 2018-2019

**** Committee Member Wilcox moved to recommend to Council to approve the resolution, and seconded by Committee Member Huber.**

Clerk Pearce explained the taxable amount decreased \$ 41.18 per lot.

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

15. RESOLUTION NO. 4191- A Resolution Approving a Real Property Lease Agreement Between the City of Miles City, Cowtown AG Supply, LLC, for Certain Real Property Owned by Miles City, Montana

*** Committee Member Wilcox moved to recommend to Council to approve the lease, and seconded by Committee Member Huber.*

Planner Colton explained that the lease will keep the lease amount the same for one more year since the lease has already been paid for this year and the additional projects would not start until next spring. Cowtown representative Steve Morris explained that the buildings would not be operable for about two years. Committee Member Andrews recommended that the dollar amount increase extends to two years instead of one.

Committee Member Wilcox recommended changing the date under "Special Circumstances" from June 30, 2019 to September 30, 2019.

*** Committee Member Wilcox amended her motion to add changing the lease amount increase from one year to two years and change the date under special circumstance from June 30, 2019 to September 30, 2019, and seconded by Committee Member Huber.*

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

16. RESOLUTION NO. 4192- A Resolution Approving the Donation of Real Property to the City From Sharon Ann Barger

*** Committee Member Wilcox moved to recommend to Council to approve the resolution, and seconded by Committee Member Galbraith.*

Chairperson Galbraith explained the City Clerk has asked the County to exempt the City from paying \$970.00 in back taxes. Clerk Pearce said she had not heard back from them.

There was a short discussion as to the disposal of the building, which no one knew of the cost. The consensus of the Committee was that even if the City had to pay for the taxes and disposal of the building it would be beneficial to the City since the land is by the dike.

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

17. Adjournment

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

The meeting was adjourned at 7:24 p.m.

*** Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of August 23, 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:

None

REQUEST OF CITIZENS & PUBLIC COMMENT

Karina Berry, 1265 US Hwy 12 requested the current status of the benches donated to the City for the Stacy Fountain Project in Wibaux Park, since the project has been delayed. Director Gray commented that the benches were currently in storage and that the fountain project is somewhat delayed. Citizen Berry requested the benches be placed for use in Wibaux Park. Director Gray will work on having the benches placed at various points in the park so they may be used by citizens.

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Police Chief Colombik – Passed out a list of calls the MCPD responded to in the last 48 hours. The 3rd K9 raffle drawing took place the winner of the HR 9mm was Erica Drummond of Baker and the winner of the Ruger 380 LPC was Austin Erlenbusch of Miles City.

Fire Chief Stevens - Two firefighters have resigned, the department will be interviewing September 28 to fill vacant positions. He has spoken with MMIA regarding equipment stored in the condemned fire station. MMIA responded they will not cover any equipment stored in the condemned building. Also, he has obtained revised costs to

repair the building and they are higher than anticipated. Councilperson Uden suggested seeking a bond issue. Chief Stevens said he would be meeting with Custer County Commissioners on how the County could help out the department.

Director Gray – Stated he has been going round and round with MMIA regarding the fire damage sustained on the concession/storage building located in Bender Park. Montana Claims Service adjusters recommended proceeding with demolition work and then re-evaluating the building. There has been significant loss of activity at Bender Park due to the fire damage. The AAU Softball tournament was moved to Billings and the High School has expressed concern about what the City will be doing with the Bender Park Complex. The Frog Pool will be closed September 3. This year more kids were going to Spotted Eagle instead of the pool, which is a concern since there are no lifeguards there and an increased volume of traffic. There will be some changes to parking to encourage more individuals to move to the east side of the lake.

CITY COUNCIL COMMENTS

None

MAYOR COMMENTS

None

COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

Industrial Park Lots 30, 31 & 32

***Councilperson Galbraith moved to put the lease back out for bid, seconded by Councilperson Andrews.*

City Attorney Rice explained the bid advertisement had been put out for the incorrect price per square foot. The bid received was calculated incorrectly and was actually higher than advertised, but Mr. Kmetz was willing to pay the square footage price as advertised. The City could either re-advertise the lots with the correct price per square foot or accept Mr. Kmetz's bid amended for the price as advertised.

***Councilperson Galbraith withdrew the motion.*

***Councilperson Andrews moved to accept Mr. Kmetz's bid but at the advertised minimum bid, seconded by Councilperson Uden. The motion passed by unanimous consent, 8-0.*

Darling Addition Project

***Councilperson Galbraith moved to accept Montana Civil, LLC bid of \$906,884.00, seconded by Councilperson Huber. The motion passed by unanimous consent, 8-0.*

PUBLIC HEARINGS

A. RESOLUTION NO. 4176- A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2018-2019 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon

The Mayor called for proponents three times and opponents three times, hearing none the hearing was closed.

B. RESOLUTION NO. 4177- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 165 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019

The Mayor called for proponents three times and opponents three times, hearing none the hearing was closed.

- C. **RESOLUTION NO. 4178 - A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 167 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019**
The Mayor called for proponents three times and opponents three times, hearing none the hearing was closed.
- D. **RESOLUTION NO. 4179 -A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 171 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019**
The Mayor called for proponents three times and opponents three times, hearing none the hearing was closed.
- E. **RESOLUTION NO. 4180- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 172 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019**
The Mayor called for proponents three times and opponents three times, hearing none the hearing was closed.
- F. **RESOLUTION NO. 4181- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 195 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019**
The Mayor called for proponents three times and opponents three times, hearing none the hearing was closed.
- G. **RESOLUTION NO. 4182- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 202 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019**
The Mayor called for proponents three times and opponents three times, hearing none the hearing was closed.
- H. **RESOLUTION NO. 4183- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 173 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019**
The Mayor called for proponents three times and opponents three times, hearing none the hearing was closed.
- I. **RESOLUTION NO. 4184- A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 204 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 204 for the Fiscal Year 2018-2019**
The Mayor called for proponents three times and opponents three times, hearing none the hearing was closed.
- J. **RESOLUTION NO. 4185- A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 205 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 205 for the Fiscal Year 2018-2019**
The Mayor called for proponents three times and opponents three times, hearing none the hearing was closed.

K. **RESOLUTION NO. 4186- A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 207 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 207 for the Fiscal Year 2018-2019**

The Mayor called for proponents three times and opponents three times, hearing none the hearing was closed.

L. **PUBLIC HEARING on FY 2018/2019 Preliminary Budget**

The Mayor called for opponents

Police Chief Colombik – He is concerned about the possible cutting of the police department staff; he feels the public deserves an adequately staffed police department.

Police Captain Prell – Spoke regarding his concern with the downsizing of the police force to 15 officers due to the shortfall in the budget. He had spoken with Mayor Hollowell about his concerns of not having a police force of 18 officers. He reviewed the call list from the last 48-hours provided earlier in the meeting by the Chief. There is also an epidemic of meth in the area. The Bakken Oilfield is starting up again and there is an increase of criminally minded individuals attracted to the oilfield, not the oilfield workers themselves, which causes an increase of criminal activity in the area. Paperwork has increased for all officers lessening the time they can spend on patrol. A short staffed police department will cause burnout among the officers and their families. He would like the Council to consider carefully cutting the police force back to 15 officers.

Police Lieutenant Baker - He requested the Council reconsider dropping the police force to 15. There is a lot of paperwork to be completed by each officer. He thought the police force should be a minimum of 17. He commented that not having a School Resource Officer was putting our students in jeopardy in light of the crisis in school shootings happening throughout the country. He was not in favor of cutting resources that protect the community.

Police Sergeant Anderson – The sergeants currently manage day to day shifts. He thought there should be a minimum of 12 street officers to cover all shifts. Currently, it is not feasible to have a School Resource Officer or a Drug Task Force Officer. There are currently two officers headed to the Academy for training which puts an added strain on the officers left behind to cover shifts. The current force is talented. He doesn't want to see the strain of having a short staffed force take its toll on the community and the officers' families.

Police Sergeant Bott – He was in charge last weekend and had to call in two more officers. There was a police pursuit into Rosebud County and several domestic violence calls all going on at the same time. He appreciates our dedicated officers.

Patrol Officer Sloan – He stated that he has noticed that morale is getting low, largely in part to decisions the Council is forced to make. Our officers have graduated at the top of their class. Our officers are spending more time investigating felonies than patrolling the streets. He urged the Council to reconsider.

Patrol Officer Sheets – He stated he recently had his own personal items stolen off his carport and how this shows the boldness of those breaking the law in town. Especially, since the individuals stealing these items were aware that a police officer resided in the house. He stated he was one of the officers who had high grades in his class and this was due to his experience prior to entering the academy, other students attending are not required to perform the level of duties new officers to the MCPD are required to perform before attending the academy.

Patrol Officer Ketchum – He thought manpower was a big issue especially when other officers are in need of back up.

Animal Control/Code Enforcement Officer Winkley – He tries to help out where he can. He believes the City is opening itself up for a potential lawsuit.

Patrol Officer Tharp – She is terrified of losing an officer. As a female officer she has been required to respond to domestic violence calls by herself. Every officer puts there life on the line on a daily basis. She urges the Council to reconsider.

Judge Stein – He commented that it is necessary for him to have two clerks to adequately perform his duties as judge. MCA states that the court judge should have enough court clerks to do his job, which he believes is two court clerks. He also commented that there needs to be enough police officers to perform in the manner as they are expected.

City Court Clerk Krezelak – She stated that without the officers having enough time to patrol it leads to no misdemeanor citations being issued. She would like to see the preliminary budget amended to include two full time court clerks and 17 full time police officers.

The Mayor called for opponents three more times and proponents three times, hearing none the hearing was closed.

UNFINISHED BUSINESS

A. OFFER OF AMENDMENTS TO FY 18/19 PRELIMINARY BUDGET

** *Councilperson Uden moved to cover the \$168,419.00 deficit in the General Fund from the estimated cash reserves of \$500,000.00, seconded by Councilperson Wilcox. On roll call vote the motion passed, 8-0.*

** *Councilperson Wilcox moved to amend the budget to add two FTE's to the Miles City Police Department, seconded by Councilperson Wilcox.*

Councilperson Uden commented that it is the City's responsibility to keep its citizens safe and thought cutting the police department budget could lead to a real disaster.

Mayor Hollowell commented he had the fullest respect for the police department, but the Council could not let emotion play into their decision. There are only limited financial resources available to the City and the Council has a fiduciary responsibility to the citizens.

Councilperson Andrews commented that the citizens put us here to have a balanced budget. It has not been easy. There have been cuts to everybody this year. The money is just not there.

** *Councilperson Wilcox amended the original motion to add one FTE to the Miles City Police Department and reduce the overtime line item to \$30,000, seconded by Councilperson Uden. On roll call vote the amended motion passed, 8-0.*

** *Councilperson Galbraith moved to amend the budget as outlined in the attached "Offer of Amendments to FY 18/19 Preliminary Budget" and \$55,500 addition to revenue 1000-362020 MMIA Bender Park claim and \$58,000 from Capital Improvement 4000-501-410100-940 for Bender Park improvement, seconded by Councilperson Wilcox. On roll call vote the motion passed, 8-0.*

** *Councilperson Erlenbusch moved the Deputy Court Clerk go from half time to full time. Motion dies, no second.*

CONSENT AGENDA

** *Councilperson Uden moved to put items A through K on a consent agenda, seconded by Councilperson Galbraith. The motion passed by unanimous consent, 8-0.*

- A. **RESOLUTION NO. 4176- (Second Reading) A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2018-2019 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon**
- B. **RESOLUTION NO. 4177- (Second Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 165 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019**
- C. **RESOLUTION NO. 4178 - (Second Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 167 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019**
- D. **RESOLUTION NO. 4179 -(Second Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 171 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019**
- E. **RESOLUTION NO. 4180- (Second Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 172 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019**
- F. **RESOLUTION NO. 4181- (Second Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 195 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019**
- G. **RESOLUTION NO. 4182- (Second Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 202 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019**
- H. **RESOLUTION NO. 4183- (Second Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 173 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2018-2019**
- I. **RESOLUTION NO. 4184- (Second Reading) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 204 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 204 for the Fiscal Year 2018-2019**
- J. **RESOLUTION NO. 4185- (Second Reading) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 205 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 205 for the Fiscal Year 2018-2019**

- K. **RESOLUTION NO. 4186- (Second Reading) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 207 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 207 for the Fiscal Year 2018-2019**

***Councilperson Galbraith moved to approve Items A-K, which are in there second reading, seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 8-0. Resolutions 4176, 4177, 4178, 4179, 4180, 4181, 4182, 4183, 4184, 4185, and 4186 passed.*

NEW BUSINESS

- A. **RESOLUTION NO. 4188- A Resolution Approving and Adopting a Final Budget for the City of Miles City for FY 2018-2019; Authorizing Procedure for Adjustments to Appropriations for Certain Fee Based Budgets; Authorizing Procedure for Transferring Appropriations Between Items Within the Same Fund**

*** Councilperson Uden moved to approve the Resolution, read by title only, seconded by Councilperson Wilcox. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4188 passed.*

- B. **RESOLUTION NO. 4189- A Resolution Electing to Operate Under the All-Purpose Mill Levy and Fixing the Tax Levy for the General Fund, Ambulance Fund and Airport Fund to be Levied and Assessed on all the Taxable Property in the City of Miles City for Fiscal Year 2018-2019**

*** Councilperson Galbraith moved to approve the Resolution, read by title only, seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4189 passed.*

- C. **RESOLUTION NO. 4191- A Resolution Approving a Real Property Lease Agreement Between the City of Miles City, Cowtown Ag Supply, LLC, For Certain Real Property Owned by Miles City, Montana**

*** Councilperson Huber moved to approve the Resolution, read by title only, seconded by Councilperson Erlenbusch. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4191 passed.*

- D. **RESOLUTION NO. 4192- A Resolution Approving the Donation of Real Property to the City From Sharon Ann Barger**

*** Councilperson Uden moved to approve the Resolution, read by title only including waiving of outstanding City taxes or specials, seconded by Councilperson Wilcox. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4192 passed.*

- E. **RESOLUTION NO. 4193- A Resolution Temporarily Closing Wilson Street West to South Strevell Ave and South Strevell Avenue From Wilson Street South to Cemetery Road to Motor Vehicles With a GVW of 20,000 Pounds or Greater**

*** Councilperson Gardner moved to approve the Resolution, read by title only, seconded by Councilperson Erlenbusch. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4193 passed.*

- F. **RESOLUTION NO. 4194- A Resolution Authorizing the City of Miles City to Enter Into a Data Exchange License Agreement With Montana-Dakota Utilities Co. to Allow for Sharing of Certain Geographic Information System Mapping Information**

*** Councilperson Galbraith moved to approve the Resolution, read by title only, seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4194 passed.*


G. RESOLUTION NO. 4195- A Resolution Approving A Revised Collective Bargaining Agreement Between the City of Miles City and the Local No. 283-A Union


****** *Councilperson Galbraith moved to send the Resolution, read by title only, to the Finance Committee and seconded by Councilperson Andrews. On roll call vote, the motion **passed** by unanimous consent, 8-0.*

ADJOURNMENT

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

The meeting was adjourned at 8:45 p.m.


John Hollowell, Mayor


Linda J. Wilkins, Deputy City Clerk