

REGULAR COUNCIL MEETING February 26, 2019

6:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, February 26, 2019, in the Conference Room in City Hall, 17 S. 8th Street, Miles City, Montana. Mayor John Hollowell called the meeting to order. Council Members present were Jeff Erlenbusch, Dwayne Andrews, John Uden, Rick Huber, Kathy Wilcox and Susanne Galbraith. Councilperson Brant Kassner and Ken Gardner were excused.

Also present were City Attorney Dan Rice, Public Utilities Director Tom Speelmon, Police Chief Doug Colombik, Public Works Director Scott Gray, Floodplain Administrator Samantha Malenovsky, Deputy Clerk Mary Roberts 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: 2/12/2019

** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of February 12, 2019, and seconded by Councilperson Erlenbusch. The motion passed by unanimous consent, 6-0.*

Flood Control Minutes: 2/19/2019

**Flood Control Committee
February 19, 2019**

The Flood Control Committee met Tuesday, February 19, 2019, at 6:30 p.m. in the City Hall Conference Room. Present were Committee Chair Jeff Erlenbusch, Committee Members: Grant Kassner and Rick Huber. Excused was: Committee Member Ken Gardner

Also present were: Floodplain Administrator Samantha Malenovsky and Committee Recorder Mary Roberts.

1. Elect Chairperson:

***Committee Member Kassner nominated Committee Member Erlenbusch and seconded by Committee Member Huber and passed unanimously, 3-0.*

2. Request of Citizens/Public Comment:

-None-

3. Committee Members Comments:

- Committee Member Kassner asked when the dike is expected to start.
 - Floodplain Administrator Sam Malenovsky replied the dike study is expected to be complete in 1 ½ to 2 years. Then property purchases and grant funding are expected to start after the study is complete.

4. Discussion and Recommendation to Council; Resolution No. 4236. A resolution adopting a revised program for public information pertaining to the Miles City floodplain and floodway.

***Committee Member Kassner moved to open discussion, seconded by Committee Member Huber.*

- Floodplain Administrator Sam Malenovsky gave a brief overview of the changes to the Program for Public Information. Changes in the number of insurance policies which will help with insurance rates and 2018 standards were stated.

***Committee Member Kassner moved to recommend the revised program to Council and was seconded by Committee Member Huber and passed 3-0.*

5. Adjournment

PROCEEDING OF CITY COUNCIL
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***Committee Member Kassner moved to adjourn the meeting, seconded by Committee Member Huber and passed unanimously, 3-0.*

There being no further business, the Committee adjourned at 6:37 p.m.

*** Councilperson Erlenbusch moved to approve the minutes of the Flood Control Meeting of February 19, 2019, and seconded by Councilperson Galbraith. The motion passed by unanimous consent, 6-0.*

Public Service Minutes: 2/20/2019

**Public Service Committee Meeting
February 20, 2019**

The Public Service Committee met Wednesday, February 20, 2019 at 6:00 pm in the City Hall Conference Room. 17 S. 8th Street, Miles City, Montana. Present were Committee Members Kathy Wilcox, Dwayne Andrews and John Uden. Committee Member Ken Gardner was excused.

Also present: Councilperson Rick Huber, Councilperson Jeff Erlenbusch, and Minute Recorder Mary Roberts.

1. Elect Committee Chair:

*** Committee Member Andrews made a motion to elect Committee Member Uden as 2019 Committee Chair, seconded by Committee Member Wilcox. On a roll-call vote, the Motion passed 2-1 with Committee Member Uden voting no.*

2. Request of Citizens/Public Comment:

-None-

3. Committee Member Comments:

Committee Member Wilcox stated a complaint was brought to her attention by Councilperson Kassner about the snow around Garfield School and he wanted to get on a snow removal schedule with the other schools. Chairperson Uden stated that it should be brought up at the next council meeting.

4. Unfinished Business:

-None-

5. New Business:

- Review and make recommendation for 1 hour parking signs at business address of 1620 Main Street

- o Chairperson Uden brought up that there are now four electricians at this business and there is not enough parking to accommodate the employees, customers, and High School students. They request a one hour parking sign be placed outside of their business.
- o Councilperson Erlenbusch stated that he had spoken to MC Electric, LLC and they didn't have a problem before because there were only two employees. They request a one hour parking sign be put up on South Cottage on the west side. They noted that there is a one hour parking sign next door to them and they think that is appropriate to fix the parking issue.
- o Committee Member Andrews stated that the business needs to pay for the sign, not the City.

***Committee Member Andrews moved to approve the 1 hour sign as long as MC Electric, LLC pays for it, seconded by Committee Member Wilcox with same stipulation. On a roll-call vote, the Motion passed unanimously 3-0.*

- Citizen Request to consider traffic control signs (stop signs or yield right of way signs) at 12th and Palmer

PROCEEDING OF CITY COUNCIL
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- o Chairperson Uden pointed out that there have been several accidents, some significant, because of people failing to yield right of way. He also noted that there are school children that walk through there, children that live around there, and the residents of Eagles Manor that walk there. He requested that signs be placed on each side of Palmer Street yielding traffic north and south on 12th Street.

*** Chairperson Uden motioned that there be yield signs posted on north and south sides of Palmer Street controlling traffic on 12th Street, seconded by Committee Member Andrews. On roll-call vote, the motion passed 3-0.*

- Request by Council Member to consider one way street designation for Dickinson Street from South Montana to South Lake streets

- o Councilperson Huber made a request, on behalf of a Ward 2 resident, to turn four blocks of Dickinson Street from a two-way street to a one-way street heading west between South Montana and South Lake because the road narrows in this area. This will help control and eliminate congestion in the area. There is no room for two vehicles to drive down the street now. It is especially narrow if cars are parked on both sides of the street.
- o Chairperson Uden asked if it is wide enough for a fire truck to drive through. Committee Member Huber stated that the Fire Chief be asked about regulations regarding the width of the road.
- o Councilperson Erlenbusch suggested talking to residents in the area to get their thoughts on the idea and to gain a better understanding of how their parking is now.
- o Committee Member Andrews suggested sending out a letter/notification to residents about the suggested change prior to implementation.

***Committee Member Wilcox moved to turn a portion of Dickinson Street into a one-way if a letter/notification goes out to residents of the area and if the one-way heads east, seconded by Chairperson Uden with same stipulations. On roll call vote, the motion passed 3-0.*

6. Adjournment:

***Committee Member Wilcox moved to adjourn, seconded by Chairperson Uden; motion passed unanimously 3-0.*

- ** *Councilperson Uden moved to approve the minutes of the Public Service Meeting of February 20, 2019 subject to any corrections, and seconded by Councilperson Andrews. The motion passed by unanimous consent, 6-0.*

SCHEDULE MEETINGS

*The following meetings will be held in the City Hall Conference Room:
Human Resource
March 5th @ 6 p.m.*

REQUEST OF CITIZENS & PUBLIC COMMENT

Resident Gary Ryder, 15 South Strevell reported that he received the agenda but did not receive the Council Packet for the meeting.

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Samantha Malenovsky- United States Army Corps of Engineering Alternative Meeting

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At the meeting twenty nine alternatives were discussed and eight were agreed on to be feasible. The Army Corps will review the eight items for cost analysis and feasibility to the City. Their recommendations may be presented at the October meeting. She also updated Council on the slough, saying that a base map has been created and a hydraulic map is being developed that shows the flow of the slough.

Support Letter- Asked for Council support for two Homeland Security grants. Department of Emergency Services has applied for the grant on behalf of the City. The grant will relocate the law enforcement fire repeater from the Veteran Administration Building to the top of the water tank.

The second support letter is a grant for the waste water treatment plant to purchase an influent pump. The cost would be approximately \$83,500 for the purchase and \$12,000 from Montana Dakota Utilities to install a natural gas line.

** *Councilperson Uden moved to approve the support letters, seconded by Councilperson Erlenbusch. The motion passed unanimously 6-0*

Doug Colombik- Highlighted the breakdown of felony cases work for 2018. There were one hundred and seventy cases which resulted in multiple felony investigations totaling two hundred and eighty cases.

Scott Gray- Explained to Council that Garfield School is in the City's snow route policy. The City received a lot of snow in a couple of days and residents need to be patient. Snow removal was being completed on Saturday, Sunday and part of Monday to open the arterial routes. Some areas the City can plow and berm the snow, but in narrower streets the berm needs to be removed immediately, which takes more time. He felt the City crew was on time with the snow removal schedule.

CITY COUNCIL COMMENTS

None

MAYOR COMMENTS

Commended the Public Utility Workers for being out in the harsh weather repairing a water break.

COMMITTEE RECOMMENDATIONS

Public Service Committee Recommendations:

Recommend installing a one hour parking sign at 1620 Main Street (If MC Electric, LLC pays for the sign)

** *Councilperson Uden moved to approve installing a one hour parking sign at 1620 Main Street, seconded by Councilperson Erlenbusch.*

Councilperson Uden explained that MC Electric has four employees and there is no parking area for them. When Mangan Electric owned the business there was very little traffic and one employee, so there was no parking problems. He added that the high school students take all available spots.

Councilperson Galbraith asked for the sign policy to be reviewed. She said that some businesses pay a yearly fee for certain signs and felt the City should be uniform on the fees.

** *Motion passed unanimously 6-0*

Recommend installing yield sign on each side of Palmer and 12th Street

** *Councilperson Uden moved to approve installing a yield sign on the North*

and South side of Palmer on 12th Street, seconded by Councilperson Andrews.

Councilperson Uden explained that Palmer Street is being used as a through street and thought if a yield sign instead of a stop sign was installed it may slow the traffic down and prevent accidents. Chief Colombik added that there are a lot of accidents in that intersection.

**** Motion passed unanimously 6-0**

Recommend designating a one way street on Dickinson Street from South Montana to South Lake Street (Signs would point toward Haynes and designation would be implemented after letters are sent to residents in that area and returned as the majority approves)

**** Councilperson Andrews moved to approve designating a one way street on Dickinson Street from South Montana to South Lake Street, seconded by Councilperson Erlenbusch.**

Discussion followed:

- Councilperson Galbraith suggested no parking on one side
- Councilperson Huber explained that a one way street would head East from Montana to Lake and felt it would be a better shot to get through the street

**** Councilperson Galbraith moved to amend the motion to postpone the installation until letters were received back from residents, seconded by Councilperson Erlenbusch.**

- Resident Elizabeth Patten, 612 South Montana felt that scheduling parking would work well. The scheduling would be changed from one side to the other side every other day. It would make snow removal easier
- Resident Gary Ryder, 15 South Strevell asked if it was in the area of the new bank construction
- Councilperson Andrews asked if letters would be sent to home owners or the entire City. After a short conversation, Council felt sending letters to immediate residents would be ample.

**** The amended motion passed unanimously 6-0**

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

A. Appeal of Floodplain Permit Denial on Ellis Rentals, located at 900 Albert Ave. lots 37 & 47

Mayor Hollowell adjourned the hearing according to MCA Statute 7-1-4131(5) until April 9, 2019.

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

B. Floodplain Variance Application re: Variance Exception on Ellis Rentals, located at 900 Albert Ave. lots 37& 47

Mayor Hollowell adjourned the hearing according to MCA Statute 7-1-4131(5) until April 9, 2019.

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. 4230- A Resolution Authorizing the Assignment of a Certain Lease Agreement Between the City of Miles City and Russell E. Van Dyke to Mike Miller For the Lease of Mobile Home Space in Bender Park

** *Councilperson Uden moved to approve the Resolution, read by title only, seconded by Councilperson Erlenbusch and, on roll call vote, passed, 6-0. Resolution No. 4230 was adopted.*

NEW BUSINESS

A. Appeal of Floodplain Permit Denial on Ellis Rentals, located at 900 Albert Ave. lots 37 & 47

Mayor Hollowell adjourned the hearing on the appeal until April 9, 2019, and the decision on the appeal application was removed from the agenda and will be placed on the agenda for the Council meeting April 9, 2019

B. Floodplain Variance Application re: Variance Exception on Ellis Rentals, located at 900 Albert Ave. lots 37& 47

Mayor Hollowell adjourned the hearing on the appeal until April 9, 2019, and the decision on the appeal application was removed from the agenda and will be placed on the agenda for the Council meeting April 9, 2019

C. RESOLUTION NO. 4236- A Resolution Adopting a Revised Program for Public Information Pertaining to the Miles City Floodplain and Floodway

** *Councilperson Erlenbusch moved to approve the Resolution, read by title only, seconded by Councilperson Galbraith*

Administrator Malenovsky explained the changes:

- Insurance policies that are currently being enforced are changing
- Added social media outlets
- Real Estate agents will post on all listings if property is located within the floodway
- Nexel was added to communicate warnings to the public.

** *On roll call vote, passed unanimously, 6-0*

D. RESOLUTION NO. 4237- A Resolution Establishing Wages and Salaries for City Employees for Fiscal Year 2018-2019

** *Councilperson Galbraith moved to approve the Resolution, read by title only, seconded by Councilperson Andrews and, on roll call vote, passed, 5-1 with Councilperson Uden voting no*

ADJOURNMENT

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

The meeting was adjourned at 7:04 p.m.


John Hollowell, Mayor


Lorrie Pearce, City Clerk