



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*March 26, 2019
6:00 p.m.*

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. **APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES**
 - A. Regular City Council Meeting 3/12/2019
 - B. Finance Committee Meeting 3/07/2019
2. **SCHEDULE MEETINGS**
3. **REQUEST OF CITIZENS & PUBLIC COMMENT**
4. **APPOINTMENTS**

Board of Adjustments - Jenny Sloan
Health Board- John Goff
Health Board- Amber Trenka
5. **PROCLAMATIONS**
6. **STAFF REPORTS**
7. **CITY COUNCIL COMMENTS**
8. **MAYOR COMMENTS**
9. **COMMITTEE RECOMMENDATIONS**
10. **BID OPENINGS**
11. **BID AWARDS**
12. **PUBLIC HEARINGS**
 - A. **ORDINANCE NO. 1330- An Ordinance Amending Sections 2-246 and 2-247 of the Code of Ordinances of Miles City, Montana, With Regards to Advertisement and Opening of Bids for Purchase of Equipment**
13. **UNFINISHED BUSINESS**
 - A. **ORDINANCE NO. 1330- (Second Reading) An Ordinance Amending Sections 2-246 and 2-247 of the Code of Ordinances of Miles City, Montana, With Regards to Advertisement and Opening of Bids for Purchase of Equipment**
14. **NEW BUSINESS**

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 March 12, 2019

6:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, March 12, 2019, 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, Rick Huber, Jeff Erlenbusch, Kathy Wilcox, John Uden, Susanne Galbraith and Ken Gardner.

Also present were City Attorney Dan Rice, Public Works Director Scott Gray, Public Utilities Director Tom Speelmon, Police Chief Doug Colombik, Fire Chief Branden Stevens, Planner in Training Ally Capps, Deputy City Clerk Mary Roberts, RSVP Director Betty Vail 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: 2/26/2019

** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of February 26, 2019, and seconded by Councilperson Erlenbusch. The motion **passed** by unanimous consent, 8-0.*

** *Councilperson Uden moved to approve the minutes of the Human Resources Committee Meeting of March 5, 2019, and seconded by Councilperson Erlenbusch. The motion **passed** by unanimous consent, 8-0.*

SCHEDULE MEETINGS

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

Finance Committee

March 21st @ 6pm

REQUEST OF CITIZENS & PUBLIC COMMENT

Ryan Schoff, 700 South Prairie owner of Montana Tree Service explained that he had received a ticket because his boom was too wide to park on the street. The City Judge told him he was not sure what kind of a fine to give him. City Ordinances do not allow him to park his commercial vehicle on the streets and he felt that the policy needed to be looked at because there are several commercial vehicles parked on streets throughout town. He has never received a ticket for his dually, which is 1/8" wider than his boom truck. Ryan stated that the only way to avoid a ticket is to cover his business logo with a piece of paper. He added that he uses cones at the worksite

and strictly follows the law. He looked into buying property and building a fence on it to hide his parked vehicles, but with the property being in the flood zone, he can not do that.

Mayor Hollowell said he would look into the policy and report back to him.

APPOINTMENTS

PROCLAMATIONS

None

STAFF REPORTS

Tom Speelmon- Sarah Robbins from RATES with a discussion on lowering fluoride from 1.0mg/l to 0.7mg/l

Representative from Rural and Tribal Environmental Solutions, Sarah Robbins, explained that the fluoride level for City water is currently 1 milligram per liter, which was the suggested level in the 1960's. She said the current recommendation is 0.7 milligram per liter, because today everyone gets extra fluoride daily from items like toothpaste, mouthwash, plants and animal flesh. After a brief discussion the consensus of the Council was to change the Ordinance to 0.7 milligrams per liter.

Director Speelmon explained that the City has entered that time of the year when there are several water breaks, frozen sewer lines and drain pipes. The utility crew is falling behind because of the magnitude of the breaks. They are doing the best they can with what they have. If Council receives calls, please ask them to be patient.

Lorrie Pearce- Letter of Support

Clerk Pearce asked the Council for support in asking the Montana Municipal Institute Board for financial assistance to send the new Deputy Clerk to the Clerk Institute this year.

*** Councilperson Uden moved to approve sending the Deputy Clerk to the Clerk Institute and signing the letter of support, seconded by Councilperson Andrews. The motion passed unanimously 8-0*

Doug Colombik- Commendations

Chief Colombik read a letter from Fire Captain Tanner Harbaugh stating an event involving a burning trailer house. He explained that Police Officers Qualley and Sloan assisted a family and their pets out of the home prior to windows breaking and filling with smoke. After assisting this family, the officers went to another trailer

with flames that were touching the side of it. They woke up the occupant and removed him safely. The occupant stated that he had no clue that the fire was happening and his smoke detectors did not go off. He felt the officers had saved his life. Both officers received written commendations for their actions.

CITY COUNCIL COMMENTS

Councilperson Uden asked for a moment of silence for Retired Police Chief Kenneth Losett who recently passed away. Mr. Losett was the Chief of Police for the City of Miles City for five and a half years. Mayor Hollowell asked for a moment of silence for former Councilperson Bill Melnik who also recently passed away.

MAYOR COMMENTS

Received three tickets to the Bureau of Business and Economic Research seminar for tomorrow. If a Councilperson is interested in attending, please let him know.

COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

- A. RESOLUTION NO. 4238- A Resolution Approving Grant Awards to RSVP From the Corporation for National and Community Service**

****** *Councilperson Andrews moved to approve the Resolution, read by title only, and seconded by Councilperson Gardner. On roll call vote, the motion passed, 8-0. Resolution No. 4238 passed.*

- B. RESOLUTION NO. 4239- A Resolution Authorizing the City of Miles City to Enter Into an Agreement Entitled "State of Montana Agreement" With the State of Montana Historic Preservation Office for Partial Funding of the Historic Preservation Officer Position**

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

and seconded by Councilperson Gardner. On roll call vote, the motion passed, 8-0. Resolution No. 4239 passed

C. RESOLUTION NO. 4240- 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

*** Councilperson Kassner moved to approve the Resolution, read by title only and seconded by Councilperson Huber.*

Director Gray explained that phase two of the Darling Addition will be a total reconstruction from curb to curb. It includes water, sewer, storm drains, ADA ramps and road reconstruction on Strevell Street from Stower Street to Main Street. The phase will eliminate the boulevard and recess the curbing back, so there is more parking. Manholes will be replaced and stable material will be added to handle heavier vehicles. The task order amendment is an additional \$394,000 for engineering expenses.

*** On roll call vote, the motion **passed** by unanimous consent, 8-0. Resolution No. 4240 passed*

D. RESOLUTION NO. 4241- A Resolution Authorizing the City of Miles City to Enter Into a Short Form of Agreement Between Owner and Engineer for Professional Services With Interstate Engineering, Inc. Related to the Miles City Water Intake Preliminary Engineering Report

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

Director Speelmon explained that the Preliminary Engineering Report is to assess the river well intake structure and make recommendations on the repair or replacement of it. The PER will be paid by a \$15,000 grant and a match from the City of \$15,000.

*** On roll call vote, the motion **passed** by unanimous consent, 8-0. Resolution No. 4241 passed*

E. RESOLUTION NO. 4242- A Resolution Granting Access to City Property For the Montana Department of Transportation to Conduct Survey Operations

*** Councilperson Uden 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. 4242 passed

F. ORDINANCE NO. 1330- (First Reading) An Ordinance Amending Sections 2-246 and 2-247 of the Code of Ordinances of Miles City, Montana, With Regards to Advertisement and Opening of Bids for Purchase of Equipment

*** Councilperson Galbraith moved to approve the Ordinance, read by title only and seconded by Councilperson Huber. On roll call vote, the motion passed by unanimous consent, 8-0. Ordinance No. 1330 passed first reading*

G. APPROVAL OF FEBRUARY CLAIMS

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

ADJOURNMENT

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

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

John Hollowell, Mayor

Lorrie Pearce, City Clerk

Finance Committee Meeting

March 7, 2019

The Finance Committee met Thursday, March 7, 2019 at 6:00 p.m. in the City Hall Conference room. Present were Committee Chairperson Susanne Galbraith and Committee Members Rick Huber, Brant Kassner and Dwayne Andrews.

Also present were: Public Utilities Director Tom Speelmon, Public Works Director Scott Gray, Planner in Training Ally Capps and City Clerk/Recorder Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens and Public Comment:

None

2. Review and Recommendation on Increasing Line Item 350 (Professional Services) for Planner

Planner Capps explained that her budget line item number 350 will be overspent by \$13,456 by the end of the month. She asked the Committee if she should proceed with annexation for this budget year, or wait until next years budget. She explained that she will need to use Land Solution to make sure the process is completed legally and correctly. She did not have an amount on the cost. Also, the previous Planner did not include the cost for the Industrial Park survey, which was approximately \$8,000.

***Committee Member Galbraith moved to table the item until the next Finance meeting, Committee Member Kassner seconded the motion. The motion passed, 4-0.*

3. Review and Recommendation on RESOLUTION NO. 4238- A Resolution Approving Grant Awards to RSVP From the Corporation for National and Community Service

***Committee Member Andrews moved to recommend to Council the approval of the Resolution, seconded by Committee Member Kassner. On roll call vote, the motion passed 4-0.*

4. Review and Recommendation on RESOLUTION NO. 4239- A Resolution Authorizing the City of Mile City to Enter Into an Agreement Entitled "State of Montana Agreement" With the State of Montana Historic Preservation Office for Partial Funding of the Historic Preservation Officer Position

***Committee Member Kassner moved to recommend to Council the approval of the Resolution, seconded by Committee Member Huber. On roll call vote, the motion passed 4-0.*

5. Review and Recommendation on RESOLUTION NO. 4240- 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

***Committee Member Andrews moved to recommend to Council the approval of the Resolution, seconded by Committee Member Kassner.*

Director Gray explained that phase two of the project will be a total reconstruction from curb to curb. It includes water, sewer, storm drain and road reconstruction on Strevell Street from Stower Street to Main Street. Wibaux Park will have two proposals presented at a later date. The task order amendment is an additional \$394,000 for engineering expenses.

*** On roll call vote the motion passed 4-0.*

6. Review and Recommendation on contract for the Preliminary Architectural Report for the Riverwell House

***Committee Member Andrews moved to recommend to Council the approval on the contract for the preliminary architectural report; seconded by Committee Member Kassner.*

Director Speelmon explained that the PAR will be paid from a \$15,000 grant and a \$15,000 match from the City. The report is needed because the cement slab that the pumphouse sits on is not supporting it and cracking the building.

*** On roll call vote the motion passed 4-0.*

7. Review and Recommendation on ORDINANCE NO. 1330- (First Reading) An Ordinance Amending Sections 2-246 and 2-247 of the Code of Ordinances of Miles City, Montana, With Regards to Advertisement and Opening of Bids for Purchase of Equipment

***Committee Member Andrews moved to recommend to Council the approval of the Ordinance, seconded by Committee Member Kassner. On roll call vote the motion passed 4-0.*

8. Discussion on City of Miles City Annual Budget Calendar- FY19/20

After a brief discussion, the consensus of the Committee was to have the City Clerk and Chairperson Galbraith change the date and present it at the next finance meeting.

9. Adjournment

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

The meeting was adjourned at 7:25 p.m.

Susanne Galbraith, Chairperson

Lorrie Pearce, Recorder

Jenny Sloan

811 S Sutton, Miles City, MT 59301 | 406-202-0383 | jsloan.draw@yahoo.com

March 12, 2019

Mayor John Hollowell,

I would like express my interest in serving on the Board of Appeals for the town of Miles City, MT. It would be my pleasure to serve our community in this capacity.

Sincerely,

Jenny Sloan, AIA

A handwritten signature in blue ink that reads "Jenny Sloan". The signature is written in a cursive, flowing style.

Public Hearing
&
Unfinished Business

ORDINANCE NO. 1330

AN ORDINANCE AMENDING SECTIONS 2-246 AND 2-247 OF THE CODE OF ORDINANCES OF MILES CITY, MONTANA, WITH REGARDS TO ADVERTISEMENT AND OPENING OF BIDS FOR PURCHASE OF EQUIPMENT.

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

Section 1. Section 2-246 shall be amended to read as follows:

Sec. 2-246. - Advertisement for bids.

(a) Except as provided in MCA 7-5-4303, 7-5-4310, or MCA title 18, chapter 2, part 5, all contracts for the purchase of any vehicles, machinery, apparatus, appliances, equipment or for any materials or supplies, or for construction, repair or maintenance involving an expenditure in excess of \$80,000.00 shall be let in conformity with the provisions of state law. All such contracts shall be advertised by the city clerk by publishing a call for bids in the manner provided by state law.

(b) Other contracts may be advertised as the city council may, by order or resolution duly entered on its minutes, direct.

(c) The advertisement shall be in such form as the party or parties having the matter in charge may direct, and shall contain a general reference to the subject matter of the proposed contract, its terms and conditions, with such specifications as the nature of the same permits, or a designation of the place where such specifications may be seen, and may require security to accompany each bid. The advertisement shall comply with MCA title 18, chapter 1, part 4. The advertisement shall also contain a notice that sealed bids or proposals will be received by the city clerk at the office of city clerk or at council chambers until the opening of the bids on a date therein to be specified, and a statement to the effect that the city reserves the right to reject any or all bids. The advertisement shall show by whom it is ordered advertised and shall be signed by the city clerk/treasurer.

(d) As a condition precedent to considering any such bid, as evidence of good faith on the part of the bidder, and as indemnity for the benefit of the city against the failure or refusal of any bidder to enter into any written contract that may be awarded upon and following acceptance of bid, any bid submitted shall contain a written covenant of indemnity, conditioned as prescribed in MCA title 18, chapter 1, part 2, and the bid shall be accompanied by bid security of ten percent of the total bid amount, for the performance of such covenant. The form of security shall comply with MCA title 18, chapter 1, part 2.

(e) All advertisements by publication for contract bids shall be published in a daily newspaper of general circulation published in the city, if there be such, once each week for two consecutive weeks with at least six days separating each publication. The second publication shall be made not less than five days or more than 12 days before the consideration of bids.

Section 2. Section 2-247 shall be amended to read as follows:

Sec. 2-247. - Bid openings.

(a) The city clerk shall receive bids up until the earlier of 5:00p.m., or the noticed meeting time, of the day the council will be in session either for a regular meeting or any special meeting called to consider such bids.

(b) The bids shall be opened by the city clerk in the presence of the city council while in actual session.

Section 3. This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 12th day of March, 2019.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 26th day of March, 2019.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk