

## REGULAR COUNCIL MEETING June 25, 2019 6:00 p.m.

### CALL TO ORDER

The Regular Council meeting was held Tuesday, June 25, 2019, in the City Hall Conference Room at City Hall, 17 S. 8<sup>th</sup> Street, Miles City, Montana. Mayor John Hollowell called the meeting to order. Council Members present were Dwayne Andrews, John Uden, Brant Kassner, Kathy Wilcox Jeff Erlenbusch, and Susanne Galbraith. Excused were Council Members Ken Gardner and Rick Huber.

Also present were Attorney Dan Rice, Police Chief Doug Colombik, Public Works Director Scott Gray, Fire Chief Branden Stevens, Public Utilities Director Tom Speelmon, Planner in Training Ally Capps, Firefighter Matthew DeJong, Fire Inspector Ed Kanduch 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: 6/11/2019**

\*\* *Councilperson Uden moved to approve the minutes of the Regular Council Meeting of June 11, 2019, subject to any changes, and seconded by Councilperson Andrews. The motion passed by unanimous consent, 6-0.*

#### **Finance Committee Minutes: 6/10/2019**

##### **Finance Committee Meeting**

**June 10, 2019**

The Finance Committee met Monday, June 10, 2019 at 6:00 p.m. in the City Hall Conference room. Present were Committee Members Susanne Galbraith, Dwayne Andrews, and Rick Huber. Committee Member Brant Kassner was excused.

Also present were: Airport Manager Jeff Langkau, Building Inspector Dennis Hirsch and Clerk/Recorder Lorrie Pearce.

Chairperson Galbraith called the meeting to order.

#### **1. Request of Citizens and Public Comment:**

None

#### **2. Discussion and Recommendation on Resolution No. 4248- A Resolution approving the request for Release of Airport Property**

Airport Manager Langkau explained that the airport has been leasing the land to Ben Holman. The airport committee decided to sell the two acres of land for approximately \$2,000 per acre. The land is worthless to the airport and selling it would make access for the residents easier. The selling of the land is contingent to FAA's approval.

\*\* *Chairperson Andrews moved to recommend to Council to approve the Resolution, Committee Member Galbraith seconded the motion. On a Roll Call vote the motion passed, 3-0*

#### **3. Discussion and Recommendation on RESOLUTION NO. 4250- A Resolution Approving a Park Use Permit Between the City of Miles City, Montana, and Miles Community College for use of Bender Park Field #3**

\*\* *Committee Member Huber moved to recommend to Council the approval of the Resolution; seconded by Committee Member Andrews.*

The committee as a whole felt that it would be good for the City, the Park and Sports advocates.

\*\* *The motion passed, 3-0*

#### **4. Discussion and Recommendation on RESOLUTION NO. 4251- A**

**Resolution Authorizing the City of Miles City to Contract With Dennis Hirsch for Building Inspection Services for Fiscal Year 2019-2020**

**\*\*** *Committee Member Huber moved to recommend to Council the approval of the Resolution; seconded by Committee Member Galbraith.*

Citizen Adam Forslund, 1909 Stower opposed passing the resolution because he did not like how the inspector was compensated. He felt there should be a division in the process of inspection and approving permits. With the two positions the same, he felt that position is harassing the public for building permits.

**\*\*** *After a short discussion the motion passed, 3-0.*

**5. Discussion and Recommendation on RESOLUTION NO. 4254-A Authorizing Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2018-2019 to Increase the Budgeted Amount in Various Funds for Various Unbudgeted Revenues and Expenditures**

**\*\*** *Committee Member Huber moved to recommend to Council the approval of the Resolution; seconded by Committee Member Andrews.*

Clerk Pearce explained all the amendments and asked for one more to be added which was to increase appropriations for fund 2440-50-430263-230 (Main St Dist) \$2,000

**\*\*** *The motion passed, 3-0.*

**6. Adjournment**

**\*\****Committee Member Huber moved to adjourn the meeting, seconded by Committee Member Andrews and passed unanimously, 3-0.*

The meeting was adjourned at 6:33 p.m.

**\*\*** *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of June 10, 2019, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 6-0.*

**Public Service Committee Minutes: 6/18/2019**

**PUBLIC SERVICE COMMITTEE MEETING  
June 18, 2019**

The Public Service Committee met Tuesday, June 18, 2019 at 5:45 pm in the City Hall Conference Room. 17 S. 8<sup>th</sup> Street, Miles City, Montana. Present were Chairperson John Uden, Committee Members Kathy Wilcox and Dwayne Andrews. Committee Member Ken Gardner was excused.

Also present: Councilperson Rick Huber, Councilperson Susanne Galbraith, City Planner in Training Ally Capps, and Minute Recorder Mary Roberts.

**1. Request of Citizens/Public Comment:**

-None-

**2. Committee Member Comments:**

-None-

**3. Unfinished Business:**

-None-

**4. New Business:**

- Consider request for placement of animal drinking fountain in Veteran's Park in the 600 block of Main Street.

- o City Planner in Training explained that the idea was from Urban Renewal. She explained that there used to be a drinking fountain in Veteran's Park, and Urban Renewal wanted to see one put back in. This conversation led to adding a dog drinking fountain attached to the water drinking fountain. The cost would be \$3,600, which was ADA accessible, and Urban Renewal is willing to fund it.
- o Chairperson Uden read Section 9; Section 4-35 that states that dogs are prohibited in city parks. He also stated that he had previously spoken with the Parks

Department about additional maintenance that the dog fountain would add to their duties and the Parks Department was not in favor of the dog fountain.

- o Mark Ahner, 13 South Stacy Street, informed the committee that the American Legion had already discussed this matter and were opposed to it for a few different reasons which include the lack of dogs in between the Montana Bar and the 600 Café, they did not want to encourage bringing dogs into city parks, and believed that if a dog water fountain is present then a dog waste container should also be present increasing cost to the City. The opinion of the American Legion is that the \$3,600 could be used to renovate Cook Lake or add more historic lighting to Miles City.

- o Cliff Sisko, 120 South Jordan Avenue, stated that the VFW had a meeting earlier that day and they are on board with everything Mark Ahner had stated.

**\*\*Committee Member Wilcox moved to table. On a roll-call vote, the Motion passed unanimously 3-0.**

**5. Adjournment: 6:00 pm**

**\*\*Committee Member Wilcox moved to adjourn, seconded by Committee Member Andrews, motion passed unanimously 3-0.**

**\*\* Councilperson Erlenbusch moved to approve the minutes of the Public Service Committee Meeting of June 18, 2019, and seconded by Councilperson Wilcox. The motion passed by unanimous consent, 6-0.**

**Human Resource Committee Minutes: 6/06/2019  
Human Resources Committee  
June 6, 2019**

The **Human Resources Committee** met Thursday, June 6, 2019, at 5:30 p.m. in the Conference Room at City Hall. Present were Committee Members Kathy Wilcox, John Uden, and Jeff Erlenbusch. Excused was Committee Member Susanne Galbraith. Also present were City Planner-in-Training Ally Capps, Mayor John Hollowell, Public Utilities Director Tom Speelman, and Human Resources Officer/Recorder Linda Wilkins.

Committee Member Kathy Wilcox called the meeting to order.

1. Request of Citizens  
None

2. City Planner-in-Training Job Description – Review, Revise, Approve

Preliminary changes were discussed to the position description. Officer Wilkins will mark-up the current position description with suggestions and bring back to the next Human Resources Committee meeting for further consideration.

**\*\*Committee Member Uden moved to continue until the position description is rewritten with changes, seconded by Committee Member Erlenbusch. The motion passed unanimously 3-0.**

3. Review of Temporary Assignment of Historic Preservation/Urban Renewal Duties to the Planner-in-Training

Planner-in-Training Capps outlined the projects that she was currently working on. Chairperson Wilcox asked if she thought that the combined duties were too much. Planner-in-Training Capps commented that she was busy, but there were currently no problems. She will continue on a trial basis and report back at the next scheduled Committee meeting. Committee Member Erlenbusch commented that this is the first time he has seen planning working with the Chamber and MAEDC.

4. Other

None

5. Adjournment

**\*\*Committee Member Erlenbusch moved to adjourn, seconded by Committee Member Uden. The motion passed unanimously 3-0.**

The meeting was adjourned at 6:50 p.m.

\*\* *Councilperson Wilcox moved to approve the minutes of the Human Resource Committee Meeting of June 6, 2019, and seconded by Councilperson Erlenbusch. The motion passed by unanimous consent, 6-0.*

**SCHEDULE MEETINGS**

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

Public Safety Committee	Thursday, June 27 <sup>th</sup> @ 6pm
Finance Committee	Thursday, June 27 <sup>th</sup> @ 7pm
Human Resource Committee	Thursday, July 18 <sup>th</sup> @ 5:30pm

**REQUEST OF CITIZENS & PUBLIC COMMENT**

None

**APPOINTMENTS**

None

**PROCLAMATIONS**

None

**STAFF REPORTS**

**Scott Gray-** The Strevell project will start July 8<sup>th</sup> with tree removal. It will last three and a half to four months, with various streets closing at various times.

**Branden Stevens-** Interviews for the Battalion Chief position will be held this Thursday, Ambulance 28 lost a rumbler siren and he will be looking into the warranty. Priority dispatching is up and running and the training center burn that was on June 20<sup>th</sup> went well. He introduced new Firefighter Matthew DeJong and his wife Sarah.

**CITY COUNCIL COMMENTS**

**Kathy Wilcox-** Will be gone from July 9<sup>th</sup> to July 14<sup>th</sup>.

**MAYOR COMMENTS**

None

**COMMITTEE RECOMMENDATIONS**

None

**BID OPENINGS**

None

**BID AWARDS**

None

**PUBLIC HEARINGS**

A. **ORDINANCE NO. 1335 – An Ordinance Amending Chapter 15 of the Code of Ordinances of Miles City, Montana, With Regards to the Enforcement of Nuisances**

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

**UNFINISHED BUSINESS**

A. **ORDINANCE NO. 1335 – (Second Reading) An Ordinance Amending Chapter 15 of the Code of Ordinances of Miles City, Montana, With Regards to the Enforcement of Nuisances**

\*\* *Councilperson Uden moved to approve the Ordinance, read by title only and seconded by Councilperson Erlenbusch.*

Attorney Rice explained to Council that weeds and grass nuisance does not have to come to Council or to Court to proceed. Once the notice has been

sent out and there was no action, the City can cut the nuisance and send the property owners an invoice. This Ordinance is for removal of a building or property. It was revised to make the process quicker.

*On roll call vote, the motion passed, 6-0. Ordinance No. 1335 passed.*

### **NEW BUSINESS**

**A. Approve Condition Use Permit for Deluxe Motors, Inc to construct a 100-foot Tower at 201 South 7<sup>th</sup> Street-**

**\*\*** *Councilperson Erlenbusch moved to approve the conditional use permit for Deluxe Motors, and seconded by Councilperson Kassner.*

One letter and two phone calls were received against the installation of the tower. There were some concerns on thermal wave exposure. Insite representative Tierney Rowe, 1199 North Fairfax Street, Suite 700, Alexandria Virginia explained that there is no evidence of health issues from the thermal waves and a government entity can not use that issue in a public hearing. Insite had proposed several other sites in the area, but all of them had some sort of issue that prohibited the tower from being built. The proposed property is zoned General Commercial.

**\*\*** *On roll call vote, the motion passed, 4-2 with Councilperson Uden and Galbraith voting no*

**B. RESOLUTION NO. 4259 – A Resolution Authorizing the City of Miles City to Enter Into an Agreement With the Montana Department of Transportation for Street Sweeping for Fiscal Year 2019-2020**

**\*\*** *Councilperson Andrews moved to approve the Resolution, read by title only and seconded by Councilperson Erlenbusch. On roll call vote, the motion passed, 6-0. Resolution No.4259 passed*

**C. Discussion on Major Cuts in General Fund for Fiscal Year 2019-2020**

The following were the suggestions discussed:

- Start a Survey Monkey asking residents their opinion on what three services they feel are most critical and what three services they feel are the least critical. Try to get 1,000 responses. The City does not have to follow the results, but it will give the City an idea as to what the public wants. It was suggested to limit the survey to City residents, who can only vote once.
- City organize a “town meeting” and get feedback from the residents as to what they prefer
- Do not fill any current vacancies and do not fill positions when an employee exits. This would help with the vacancy savings, but would also increase overtime and put more work on others. If positions are cut then services would need to be cut and residents need to understand
- Put the City on a pay freeze
- Council donate their paycheck for a year
- Implement a Parks Maintenance District and a Public Service levy
- Cut 2 hours a week per employee. Better management could eliminate the overtime by changing schedules and or shifts
- Cut employees’ wages by ten percent, which would save the City approximately \$200,000. The issue would need to be approved by all unions. The Mayor was asked to present the suggestions to the union while in negotiations

**ADJOURNMENT**

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

The meeting was adjourned at 7:41 p.m.

  
John Hollowell, Mayor

  
Lorrie Pearce, City Clerk