

REGULAR COUNCIL MEETING April 14, 2020
6:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, April 14, 2020, by remote means at Zoom.us. Mayor John Hollowell called the meeting to order. Council Members present were Brant Kassner, Dwayne Andrews, Ken Gardner, John Uden, Rick Huber, Austin Lott, Kathy Wilcox and Curtis Reese.

Also present were City Attorney Dan Rice, Public Works Director Scott Gray, Police Chief Doug Colombik, Acting Fire Chief Ed Kanduch, Planner in Training Ally Capps, Flood Plain Administrator/Auto Cad/Assistant PWPV Samantha Malenovsky, Public Utilities Director Tom Speelmon, Incident Commander Branden Stevens, City Clerk Lorrie Pearce and Deputy City Clerk/Minute Recorder Mary Rowe.

PLEDGE OF ALLEGIANCE

Mayor Hollowell led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 3/10/2020

** *Councilperson Uden moved to approve the minutes of the Regular Council Meeting of March 10, 2020, subject to any changes, and seconded by Councilperson Andrews. The motion passed by unanimous consent, 8-0.*

SCHEDULED MEETINGS

The following meetings will be held in the City Hall Conference Room:
 Human Resources Committee April 21st @ 4:15 p.m.

REQUEST OF CITIZENS & PUBLIC COMMENT

None

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Director Gray gave an update on the Darling Addition. He is expecting Western Municipal to finish Phase II in the next two weeks. Bids are being opened tonight for Phase III, which is expected to begin next month.

Planner in Training Capps gave an update on the EDA grant. She stated there are two requirements; 1) It is only used for economic development. 2) The project lies within the opportunity zone. She said between Director Gray, Director Speelmon, and herself they are trying for ten million dollars in funding and will use it for improvements in the business district, industrial site, lift station, and Montana Street, which include water/sewer upgrades. The City is currently utilizing 2/3 or 98% of its capacity right now, upgrading these lines would increase overall capacity helping the City grow in the future.

Acting Fire Chief Kanduch gave an update on the Fire Department. He stated the following.

- 78 less calls this year than last year at this time.
- A couple staffing issues, one due to Covid-19 Incident Command Center (ICS) needing a commander.
- Tender 23 out of service- Applied for a grant.

- Engine 8 electrical issues were completed.
- Ambulance 20 is the designated “Covid-19 response vehicle”
- They are still doing training and the new website is almost complete.
- This year they had 95 transfer requests to date.

Incident Commander Stevens gave a brief description of who makes up the Unified Health Command (UHC) and what they are doing during Covid-19. He expressed appreciation for the opportunity and responsibility of being the Incident Commander and stated that he is taking it very seriously. He is proud of the work that everyone has done and is doing to keep our community safe. The UHC started preparing in early February. They identified and gathered what the emergency responders (Police, Fire, etc.) needed to complete their jobs. He stated they have four main directives.

1. Minimize the spread of Covid-19 by following the Governor’s orders.
2. Support the wellness of community essential workers.
3. Minimize mis-information.
4. Identify cases and Isolate the sick.

Incident Commander Stevens said there are currently no confirmed cases here. There were sixty-one people tested and six results were still pending. He stated that Custer County is using the nasal swab tests and they are sent out daily at 2:00pm. They have requested fifteen-minute tests. There is a strategic plan in place to isolate the sick and investigate the source of illness. He stated that they also have an action plan in place for a County-wide virus spread as well. The projected peak of the virus is April 21st, 2020. The UHC is staying in constant contact with emergency services for this region.

CITY COUNCIL COMMENTS

None

MAYOR COMMENTS

None

COMMITTEE RECOMMENDATIONS

Finance- Approve to pursue a full scope and fee for a PER for the Yellowstone River portion of the levee project and corresponding EDA grant application with a City match commitment not to exceed \$50,000 each year for the next 2-years

*** Councilperson Wilcox moved to approve the recommendation read by Mayor Hollowell and seconded by Councilperson Lott.*

Councilperson Lott expressed personal concern about the match fund availability, but also stated that this is a great opportunity for the City. He believes it is a step in the right direction towards permanently fixing the dike. He then pointed out the urgency of applying for the grant, because the regional balance is being given out so fast that there may be nothing left by the time Council approval is given.

Councilperson Andrews pointed out that every year there is a budget process that allows directors to budget for anticipated grant match funds. He stated that we do not have the money and that is the bottom line. He thinks this application request should be tabled until budget time.

Councilperson Reese suggested applying for a lessor amount to minimize the amount of the match commitment.

Administrator Malenovsky explained that the \$50,000.00 was a maximum commitment amount and was a ballpark figure. She requested that the Council give her an amount that they feel comfortable with for a maximum amount and she will work with the engineer to not exceed it. She also explained that the Army Corps of Engineers does not require a 205 match this year, so expenses are less than anticipated. She questioned whether the intercap loan could be used to fund the match and requested that City Clerk Pearce look into it. She closed by reiterating the

urgency of moving forward with the application process, as funding may not be available if tabled.

****** *Councilperson Andrews moved to amend the motion to include a condition that research will be done to acquire match funds outside of the general fund and seconded by Councilperson Uden. On roll call vote, the motion passed, 7-1, with Councilperson Huber voting no.*

BID OPENINGS

Darling Addition Phase III

Four bids were received, they are as follows:

COP Construction	\$4,054,368
KLE Construction	\$3,186,600
Diamond J Construction	\$2,883,964
Western Municipal	\$3,911,897

****** *Councilperson Uden moved to refer to Finance Committee for review and seconded by Councilperson Gardner. Motion passed unanimously, 8-0.*

BID AWARDS

None

PUBLIC HEARINGS

- A. ORDINANCE NO. 1339- An Ordinance Extending the Duration of Business Improvement District 101, Providing For a Board of Trustees and Executive Director and the Terms Thereof, Providing for the Funding of the District, Providing for the Duration of Such Extension of the District, and providing an Effective Date Therefore**

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

UNFINISHED BUSINESS

None

NEW BUSINESS

- A. ORDINANCE NO. 1339- (First Reading) An Ordinance Extending the Duration of Business Improvement District 101, Providing For a Board of Trustees and Executive Director and the Terms Thereof, Providing for the Funding of the District, Providing for the Duration of Such Extension of the District, and providing an Effective Date Therefore**

****** *Councilperson Reese moved to approve the Ordinance read by title only and seconded by Councilperson Gardner. On roll call vote, the motion passed, 8-0.*

Mayor Hollowell referred the Ordinance to Finance Committee to review.

- B. RESOLUTION NO. 4317- A Resolution of the City of Miles City Temporarily Delegating Authority to the Mayor to Approve and Authorize Contracts and Agreements on Behalf of the City, so Long as the Same are Budgeted, Compliant with the City's Purchasing Policy, and Fall Within the Normal Course of Business, and Providing for Public Posting of Agreements Executed Under this Resolution**

****** *Councilperson Gardner moved to approve the Resolution and seconded by Councilperson Kassner.*

Mayor Hollowell clarified that he would inform the Council of any requests

before making any decisions.

Councilperson Lott inquired as to how the decision could be revoked if need be. Mayor Hollowell responded that there would be a Resolution to appeal at a Council meeting, which satisfied Councilperson Lott's question.

**** On roll call vote, the motion passed, 8-0. Resolution No. 4317 passed**

C. RESOLUTION NO. 4318- A Resolution Authorizing the City of Miles City to Enter into An Amendment to Task Order (No.4) With Kadrmass, Lee & Jackson, Inc. Related to the Darling Addition Street and Utilities Rehabilitation Project

**** Councilperson Uden moved to approve the Resolution, read by title only and seconded by Councilperson Lott. On roll call vote, the motion passed, 8-0. Resolution No. 4318 passed**

D. RESOLUTION NO. 4319- A Resolution Establishing Meeting Protocol During the COVID19 Emergency Period

**** Councilperson Wilcox moved to approve the Resolution, read by title only and seconded by Councilperson Andrews. On roll call vote, the motion passed, 8-0. Resolution No. 4319 passed**

E. RESOLUTION NO. 4320- A Resolution Approving a Fixed Account Amendment to Group Flexible Purchase Payment Deferred Variable Annuity Contract

**** Councilperson Kassner moved to approve the Resolution, read by title only and seconded by Councilperson Huber. On roll call vote, the motion passed, 8-0. Resolution No. 4320 passed**

F. Approval on Writing off \$1303.00 for Ambulance

**** Councilperson Andrews moved to approve the write-offs and seconded by Councilperson Reese. Motion passed unanimously, 8-0.**

G. Approval of March Claims

**** Councilperson Lott moved to approve the March claims and seconded by Councilperson Wilcox.**

There were a few questions addressed regarding cost of supplies and services.

*** Motion passed unanimously 8-0.**

ADJOURNMENT

**** Councilperson Kassner moved to adjourn the meeting, seconded by Councilperson Huber and passed unanimously, 8-0.**

The meeting was adjourned at 7:52p.m.


John Hollowell, Mayor


Mary Rowe, Deputy City Clerk