

**REGULAR COUNCIL MEETING August 27, 2019****6:00 p.m.****CALL TO ORDER**

The Regular Council meeting was held Tuesday, August 27, 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 Brant Kassner, Dwayne Andrews, Ken Gardner, John Uden, Rick Huber, Kathy Wilcox and Susanne Galbraith. Councilperson Austin Lott was excused.

Also present were City Attorney Dan Rice, Public Works Director Scott Gray, Police Chief Doug Colombik, Acting Battalion Chief Ed Kanduch, Public Utilities Director Tom Speelmon, City Clerk Lorrie Pearce and Deputy City Clerk and Recorder Mary Rowe.

**PLEDGE OF ALLEGIANCE**

Mayor Hollowell led the Council in the Pledge of Allegiance.

**APPROVAL OF COUNCIL & COMMITTEE MINUTES****City Council Minutes: 8/13/2019**

**\*\*** *Councilperson Uden moved to approve the minutes of the Regular Council Meeting of August 13, 2019, subject to any changes, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 7-0.*

**Public Safety Committee Minutes: 8/15/2019**

**\*\*** *Councilperson Gardner moved to approve the minutes of the Public Safety Committee Meeting of August 15, 2019, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 7-0.*

**SCHEDULE MEETINGS**

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

Human Resources Committee

September 03, 2019 @ 5:30pm

**REQUEST OF CITIZENS & PUBLIC COMMENT**

1. Alice Jerrel of 809 North Lake had complaints about at least ten houses in town that look horrible. She presented the Council with a list containing addresses of said houses and asked that Council do something about them. She pointed out that former Councilperson Erlenbusch had taken care of one in particular last year. She made a suggestion that the city start fining people who do not maintain the appearance of their homes and yards, along with fining homes under construction for more than two years, or raise their property taxes. To warn the public she suggested a large sign that states "You do it or we will" be put into those yards.

Mayor Hollowell informed Ms. Jerrell that the City cannot place signs in people's yards and liability insurance would be required for anyone that did clean up the properties, including mowing the lawn. He also stated that there is a process that needs to be followed for such instances. He thanked her for bringing them to the Council's attention and said that he would pass her list on to the Public Works Director.

Councilperson Huber also thanked Ms. Jerrell for coming in and bringing this to the Council's attention.

2. Lea Moore of 487 Signal Butte Road came to inform the Council and invite the public to stop by Hilleman Park (in front of the Art Center) at 9am on Friday,

August 30<sup>th</sup> to honor Maurice Hilleman on what would have been his 100<sup>th</sup> birthday. She stated that she had met Maurice's wife and daughter a couple weeks ago and she gave a brief background of what she had learned of Maurice Hilleman. He was a famous scientist that originated from Miles City, Montana. He is known for developing vaccines, which eight of the fourteen that he created are still commonly used. The New York Times was sited saying that he has saved more lives in a single year than anyone in the 20<sup>th</sup> century, which amounts to approximately eight million lives saved every day. At the birthday memorial there will be a video played off and on all day highlighting his life and accomplishments. They will be serving commemorative cookies from Montana State University. A birthday cake and the reading of the Proclamation will follow. She thanked City Planner in Training Ally Capps and Mayor Hollowell for all their help with her research and making all of this possible.

**APPOINTMENTS**

None

**PROCLAMATIONS**

Mayor Hollowell proclaimed August 30<sup>th</sup> to be now and here forth, known as Maurice Hilleman Day.

**STAFF REPORTS**

1. Public Works Director Gray gave an update on the Strevell Project saying it was moving right along. They are already working on the sewer system and the sidewalks. He also wanted to inform the city that next week they will be tying into a waterline on Main Street, so it will be closed at the Strevell/Main intersection from September second to the ninth. He advised Police Chief Colombik to have his officers patrol this area regularly throughout this process as he anticipates some collisions. He knows that school is starting and asked the public to please be patient and to plan ahead.

2. Acting Battalion Chief Kanduch presented a handout describing the Fire Department's call volumes and the various issues they are having. He went over the data with the Council.

**CITY COUNCIL COMMENTS**

Councilperson Andrews wanted to recognize the hard work and dedication that City Clerk Lorrie Pearce and Councilperson Galbraith had put into preparing the budget this year. He exclaimed that this was one of the hardest budgets they have had to do, and with Lorrie, Sue, and the department head's cooperation it was possible.

**MAYOR COMMENTS**

Mayor Hollowell had received from Dispatch Supervisor Lyne Anderson and Kadmas Lee & Jackson (KLJ), a special thank you to City Planner in Training Ally Capps, Floodplain Administrator Sam Malenovsky, Public Utilities Director Tom Speelman, Public Works Director Scott Gray, and Meter Reader/Public Service/HEO Robert Hutchings for assisting with the Geographical Information System (GIS). KLJ said they are very happy with the results from the address problems in GIS next generation 9-1-1 phone system!

**COMMITTEE RECOMMENDATIONS**

None

**BID OPENINGS**

None

**BID AWARDS**

None

**PUBLIC HEARINGS**

Mayor Hollowell opened a consent public hearing for resolution numbers 4268, 4269, 4270, 4271, 4272, 4273, 4274, 4275, 4276, 4277, 4278, FY 2019/2020 Preliminary Budget, and Resolution 4282.

- A. **RESOLUTION NO. 4268 - A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2019-2020 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon**
- B. **RESOLUTION NO. 4269 - 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 2019-2020**
- C. **RESOLUTION NO. 4270 - 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 2019-2020**
- D. **RESOLUTION NO. 4271 -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 2019-2020**
- E. **RESOLUTION NO. 4272- 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 2019-2020**
- F. **RESOLUTION NO. 4273 - 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 2019-2020**
- G. **RESOLUTION NO. 4274 - 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 2019-2020**
- H. **RESOLUTION NO. 4275 - 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 2019-2020**
- I. **RESOLUTION NO. 4276 - 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 2019-2020**
- J. **RESOLUTION NO. 4277 - 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 2019-2020

**K. RESOLUTION NO. 4278 - 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 2019-2020**

**L. PUBLIC HEARING on FY 2019/2020 Preliminary Budget**

**M. RESOLUTION NO. 4282- A Resolution 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 Funds for Library and Parks Unbudgeted Revenues and Expenditures**

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

**UNFINISHED BUSINESS**

**A. OFFER OF AMENDMENTS TO FY 19/20 PRELIMINARY BUDGET**

Councilperson Galbraith offered amendments to the funds in the Council Meeting packet, but also added an amendment to add \$6,700 to revenue fund 5610-331127 and \$7,370 to expenditure fund 5610-087-430300-939.

**\*\*** *Councilperson Galbraith moved to approve the offered amendments and seconded by Councilperson Huber. On a roll call vote, the motion passed by unanimous consent, 7-0.*

**B. RESOLUTION NO. 4282- (Second Reading) A Resolution 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 Funds for Library and Parks Unbudgeted Revenues and Expenditures**

**\*\*** *Councilperson Uden moved to approve the Resolution, read by title only, seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 7-0.*

**CONSENT AGENDA**

**A. RESOLUTION NO. 4268 - (Second Reading) A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2019-2020 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon**

**B. RESOLUTION NO. 4269- (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 2019-2020**

**C. RESOLUTION NO. 4270 - (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 2019-2020**

**D. RESOLUTION NO. 4271 -(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 2019-2020**

- E. RESOLUTION NO. 4272- (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 2019-2020**
- F. RESOLUTION NO. 4273 - (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 2019-2020**
- G. RESOLUTION NO. 4274- (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 2019-2020**
- H. RESOLUTION NO. 4275 - (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 2019-2020**
- I. RESOLUTION NO. 4276 - (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 2019-2020**
- J. RESOLUTION NO. 4277 - (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 2019-2020**
- K. RESOLUTION NO. 4278- (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 2019-2020**

*\*\* Councilperson Wilcox 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, 7-0. Resolutions, 4268, 4269, 4270, 4271, 4272, 4273, 4274, 4275, 4276, 4277 and 4278 passed.*

#### NEW BUSINESS

- A. RESOLUTION NO. 4279- A Resolution Approving and Adopting a Final Budget for the City of Miles City for FY 2019-2020; Authorizing Procedure for Adjustments to Appropriations for Certain Fee Based Budgets; Authorizing Procedure for Transferring Appropriations Between Items Within the Same Fund**

*\* Councilperson Galbraith moved to approve the Resolution, read by title only, seconded by Councilperson Wilcox.*

Councilperson Galbraith thanked City Clerk Pearce, Department Heads, and Unions for coming together to fund the positions that were anticipated to be eliminated during the preliminary budgeting.

*\*\* On roll call vote, the motion passed by unanimous consent, 7-0. Resolution No. 4279 passed.*

- B. RESOLUTION NO. 4280- 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 2019-2020**

\*\* *Councilperson Galbraith moved to approve the Resolution, read by title only, and seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 7-0. Resolution No. 4280 passed.*

**C. RESOLUTION NO. 4283- A Resolution Revising City of Miles City Police Department Policy Manual**

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

Councilperson Uden explained that this issue came to the Public Safety Committee because of the increased threat over the last year or so. It is an active shooter policy that is revised to be in compliant with state, federal and local laws and ordinances.

Councilperson Galbraith questioned whether Montana Municipal Interlocal Authority (MMIA) had approved the change. She stated that she would feel better voting on this resolution if she knew that they had looked it over and approved the change.

City Attorney Rice stated that he had looked it over and found it to be satisfactory. It is based off the International Association of Police Chiefs policy.

Mayor Hollowell said that the Council could reconsider the resolution at a later date if MMIA did not approve the revision.

City Clerk Pearce informed the Council that she was aware that Human Resource Director/Payroll Clerk Linda Wilkins did send it to MMIA to look over, but did not know if it had been approved as of yet. She stated that she would look into it in the morning and let the Council know via email where in the process it was.

\*\* *On roll call vote, the motion passed by unanimous consent, 7-0. Resolution No. 4283 passed.*

**D. RESOLUTION NO. 4284- A Resolution Approving a Grant Agreement With the U.S. Department of Transportation Federal Aviation Administration for Runway Reconstruction**

\*\* *Councilperson Galbraith moved to approve the Resolution, read by title only and seconded by Councilperson Gardner.*

Mayor Hollowell gave a brief overview of the agreement.

\*\* *On roll call vote, the motion passed by unanimous consent, 7-0. Resolution No. 4284 passed.*

**ADJOURNMENT**

\*\* *Councilperson Uden moved to adjourn the meeting and seconded by Councilperson Kassner. The motion passed unanimously.*

The meeting was adjourned at 6:35 p.m.



John Hollowell, Mayor



Mary Rowe, Deputy Clerk