



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*January 28, 2020
6:00 p.m.*

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. **APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES**
 - A. Regular City Council Meeting 1/14/2020
 - B. Flood Control Meeting 1/22/2020
2. **SCHEDULE MEETINGS**
3. **REQUEST OF CITIZENS & PUBLIC COMMENT**
4. **APPOINTMENTS**
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. 1336- An Ordinance Revising the Penalty Section for Buildings and Building Regulations Violations**
13. **UNFINISHED BUSINESS**
 - A. **ORDINANCE NO. 1336- (Second Reading) An Ordinance Revising the Penalty Section for Buildings and Building Regulations Violations**
14. **NEW BUSINESS**
 - A. **RESOLUTION NO. 4302- A Resolution Authorizing the City of Miles City to Enter Into a City Printing Contract With Boss Printing Company**
 - B. **RESOLUTION NO. 4303- (First Reading) A Resolution Pursuant to § 7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY2019-2020 to Increase the Budgeted Amount in the Funds for HB473 Fuel Tax, Police, Fire and Ambulance Unbudgeted Revenues and Expenditures**

C. RESOLUTION NO. No. 4304- A Resolution Approving a Memorandum of Understanding With the Local No. 600 Bargaining Unit Regarding Physical Examinations

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 **January 14, 2020** **6:00 p.m.**

CALL TO ORDER

The Regular Council meeting was held Tuesday, January 14, 2020, 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, Ken Gardner, John Uden, Austin Lott, and Curtis Reese. Councilpersons Kathy Wilcox and Rick Huber were excused.

Also present were City Attorney Dan Rice, Public Works Director Scott Gray, Public Utilities Director Tom Speelmon, Detective Dan Baker, Dispatch Supervisor Lyne Anderson, Planner/HP/TIFD Officer Ally Capps, Fire Chief Branden Stevens, 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

Special Council Minutes: 12/10/2019

****** *Councilperson Uden moved to approve the minutes of the Special Council Meeting of December 10, 2019, subject to any changes, and seconded by Councilperson Kassner. The motion **passed** by unanimous consent, 6-0.*

Regular Council Minutes: 12/10/2019

****** *Councilperson Gardner moved to approve the minutes of the Regular Council Meeting of December 10, 2019, and seconded by Councilperson Kassner. The motion **passed** by unanimous consent, 6-0.*

Public Safety Minutes: 12/17/2019

****** *Councilperson Uden moved to approve the minutes of the Public Safety Meeting of December 17, 2019, subject to any changes, and seconded by Councilperson Gardner. The motion **passed** by unanimous consent, 6-0.*

Finance Committee Minutes: 12/19/2019

****** *Councilperson Kassner moved to approve the minutes of the Finance Committee Meeting of December 19, 2019, and seconded by Councilperson Gardner. The motion **passed** by unanimous consent, 6-0.*

SCHEDULE MEETINGS

None

REQUEST OF CITIZENS & PUBLIC COMMENT

None

APPOINTMENTS

Standing Committees:

Finance Committee – Curtis Reese, John Uden, Brant Kassner and Austin Lott

Public Safety Committee- Ken Gardner, John Uden, Kathy Wilcox and ~~Dwayne Andrews~~ Austin Lott

Public Services Committee- Ken Gardner, Rick Huber, Kathy Wilcox and Dwayne Andrews

Human Resources Committee- Curtis Reese, Rick Huber, Kathy Wilcox and ~~Austin Lott~~ Dwayne Andrews

Flood Committee- Ken Gardner, John Uden, Brant Kassner and Austin Lott

** Councilperson Lott moved to approve the appointments as presented by the Mayor, and seconded by Councilperson Uden.

** Councilperson Andrews moved to amend the main motion and remove Austin Lott from the Human Resource Committee and add himself to the Committee. Also, to remove himself from the Public Safety Committee and add Austin Lott to the Committee, seconded by Councilperson Kassner. The motion unanimously **passed** 6-0

Non-Standing Committees:

Health Board – Kathy Wilcox

Planning Board – Brant Kassner

Historic Preservation –Dwayne Andrews

** Councilperson Andrews moved to nominate himself for the Historic Preservation Board, and seconded by Austin Lott.

Urban Renewal District Board – Curtis Reese

Solid Waste Board – Austin Lott

MCAEDC/SEMDC Boards – Rick Huber

Airport Commission – Ken Gardner

Local 600- Labor Management Committee – Curtis Reese and Dwayne Andrews

** Councilperson Kassner moved to approve the non-standing committees as read by the Mayor, and seconded by Councilperson Gardner. The motion unanimously **passed** 6-0

PROCLAMATIONS

None

STAFF REPORTS

Branden Stevens- Reported the following:

- Received the cascade trailer
- Firefighter toy dance raised \$11,600
- Community EMT class will start February 4th and end May 2nd
- Debra Wilhelm donated \$750 to fund one student for the EMT class
- Asked Council to approve the public safety building architectural report. It will give him and others the ability to start searching for grants, donations and other finance options for the building. It will also allow the committee to build a presentation for the community.

CITY COUNCIL COMMENTS

John Uden- Had talked to several citizens on the new Public Safety building and about 80% of them are asking for other options. Councilperson Andrews reminded him that there are other options in the preliminary report.

MAYOR COMMENTS

The Mayor addressed previous Mayor Joe Whalen's letter to the editor. He said the City can accept donations with Council approval. He released the name (Beth Wiedeman) of the donor that had donated the \$2,194 for police software. Mrs. Wiedeman was checked out and found to be a prominent citizen. Also, the Chief of Police felt that having Police Officer Coy Sheets present the software to Council was best, because Officer Sheets was the most qualified on the issue. Officer Sheets did not feel that the Council had attacked him the night of the presentation.

He received a commendation letter for Officer Myles Connelly. The recognition is for the way Officer Connelly helped handle a situation where the EMS was called. The landowner was very aggressive in trying to get information as to why he was not notified of the situation. Officer Connelly stepped in and handled the landowner in a very professional way, which provided space for the EMS to complete their job.

COMMITTEE RECOMMENDATIONS

Public Safety Committee- Beginning January 2020, purchase six ruggedized

versions of the smart phone for police officers through Verizon for an amount of \$1,476

** Councilperson Uden moved to approve the purchase of six ruggedized versions of the smart phone for police officers through Verizon for an amount of \$1,476, seconded by Councilperson Lott.

The consensus of the Council was that by buying the smart phones, the officers could download pictures, etc. to a computer which would help with court cases. It also takes the pressure off of worrying about their personal phones being confiscated if the information was on it.

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

BID OPENINGS

None

BID AWARDS

Broom Sweeper- Finance Committee recommends to approve Titan Machinery's bid for a total of \$182,012 with \$10,000 trade In

** *Councilperson Lott moved to approve Titan Machinery's bid and seconded by Councilperson Andrews. The motion **passed** unanimously 6-0.*

Printing Contract- Finance Committee recommends to approve Boss Printing's bid for printing various items

** *Councilperson Uden moved to approve Boss Printing's bid, and seconded by Councilperson Andrews. The motion **passed** unanimously, 6-0.*

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

A. Election of Council President

** *Councilperson Andrews moved to approve Kathy Wilcox as Council President, and seconded by Councilperson Kassner.*

** *After a long discussion, Councilperson Uden moved to cease the nomination, seconded by Councilperson Kassner. The motion **passed** 6-0*

*** The main motion **passed** by unanimous consent, 6-0.*

B. Approval on Public Safety Building Preliminary Architectural Report as Presented

*** Councilperson Andrews moved to approve the Public Safety Building Preliminary Architectural Report, and seconded by Councilperson Lott.*

Mayor Hollowell explained to Council that by approving the report it will give the Ad Hoc Committee permission to move ahead and work on a presentation for the community.

There was some discussion on buying the lot next to the current fire department, getting an appraisal, relocating employees and other options in the report. It was decided that all this information should be discussed in other phases of the plan.

*** On roll call vote, the motion **passed**, 5-1 with Councilperson Gardner voting no*

C. RESOLUTION NO. 4299- A Resolution Approving a Network Device Monitoring & Helpdesk Support Agreement With D.I.S. Technologies

*** Councilperson Uden moved to approve the Resolution, read by title only and seconded by Councilperson Kassner. On roll call vote, the motion **passed** by unanimous consent, 6-0 **Resolution No. 4299 passed.***

D. RESOLUTION NO. 4300- A Resolution Establishing Wages and Salaries for City Employees for Fiscal Year 2019-2020

*** Councilperson Lott moved to approve the Resolution, read by title only and seconded by Councilperson Gardner. On roll call vote, the motion **passed** by unanimous consent, 6-0 **Resolution No. 4300 passed.***

E. RESOLUTION NO. 4301- A Resolution Approving a Prosecution Services Agreement With John T. Hrubes, Attorney, for Interim Prosecution Services

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

Attorney Rice explained that the current prosecutor had resigned and

there are several court cases coming up and the City needs someone to represent the City. The position will be needed anywhere from one to three and a half months and the contract rate will stay the same. Since there is a two week lapse between the two positions there will be an additional cost of approximately \$1,500 to the budget for wages.

** On roll call vote, the motion passed by unanimous consent, 6-0*
Resolution No. 4301 passed.

F. ORDINANCE NO. 1336- (First Reading) An Ordinance Revising the Penalty Section for Buildings and Building Regulations Violations

*** Councilperson Kassner moved to approve the Ordinance, read by title only, and seconded by Councilperson Lott.*

Mayor Hollowell and Attorney Rice explained that the ordinance will make the penalties for a violation effect the entire chapter, instead of a specific section. Any violation will hold some sort of penalty.

** On roll call vote, the motion passed 6-0. The Ordinance was referred to Public Safety Committee for review.*

G. Approve writing off \$301.81 on Ambulance Account

*** Councilperson Andrews moved to approve the ambulance write offs, and seconded by Councilperson Gardner. The motion passed unanimously, 6-0.*

H. Approval of Anonymous Donation of \$2,194 for Purchase of Police Software

*** Councilperson Uden moved to approve Beth Weidman's donation of \$2,194 to purchase the Police software, and seconded by Councilperson Andrews. The motion passed unanimously, 6-0.*

I. Approval of December Claims

*** Councilperson Kassner moved to approve the December claims, and seconded by Councilperson Andrews. The motion passed unanimously, 6-0.*

ADJOURNMENT

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

The meeting was adjourned at 7:40 p.m.

John Hollowell, Mayor

Lorrie Pearce, City Clerk

DRAFT

Flood Control Committee
January 22, 2020

The Flood Control Committee met Wednesday, January 22, 2020, at 6:00 p.m. in the City Hall Conference Room. Present were Committee Members: Brant Kassner, Ken Gardner, John Uden, and Austin Lott.

Also present were: Floodplain Administrator Samantha Malenovsky, City Attorney Dan Rice, Mayor John Hollowell, and Deputy City Clerk/Minute Recorder Mary Rowe.

1. Elect Chairperson:

** *Committee Member Uden nominated Committee Member Gardner and seconded by Committee Member Kassner.*

** *Committee Member Kassner called for nominations to cease and seconded by Committee Member Uden. On a roll call vote the motion passed, 3-1, with Committee Member Gardner voting no.*

** *Committee Member Uden move to appoint Committee Member Gardner as Chairperson and seconded by Committee Member Kassner. On a roll call vote the motion passed unanimously, 4-0.*

2. Request of Citizens/Public Comment:

-None-

3. Committee Members Comments:

-None-

4. Discussion on Violation at 1415 North 6th Street, Miles City, MT.

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

- Committee Member Uden stated that the City of Miles City had received a letter from the Federal Emergency Management Agency (FEMA), dated January 17, 2020, signed by Thomas G. Birney, and it directly reflects upon what we are addressing in the meeting and could cause a very expensive outlay for the citizens of Miles City if nothing is done. He proceeded to read a few paragraphs from the letter to highlight his concern. The following paragraphs were read directly from the FEMA letter:
 - “44 Code of Federal Regulations 59.1 defines development as: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.”
 - “The ramifications of Suspension from the NFIP are severe. When a jurisdiction is suspended from the NFIP, residents are unable to purchase new NFIP insurance policies, existing NFIP policies cannot be renewed, no Federal grants or loans for development may be made in identified flood hazard areas under programs administered by Federal agencies, and no Federal mortgages insurance or loan guarantees may be provided in identified flood hazard areas. This includes loans written by Federal Housing Administration, Veterans

Affairs and others. Additionally, no Federal disaster assistance may be provided to repair insurable buildings located in an identified flood hazard area for damages caused by flood.”

- “Additionally, all NFIP policy holders will be charged additional \$50.00 probation surcharge.”

Committee Member Uden then asked what the deadline was for response and inquired as to whether or not they need to have another meeting to make a recommendation to Council.

- Floodplain Administrator Sam Malenovsky gave a brief overview of the possible Citywide impacts from being suspended from the NFIP. The City would no longer be able to participate in the Community Rating System (CRS). Policy holders would lose their additional 10% discount. The United States Army Corps of Engineers (USACE) would no longer work on the section 205 project. She requested that there be another meeting scheduled to present a recommendation to Council. She believes that a “1316” needs to be done. United States Code, section 1316 (also in City Ordinance). The ordinance states, “Upon finding of a violation and failure of the owner to take corrective action as ordered, the Floodplain Administrator may submit notice and request a 1316 Violation Declaration to the Federal Insurance Administrator. The Federal Insurance Administrator has the authority to deny new and renewal flood insurance for a structure upon finding a valid violation declaration. (44 CFR 73.3)”. The Floodplain Administrator shall provide the Federal Insurance Administrator with the five requirements. A “no-rise” engineering report would need to be done to show there was no change in base flood elevation (BFE). The property in violation would be unable to receive insurance now or in the future, including in the event of sale of property.

She closed by saying that she will contact Thomas G. Birney to verify what would be needed to satisfy the request from FEMA.

- Attorney Rice thinks that a recommendation is not necessary. FEMA just needs to be advised as to whether or not the property is compliant, and if the property is not, what actions the City has taken to bring the development into compliance. The City has taken action, citations were issued, and they are currently working on a further corrective action plan.
- Mayor Hollowell explained the financial impact of the \$50 probation surcharge to approximately nine hundred policyholders. It would be around \$45,000 affecting the community. Any grandfathered policies would be gone and the people would have to go to the new level, which could be an increase of several hundred dollars.
- Committee Member Kassner pointed out that approximately 75% of homes in Miles City have Federal Housing Administration (FHA) & The United States Department of Housing and Urban Development (HUD) loans through the bank system. If we were to lose the discount it would be detrimental to Miles City.
- A meeting was scheduled for Tuesday, February 4th, 2020 at 6:00pm

4. Adjournment

** *Committee Member Kassner moved to adjourn the meeting, seconded by*

Committee Member Lott and passed unanimously, 4-0.

There being no further business, the Committee adjourned at 6:29 p.m.

Respectfully Submitted,

Ken Gardner, Chairperson

Mary Rowe, Deputy City Clerk

Public Hearing
&
Unfinished Business

ORDINANCE NO. 1336

AN ORDINANCE REVISING THE PENALTY SECTION FOR BUILDINGS AND BUILDING REGULATIONS VIOLATIONS.

WHEREAS, the Code of Ordinances does not provide consistent penalties for violations of various building regulations contained in Chapter 5 of the Code of Ordinances, and should be revised accordingly.

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

Section 1. Sections 5-126 and 5-178 are hereby **REPEALED**.

Section 2. The following section is hereby **ENACTED**:

Sec. 5-3. - Penalty for violation of chapter. Unless otherwise specified by the provisions of this chapter, any person who violates the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine not to exceed \$500.00 or by imprisonment for a term not to exceed six months, or both.

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

Said Ordinance read and put on its passage this 14th day of January, 2020.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 28th day of January, 2020.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

New Business

RESOLUTION NO. 4302

A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO ENTER INTO A CITY PRINTING CONTRACT WITH BOSS PRINTING COMPANY.

WHEREAS, the City has advertised for and accepted bids for a city printing contract;

AND WHEREAS Boss Printing Company, a Montana corporation, of P.O. Box 1056, Miles City, Montana was the lowest responsible bidder for such contract;

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. The Contract for City Printing, attached hereto, between the City of Miles City and Boss Printing Company is hereby approved and adopted by this Council.
2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said Contract on behalf of the City of Miles City and bind the City of Miles City thereto; and
3. The Mayor of the City of Miles City is hereby empowered and authorized to execute such further documents as are necessary to carry out the terms of said Contract and bind the City of Miles City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 28TH DAY OF JANUARY, 2020.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

CONTRACT FOR CITY PRINTING

THIS CONTRACT is made and entered into this 28th day of January, 2020 by and between the City of Miles City, Montana, a Montana Municipal Corporation, of P. O. Box 910, Miles City, Montana 59301 hereinafter called "City," and Boss Printing Company, a Montana corporation, of P.O. Box 1056, Miles City, Montana 59301, hereinafter called "Printer."

WHEREAS, the City Council of the City of Miles City, Montana, did heretofore advertise for bids pursuant to Montana Code Annotated 7-5-4108, and Printer was the lowest responsible bidder, said bid dated December 10, 2020, being attached hereto as Exhibit "A" and by this reference made a part hereof.

NOW, THEREFORE, the parties agree as follows:

The term of this contract shall be for one (1) year, effective January 28, 2020 until January 28, 2021.

City hereby contracts with Printer for completion of certain commercial printing jobs as specified in Exhibit "A" and agrees to pay for said printing during the term of this contract at the prices and amounts specified therein.

In any litigation arising out of this contract, the successful litigant shall be entitled to receive from the other parties, in addition to the costs and disbursements provided for by statute, a reasonable attorney's fee as fixed by the Court.

IN WITNESS WHEREOF, the parties hereto have made and executed this Contract on the day and year first above written.

"CITY"

The City of Miles City, Montana

By: _____
John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

"PRINTER"

Boss Printing Company

By: _____
Tige Vester, CEO

Cost Comparison for Printing

November 30, 2019

PRESENTED BY BOSS OFFICE PRODUCTS

Item

City Court Payment Envelope	
5 1/2 bar white envelope	500 = \$77.25
City of Miles City Envelope	
#10 Regular white wove Envelope	500 = \$55.25
City of Miles City Envelope	
#10 Regular white wove Envelope - window	500 = \$59.95
Miles City Fire and Rescue Envelope	
#10 Regular white wove Envelope	500 = \$55.25
City Prosecutor Envelope	
#10 Regular white wove Envelope	500 = \$55.25
City Claim Voucher Recap	
Blue bond, black ink	500 = \$41.35
Single sided pads of 100	
City of Miles City Letterhead	
White 24lb. Smooth	500 = \$59.25
Miles City Fire and Rescue Letterhead	
White 24lb. Smooth	500 = \$59.25
Leave Authorization Form	
CB Blue, CF yellow 8 1/2 X 3 1/2	100 = \$12.95
Single Sided, Glued in Sets of 2	
City Purchase Order	
CB Blue, CF yellow 8 1/2 X 11	
Single sided glued in sets of 2	500 = \$114.18
Stolen gun entry	
8x5 white index black ink single sided	100 = \$24.25
Stolen or felony vehicle	100 = \$24.25
Stolen Securities Entry	100 = \$24.25
Stolen Article Entry	100 = \$24.25
Stolen Boat Entry	100 = \$24.25
Order of Portection Entry	
8X5 White Index	200 = \$18.80
Double Sided	
NCIC Missing Person File Double sided	100 = \$10.90
Wanted Person File - entry	300 = \$26.70
Police Receipt for Property	
2 part Carbonless Single Sided	
Glued in Sets of 2	500 sets = \$73.80

Request for Forensics Exam	
2 part Carbonless Double Sided	
Glued in Sets of 2	500 = \$87.75
Vehicle Impoundment Record	
2 part Carbonless Single Sided	100 sets = \$41.50
Glued in Sets of 2	
Partner & Family Member Assault Notice	
3 part Carbonless Single Sided	
Glued in Sets of 3	400 sets = \$91.15
Police dept Letterhead	
White 24lb. Smooth	300 = \$72.10
Police Dept Receipt Books	
4 per sheet 3 part	
perforated, numbered, wirebound	30 bks = \$789.80
Accident Exchange Sheet	
8 1/2 X 11 3 part 150 per pad	1000 = \$212.75
Criminal Investigation Covers	
8.75X12.5 Blue 110# Index Colored	100 = \$70.25
Back Covers to above	25 = \$12.80
Shutdown Notice Door Tags	500 = \$75.10
Curb Stop Notice Door Tags	500 = \$48.04
Work Order	5 Books = \$113.50

RESOLUTION NO. 4303

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2019-2020 TO INCREASE THE BUDGETED AMOUNT IN THE FUNDS FOR HB473 FUEL TAX, POLICE, FIRE AND AMBULANCE UNBUDGETED REVENUES AND EXPENDITURES.

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2019-2020 to increased appropriations as a result of several unanticipated expenditures related to the HB473 Fund, Police Fund, Fire Fund and Ambulance Fund as permitted by §7-6-4006 MCA;

AND WHEREAS, such amendment of the final budget will result in an overall increase in appropriation authority within multiple funds,

AND WHEREAS the provisions of §7-6-4006 MCA require public hearing upon any budget amendment resulting in an overall increase in appropriation authority,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Miles City, Montana as follows:

The appropriations and revenue for the Final Budget for Fiscal Year 2019-2020 shall be increased in the following amount:

1. Increased revenue in the amount of \$197,025.71 in unanticipated revenue from HB473 Fuel Tax in fund No. 2821-335041
2. Increased revenue in the amount of \$9,851.28 in unanticipated revenue from Fund 2510, a five percent match in fund No. 2821-383000
3. Increased appropriations in the amount of \$217,105.78 in unanticipated expense for reconstruction on Merriam Street in fund No. 2821-095-430233-935 (102131) as a result of receiving additional cash from Intergovernmental Revenue and a five percent match from Fund 2510. Also, cash that was not spent from the five percent match in 2018 and 2019, adding to \$10,228.79
4. Increased appropriations in the amount of \$9,851.28 in unanticipated expense for interfund operating transfers out to match five percent of the \$197,025.71 in fund No. 2510-107-521000-820, that is being received from Intergovernmental Revenue
5. Increased Revenue in the amount of \$2,694 in unanticipated revenue received in fund No. 1000-362020 from private donations

6. Increased appropriations in the amount of \$500.00 in unanticipated expense in the Police fund No. 1000-005-420140-220 (101000) to purchase body armor
7. Increased appropriations in the amount of \$2,194 in unanticipated expense in the Police fund No. 1000-005-420140-350 (101000)
8. Increased appropriations in the amount of \$12,000.00 in unanticipated expense in the Police fund No. 1000-005-420140-111(101000), as Council approved the 2019-2020 283B Union Contract. No Additional Revenue will be received.
9. Increased appropriations in the amount of \$7,370.00 in unanticipated expense in the Fire fund No. 1000-007-420460-149 (101000), as Council approved the 2019-2020 Local 600 Union Contract. No Additional Revenue will be received
10. Increased appropriations in the amount of \$3,630.00 in unanticipated expense in the Ambulance fund No. 5510-010-420730-149(101000), as Council approved the 2019-2020 Local 600 Union Contract. No Additional Revenue will be received

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2019-2020 on the 11th day of February, 2020, at 6:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 28TH DAY OF JANUARY, 2020.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 11TH DAY OF FEBRUARY, 2020.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4304

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE LOCAL NO. 600 BARGAINING UNIT REGARDING PHYSICAL EXAMINATIONS.

WHEREAS, the City of Miles City (“City”) and the Miles City Fire Department Local No. 600 Union (“Union”) have entered into a Collective Bargaining Agreement with an effective date of July 1, 2019 (“CBA”);

AND WHEREAS, the City and the Union agree to revise Articles 26 of said Agreement to change physical examinations from a biennial basis to an annual basis per National Fire Protection Association (NFPA) 1582 “Standard on Comprehensive Occupational Medical Program for Fire Departments”;

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. Memorandum of Understanding, attached hereto as Exhibit “A” and incorporated herein, is hereby approved, and shall be attached to the Collective Bargaining Agreement between the City and the Union; and shall add additional provisions to Article 26, as set forth therein.
2. The Mayor is authorized and empowered to execute said Memorandum of Understanding, and to bind the City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 28th OF JANUARY, 2020.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk



CITY OF MILES CITY

17 S. 8th, P.O. Box 910
Miles City, MT 59301

Telephone: (406) 234-3462
Fax: (406) 234-2903

January 21, 2020

Casey Miller, President
Local No. 600
International Association of Fire Fighters
2800 Main Street
Miles City, MT 59301

Dear Mr. Miller,

By signing and dating one copy of this letter the city of Miles City and union Local No. 600 agree to the following Memorandum of Understanding regarding changing physical examinations from biennially to annually in accordance with NFPA 1582.

Memorandum of Understanding

Article 26 – Health Protection

B. Annual Physical Examinations: A mandatory yearly comprehensive physical examination shall be performed at no cost to the employee in accordance with NFPA 1582.

The above Memorandum of Understanding will be presented to the City Council as an addendum to the current Collective Bargaining Agreement between the City and the Union.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda J. Wilkins".

Linda J. Wilkins
Deputy City Clerk/Human Resources Officer

Accepted by:

Casey Miller, President
Local No. 600

Accepted by:

John L. Hollowell, Mayor
City of Miles City