

**REGULAR COUNCIL MEETING February 25, 2020
6:00 p.m.**

CALL TO ORDER

The Regular Council meeting was held Tuesday, February 25, 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, Wayne Andrews, Ken Gardner, John Uden, Rick Huber, Austin Lott, Kathy Wilcox and Curtis Reese.

Also present were City Attorney Dan Rice, Public Utilities Director Tom Speelmon, Police Chief Doug Colombik, Planner in Training Ally Capps, Flood Plain Administrator/Auto Cad/Assistant PWPV Samantha Malenovsky, 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: 2/11/2020

****** *Councilperson Uden moved to approve the minutes of the Regular Council Meeting of February 11, 2020, subject to any corrections or changes, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 8-0.*

Finance Committee Minutes: 2/13/2020

Finance Committee Meeting

February 13, 2020

The Finance Committee met Thursday, February 13, 2020 at 6:00 p.m. in the City Hall Conference room. Present were Committee Members Austin Lott, Brant Kassner, John Uden and Curtis Reese.

Also present were: Fire Chief Branden Stevens, Planner in Training Ally Capps and City Clerk/Recorder Lorrie Pearce.

Chairperson Lott called the meeting to order.

- 1. Request of Citizens and Public Comment:** Chief Stevens presented four grants to the Committee asking for feed-back as to whether the departments should apply for them. He said they all involve a match from the City and would affect fiscal year 2021. There are two grants for Federal Emergency Management Agency (FEMA) and two for Aid to Firefighter (AFG). They are as follows:
 - Safer grant- This grant would allow the ambulance to take more out of town transfers. It would allow the City to hire three to four more firefighter/EMT/paramedics with a reduced cost to the City. The matching fund on a \$250,000 grant would be 30 to 50 percent. Having a working fire tender will help with the Insurance Service Office (ISO) rating.
 - Fire Tender grant- This grant could help the department purchase a fire tender up to \$300,000. The match is 5 percent or \$15,000. Having a working fire tender will help with the ISO rating.
 - Fire prevention and safety micro grant- This grant is for \$50,000 with a 5 percent match or \$2,500. This grant would help buy fire prevention material and equipment
 - AFG EMS equipment for \$50,000 with a 5 percent match or \$2,500. This grant would be 100 percent out of the Ambulance fund to buy power cots and power loaders.

Chief Stevens said if he had to pick two, he would choose the Fire Tender and EMS equipment grant. He could also ask for a smaller amount on the grant for the fire tender. He thought that he would put in for the fire tender grant because he had applied last year with a rejection and it just needs updated. If the City was awarded the grant and it did not have the money for the match, then he would deny accepting the grant.

Committee Member Uden appreciated that the Chief is looking into grants, but felt it is too soon to approve or disapprove any money spending for fiscal year 2021.

After a short discussion it was decided that the Committee will look at the fiscal year 2020 budget at the next scheduled meeting and try to get an answer for him.

2. **Discuss and recommendation on Resolution No. 4309:** A Resolution Approving a Leasehold Assignment of a one-half Interest in a Portion of Tract S of the Industrial Site, and Amended Lease Agreement, with Cowtown AG Supply, LLC, for Lease of Real Property Owned by the City of Miles City

**** Committee Member Kassner moved to recommend to Council to approve the resolution, seconded by Committee Member Uden.**

Planner Capps explained that there was a co-lease between Jerry Singleton and Gary Haynes. Mr. Haynes has passed and his spouse wants to let go of her portion of the lease. The resolution and agreement will update with the new rates and combines Mr. Singleton leases. It changes the name from Jerry Singleton to Cowtown Ag Supply. It would go into effect July 2020 with rates in compliance with the Cities.

**** The motion passed by roll call, 4-0**

3. Adjournment

**** Committee Member Uden moved to adjourn the meeting, seconded by Committee Member Kassner and passed unanimously**

The meeting was adjourned at 6:25 p.m.

**** Councilperson Lott moved to approve the minutes of the Finance Committee Meeting of February 13, 2020, subject to any corrections, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 8-0.**

Public Safety Minutes: 2/18/2020

Public Safety Committee Meeting February 18, 2020

The Public Safety Committee met Tuesday, February 18, 2020, at 6:00 pm in the City Hall Conference Room, 17 S. 8th. Present were Committee Members John Uden, Kathy Wilcox, Ken Gardner and Austin Lott. Also present were: Building Inspector Dennis Hirsch and Human Resources Officer/Recorder Linda Wilkins.

Chairperson Uden called the meeting to order.

1. Election of Committee Chair Person

As last year's Chair John Uden called for nominations.

****Committee Member Garner nominated Committee Member Lott, seconded by Committee Member Uden and passed by unanimous consent 4-0.**

2. Request of Citizens

None

3. Committee Member Comments

None

4. Unfinished Business

None

5. New Business

- A. Review and Recommend Ordinance No. 1337 AN ORDINANCE ADOPTING REVISED BUILDING CODES IN ACCORDANCE WITH STATE OF MONTANA BUILDING CODES PROGRAM REQUIREMENTS, AND GENERAL REVISIONS TO CHAPTER INCLUDING PENALTY SECTION, AND REMOVAL OF ANTEQUATED CODES.

**** Committee Member Wilcox moved to recommend to Council adoption of Ordinance 1337 as read, seconded by Committee Member Uden.**

Committee Member Lott stated this ordinance was cleaning up language, and to include the penalty of \$500/day with each day being a new violation. Committee Member Uden stated this brought the ordinance in compliance with building code.

***The motion passed by unanimous consent 4-0.*

- B. Review and Recommend Ordinance No. 1338 and ORDINANCE REMOVING REFERENCE TO 2006 INTERNATIONAL FIRE CODE IN THE PENALTY SECTION OF THE CITY FIRE PREVENTIONS CODE.

*** Committee Member Wilcox moved to recommend to Council adoption of Ordinance 1338 as read, seconded by Committee Member Gardner.*

Inspector Hirsch stated this removed reference to older code. Committee Member Uden asked if this brought the ordinance in compliance with International Fire Code. Inspector Hirsch stated it would bring it in compliance with 2012 International Fire Codes.

***The motion passed by unanimous consent 4-0.*

6. Adjournment

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

The meeting was adjourned at 6:20 p.m.

*** Councilperson Gardner moved to approve the minutes of the Public Safety Committee Meeting of February 18, 2020, and seconded by Councilperson Lott. The motion **passed** by unanimous consent, 8-0.*

SCHEDULE MEETINGS

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

Human Resource March 19@ 5:30pm
Finance February 27th @ 6:00pm
Public Service March 3rd @ 5:30pm

REQUEST OF CITIZENS & PUBLIC COMMENT

Casey Reeves- Wild Horses Building Champions, Inc

Casey Reeves, Poplar Montana, introduced herself and husband Tom. They explain to Council that they were trying to form a community partnership with the City of Miles City and hoped that the City could contribute money to the event. The following is what they discussed:

- 150 kids are signed up for the rodeo school that is scheduled for March 20th through March 22nd. The event is free to everyone
- Many children will be traveling from six states and two providences
- With families traveling to Miles City, it will leave an economic impact with the community
- Is a 501(c) organization
- Other events scheduled are: Historic Preservation, Human Trafficking, Anti bullying and suicide youth prevention
- Asking for \$23,000

*** After a long discussion, Councilperson Wilcox moved to refer the matter to the Finance Committee for recommendation, seconded by Councilperson Reese. The motion passed unanimously, 8-0*

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Tom Speelmon- Announced that the water and sewer department was awarded a \$750,000 grant from Delivering Local Assistance. The money will go to the Darling project and there is no match.

Doug Colombik- Reviewed the 2020 Crime Statistics for the first two months of 2020. He said that the felony cases went down from last year, but the crimes are more serious. He had to move an officer off the street to keep up. With this decision, it allows the extra officer to do follow up, evidence management and will be called out on violent cases. He plans on hiring one more officer in fiscal year 2021. The canine hit on two stops, where one vehicle was seized.

Ally Capps- Reported that Historic Preservation has received a \$5,500 grant from the State Historic Preservation Office.

CITY COUNCIL COMMENTS

Dwayne Andrews- Asked how the grants are coming along for the Public Safety Building. Planner Capps explained that most grants have a time frame or a match is needed, so until a decision is made it is not feasible to apply for any grants right now.

Austin Lott- Reported from the Solid Waste Board meeting that the existing pit at the landfill still has 5-6 years before a new one is needed, and the manager found a new contractor which is saving money. Just wanted to stop the rumors.

Ken Gardner- Asked if the 1316 was sent to FEMA. Administer Malenovsky said it was.

MAYOR COMMENTS

None

COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

- A. **ORDINANCE NO. 1337- An Ordinance Adopting Revised Building Codes in Accordance With State of Montana Building Codes Program Requirements, and General Revisions to Chapter Including Penalty Section, and Removal of Antiquated Codes**

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

- B. **ORDINANCE NO. 1338- An Ordinance Removing Reference to 2006 International Fire Code in the Penalty Section of the City Fire Prevention Code**

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. 1337- *(Second Reading) An Ordinance Adopting Revised Building Codes in Accordance With State of Montana Building Codes Program Requirements, and General Revisions to Chapter Including Penalty Section, and Removal of Antiquated Codes*

** *Councilperson Uden moved to approve the Ordinance, read by title only and seconded by Councilperson Lott. On roll call vote, the motion passed by unanimous consent, 8-0 Ordinance No.1337 passed.*

B. ORDINANCE NO. 1338- *(Second Reading) An Ordinance Removing Reference to 2006 International Fire Code in the Penalty Section of the City Fire Prevention Code*

** *Councilperson Gardner moved to approve the Ordinance, read by title only and seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 8-0 Ordinance No.1338 passed.*

NEW BUSINESS

A. Approval on proceeding with the \$750,000 EDA grant for the flood project. City to provide 20 percent match (\$150,000) in Fiscal Year 2021

** *Councilperson Reese moved to approve proceeding with the \$750,000 grant, and seconded by Councilperson Wilcox.*

Administrator Malenovsky explained that the flood steering committee thought the funds could be used on the Yellowstone River side where it meets with the Tongue River.

Mayor Hollowell said that he is very certain that the County will not pay the thirty percent for the grant expenses, so the cost would be solely the City's burden. The City and County is competing for this grant, and the steering committee is not supporting the City on submitting the grant.

The consensus of the Council was that General Fund could not afford the \$150,000 match and asked if the grant could be submitted with a request of a "no match". Planner Capps said the grant starts with \$1,700,000, and the money goes fast. She and Administer Malenovsky will look into what kind of information is needed to submit the grant with a no match stipulation and report the findings at the next meeting.

** *Councilperson Uden moved to postpone the decision until March 10, 2020, seconded by Councilperson Wilcox. On roll call vote, the amended motion passed by unanimous consent, 8-0.*

B. RESOLUTION NO. 4309- A Resolution Approving a Leasehold Assignment of a One-Half Interest in a Portion of Tract S of the Industrial Site, and Amended Lease Agreement, With Cowtown AG Supply, LLC, for Lease of Real Property Owned by the City of Miles City

** *Councilperson Lott moved to approve the Resolution, read by title only and seconded by Councilperson Huber. On roll call vote, the motion passed by unanimous consent, 8-0 Resolution No.4309 passed.*

C. RESOLUTION NO. 4310- A Resolution Authorizing the City of Miles City to Enter Into a Construction Maintenance Agreement With the

Montana Department of Transportation

** *Councilperson Andrews moved to approve the Resolution, read by title only and seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 8-0 Resolution No.4310 passed.*

ADJOURNMENT

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

The meeting was adjourned at 7:15p.m.



John Hollowell, Mayor



Lorrie Pearce, City Clerk