

**SPECIAL COUNCIL MEETING      April 29, 2019**

**6:00 p.m.**

**CALL TO ORDER**

The Special Council meeting was held Monday, April 29, 2019, in the City Hall Conference Room at City Hall, 17 S. 8<sup>th</sup> Street, Miles City, Montana. Council Chairperson Susanne Galbraith called the meeting to order. Council Members present were Brant Kassner, Dwayne Andrews, Ken Gardner, Rick Huber and Jeff Erlenbusch. Excused were Councilpersons John Uden and Kathy Wilcox. Mayor Hollowell arrived at 6:11 pm.

Also present were City Attorney Dan Rice, Floodplain Administrator Samantha Malenovsky and City Clerk/Minute Recorder Lorrie Pearce.

**PLEDGE OF ALLEGIANCE**

Chairperson Galbraith led the Council in the Pledge of Allegiance.

**PUBLIC HEARINGS**

**A. Floodplain Variance Application on Eckart Trucking, located at 1415 North 6<sup>th</sup> St**

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

**NEW BUSINESS**

**A. Floodplain Variance Application on Eckart Trucking, located at 1415 North 6<sup>th</sup> St**

**\*\*      *Councilperson Huber moved to approve the variance application on Eckart Trucking, seconded by Councilperson Andrews.***

Administrator Malenovsky explained that Mr. Eckart had applied for a floodplain variance. The variance was to add a building to an existing building. Since the request was in the floodway, she had to deny it.

Bill Eckart, 1415 N. 6<sup>th</sup> Street, said he needed the building to store his business supplies in. He has run out of room with the buildings he has now.

Chairperson Galbraith sympathized with him, and explained that if the application was denied that his next step would be to file the decision at District Court. Administrator Malenovsky said he would have 30 days after Councils decision to file.

Mr. Eckart stated that he grew his business from the ground up, working 18-20 hours a day. He felt that he should not have to take the blunt of the Cities decision to save another people money on flood insurance. He will pay cash for the new building and felt that the dike will never be built in Miles City. The City has been working on the dike for forty years with no results. He added that the City will be missing out on tax money from the new building if denied. The building will not be entirely closed, it will have a 20 by 14 door, so if it did flood it would go right through the building.

Councilperson Erlenbusch sympathized with him and wanted him to know that the decision to deny is not personal. The City has to look at every resident on the insurance issue. The introduction of Map 2010 changed everything for the entire City. Before the map was introduced, the flood issue effected the North side of town.

Now it effects the entire City and the City is stuck with the problem.

*\*\* On roll call vote, the motion failed 4-2, with Councilperson Gardner, Kassner, Erlenbusch and Galbraith voting no*

**ADJOURNMENT**

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

The meeting adjourned at 6:16 p.m.

  
Susanne Galbraith, Chairperson

Lorrie Pearce, City Clerk