

**REGULAR COUNCIL MEETING February 23, 2021
6:00 p.m.**

CALL TO ORDER

The Regular Council meeting was held Tuesday, February 23, 2021, in the City Hall Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana and online at zoom.us. Mayor John Hollowell called the meeting to order. Council Members present were Ken Gardner, Elizabeth Patten, Rick Huber, Austin Lott, Kathy Wilcox and Stacy Broell. Brant Kassner and Dwayne Andrews were not present.

Also present were Public Works Director Scott Gray, Police Chief Doug Colombik, Fire Chief Branden Stevens, Planner in Training Ally Capps, Flood Plain Administrator/Auto Cad/Assistant PWPV Samantha Malenovsky, Public Utilities Director Tom Speelmon and 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: 01/26/2021

** *Councilperson Huber moved to approve the minutes of the Regular Council Meeting of January 26, 2021, subject to any changes, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 6-0.*

Public Safety Committee Minutes: 12/15/2020

**Public Safety Committee Meeting
December 15, 2020**

The Public Safety Committee met Tuesday, December 15, 2020, at 6:00 pm via Zoom Conferencing in the Conference Room at City Hall, 17 S. 8th. Present were Committee Members Ken Gardner, Elizabeth Patten and Austin Lott. Excused was Committee Member Kathy Wilcox. Also present were: Police Chief Doug Colombik, Fire Captain Jake Richards, City Planner Ally Capps, Public Utilities, Fire Chief Branden Stevens, Firefighter Grant Lean, and HR Officer/Recorder Linda Wilkins.

Chairperson Lott called the meeting to order.

1. Request of Citizens

Fire Chief Stevens updated the Committee on the status of Fire Department facilities and equipment. Should the current call volume continue, a staff of 19 FTE's would be required to keep up. The department is continuing to look at wildland assessments. Tower 19 is a 1993 model is coming upon being 30 years old, a maintenance company will be coming to look at the tower in the near future. The fire station is having draining, electrical, and plumbing issues. A safety audit was recently conducted and a plan will be put together to address these issues.

2. Committee Member Comments

None

3. Review and Recommendation regarding short, mid and long-term goals for the Woolhouse Building.

Committee Chairperson Lott, Captain Dan Baker and Chief Colombik have met with Architect Brandon Janshen. Architect Janshen has provided preliminary drawings, which will be included as part of these minutes. The building purchase price is \$263,000. A base flood elevation study will be done. The building will require fire sprinklers, gutting, and remodel for offices and evidence storage; all remodel will be in accordance with ADA. The remodel costs are estimated at \$600,000. Total project cost would be \$1.1 million dollars, including furniture. Phase I of the

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project would include providing temporary housing for the police department in the rear of the building, while the building project is progressing. This area could provide office space of 2,200 square feet for a possible tenant in the future such as Montana Probation and Parole. Chairperson Lott would like the following items started: 1) Base Flood Elevation Report 2) Obtain a quote for hazardous material assessment in preparation for an abatement plan. Chairperson Lott stated that Bruce Inghram said the assessment would be approximately \$5,000. Committee Member Patten suggested Planner Capps contact the Brownsfield Coalition for funding, they have been looking for a project in SE Montana. Phase II will start on the east end of the building. Phase III other options for the building, i.e. dispatch, fire department.

***Committee Member Lott moved to recommend to Council 1) overall budget of \$1.1 million, 2) approve a hazard assessment contingent on either Brownsfield Coalition or Bruce Inghram, 3) approval of a flood study, and 4) demolition and rapid remodel for short-term occupancy, if required. All contingent on purchase of the building, seconded by Committee Member Gardner. On roll call vote the motion passed unanimously, 3-0.*

4. Adjournment

***Committee Member Patten moved to adjourn the meeting, seconded by Committee Member Gardner and passed unanimously, 3-0.*

The meeting was adjourned at 6:55 p.m.

*** Councilperson Lott moved to approve the minutes of the Public Safety Committee Meeting of December 15, 2020, subject to any changes, and seconded by Councilperson Huber. The motion passed by unanimous consent, 6-0.*

Public Safety Committee Minutes: 02/02/2021

**Public Safety Committee Meeting
February 2, 2021**

The Public Safety Committee met Tuesday, February 2, 2021, at 6:00 pm via live attendance and Zoom Conferencing in the City Hall Conference Room, 17 S. 8th. Present were Committee Members Ken Gardner, Elizabeth Patten, Kathy Wilcox and Austin Lott. Also present were: Police Chief Doug Colombik, Police Captain Dan Baker, Mayor John Hollowell, Battalion Chief Sarah Lewin, Fire Captain Eddy Kanduch, Fire Captain Jake Richards, Fire Captain Taran Harbaugh, Fire Lt Casey Miller, Fire Chief Branden Stevens, Council Members Rick Huber and Stacy Broell, Dispatch Supervisor Lyne Anderson, Dispatchers Andrew Merical and Jean Mansheim, 911 Board Members Rex Phipps, Ray Hageman, and Kevin Krausz AC/CE Officer Mark Winkley, City Building Inspector Russell Murphy, SDI Architect Brandon Janson and HR Officer/Recorder Linda Wilkins.

Chairperson Patten called the meeting to order.

- 5. Request of Citizens for Public Comment**
None.
- 6. Staff Comments**
None.
- 7. Committee Member Comments.**
None
- 8. Discussion of Dispatch Center.**

Dispatcher Merical discussed with the Committee a need for more dispatch staff due to the increase volume of calls coming through the Southeastern Montana Dispatch Center. This increase in call volume is affecting the morale of the staff and is not allowing them to complete other duties. He is concerned that the dispatch center is unprepared for a large disaster. Dispatcher Mansheim also expressed concerns regarding staffing in the dispatch center, and believes COVID pandemic has affected the dispatch center adversely. Dispatch Supervisor Anderson stated she has needed to step out on numerous occasions to assist with dispatching duties. 911 Board Member Phipps stated he's always glad to have the dispatchers on the other end of any ambulance calls he responds to. 911 Board Member Krausz thought that possibly looking at the concept of making dispatch an enterprise fund could be something that possibly should be looked at, Kallispell has done something similar to this. All stakeholders would pay dispatch for services

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and dispatch would be governed by the stakeholders. Supervisor Anderson stated the current issue is looking at employing one more full-time dispatcher to help support our community. Board Member Krausz pointed out that HB 50 the "911 Bill" at the Montana legislature is an attempt to skim funding off of 911 funds, he encouraged all to contact their representative to voice their disapproval of this measure. The next 911 board meeting in March 17th. The Public Safety Committee will be returning to this issue for a solution.

9. Report from Building Inspector regarding the Miles City Fire and Rescue Building.

Inspector Murphy is in the process of conducting an inspection of the Miles City Fire and Rescue Building. He reported to the committee some of his current findings:

- o Truss system is compromised and cannot be saved
- o Air filtration units - efficiency problem
- o Living quarters are not framed correctly according to today's standards
- o Issues with the backup generator
- o Temporary living quarters - wastewater pipes not installed at the proper grade
- o Mold issues
- o If the roof were repaired the entire building would have to be brought up to code

He will be competing his inspection in the next week. The Public Safety Committee will be returning to this issue.

10. Woolhouse Gallery Updates on Acquisition and Demo.

Architect Jansen updated the committee on the progress of the Woolhouse building. An RFQ will need to go out for a contractor, this RFQ must be published 2x's, the earliest this could be back is March 26. The fire sprinkler system will only have to cover the basement, the upper level meets exit requirements. A flood survey is in the works. To meet floodplain requirements, two windows in the basement would need to be filled. The hazmat study is back and results were negative. A new HVAC system will be installed. Montana Code Annotated provides for general manager construction management (GM/GC) for public construction contracts. This would provide for a quicker turnaround time for the remodeling project. A committee would need to be formed as the review team.

***Committee Member Lott moved to recommend to city council the GM/GC process and the Public Safety Committee, the Mayor, the Police Chief and Captain Baker as the review team, seconded by Committee Member Gardner and passed unanimously 3-0.*

**At this point in the meeting there was no longer a quorum of committee members. **

11. Discussion of Ambulance staffing and transfers relative to Holy Rosary.

There was brief discussion regarding ambulance transfers. Transfers fiscally help the ambulance service recoup costs. During the past year 1/2 of all transfers were turned down. Staffing has been an issue, there have been open positions, surgery, COVID, and the sheer volume of calls. This has created overtime for the department and staff are being taxed mentally and physically. This issue will be revisited.

12. Discussion of costs for Animal Impound Services.

Time ran out, this issue will be moved to a future Public Safety agenda

13. Adjournment

***Committee Member Gardner moved to adjourn the meeting, seconded by Committee Member Patten and passed unanimously, 2-0.*

The meeting was adjourned at 8:30 p.m.

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** Councilperson Patten moved to approve the minutes of the Public Safety Committee Meeting of February 02, 2021, subject to any changes, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 6-0.

SCHEDULE MEETINGS

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

Flood Control Committee	03/04/2021	@6:00pm
Public Safety Committee	03/02/2021	@6:00pm
Human Resources Committee	03/04/2021	@4:15pm

REQUEST OF CITIZENS & PUBLIC COMMENT

Guy Kron, 604 North 7th, requested that the train cars be separated at the crossing on North 8th Street. He stated that his eighty-year old mother walks through there and several times has had to walk around to another crossing.

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

None

CITY COUNCIL COMMENTS

Councilperson Huber informed the Council that he had went to the City Shop and did a tour with Dan Decker and was pleasantly surprised by the way they had utilized four areas that were previously unused space. He stated that the shop guys are fine representatives of the City. He also spoke about the repercussions Miles City will face if House Bill 50 (HB50) passes. He encouraged people to email Ken Holmlund at ken.holmlund@mt.leg.gov to express their thoughts on the matter.

Councilperson Patten added an additional contact email, kenneth.bogner@mt.leg.gov, for matters concerning HB50.

Councilperson Wilcox requested that a cash report be included with the revenue and expense reports sent to the Finance Committee at month end.

MAYOR COMMENTS

None

COMMITTEE RECOMMENDATIONS

Finance Committee recommended the following:

1. Submit a Request for Qualifications (RFQ) for architectural services.

** Councilperson Lott moved to approve the recommendation as read by title only and seconded by Councilperson Broell.

Councilperson Lott explained that the City does not currently need an RFQ, but thought it was a good idea to have an agreement in place now for future projects. Attorney Rice agreed.

Director Speelmon said that Director Gray and himself had already put together an RFQ for Engineers. It is scheduled to go to publication after Attorney Rice completes his review. He said that he could add the RFQ for Architects to this publication timeframe.

** The motion passed unanimously, 6-0.

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2. Pursue an Intermap or United States Department of Agriculture (USDA) loan with monthly payments of \$3100 or less.

** *Councilperson Lott moved to approve the recommendation as read by title only and seconded by Councilperson Broell.*

Councilperson Lott stated that of the 1.542 million dollars received, there is approximately \$857,000 left. It is enough money to cover the cost of the Police Department building, but would leave no cash remaining. He said if a loan is pursued then we can give back to other departments and keep cash on hand. He believed the Intermap interest rate was at 1.65% this year.

Councilperson Wilcox asked what the current Intermap loan balance was. Clerk Rowe stated it was currently at \$115,385.

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

3. Accept bid from Muggli Contracting for rock crushing.

** *Councilperson Lott moved to approve the recommendation as read by title only and seconded by Councilperson Huber.*

Councilperson Lott said there were three bids received, but two of the bidders wrote in that they were unwilling to mobilize. Muggli Contracting had a fair rate listed, that was slightly higher than the previous year.

Councilperson Wilcox asked if the expense was already budgeted to which Director Gray responded, yes.

Director Speelmon explained how the crushed rock is used in other City projects so rock crushing actually saves the City money.

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

4. Write-off Ambulance charges in the amount of \$10,706.51

** *Councilperson Patten moved to approve the recommendation as read by title only and seconded by Councilperson Lott.*

Chief Stevens explained that this was a transfer from Billings to Poplar. The patient passed away and Medicare denied the claim multiple times. Since this occurred, the ambulance does not do transfers that originate outside of Miles City. He explained that other Ambulance Services have been faced with the same issue because of call origination.

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

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

- A. **ORDINANCE NO. 1344 – (First Reading) An Ordinance Amending Section 12-75 of the City of Miles City Flood Code with Respect to**

Penalties for Violations

** Councilperson Gardner moved to approve the Ordinance, read by title only, and seconded by Councilperson Patten. On roll call vote, the motion passed by unanimous consent, 6-0.

B. RESOLUTION NO 4392 - A Resolution Requesting Distribution of Bridge and Road Safety and Accountability Program Funds

** Councilperson Patten moved to approve the Resolution, read by title only, and seconded by Councilperson Lott.

Director Gray explained that House Bill 473 allocates gas tax funds towards infrastructure projects, road repair and reconstruction, etcetera and that we receive on average one hundred seventy thousand to two hundred thousand dollars annually. This year the funds will be used on the Darling Addition.

** On roll call vote, the motion passed by unanimous consent, 6-0.
Resolution No. 4392 passed.

C. RESOLUTION NO. 4393 - A Resolution Adopting a Revised Program for Public Information Pertaining to the Miles City Floodplain and Floodway.

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

Administrator Malenovsky explained that the floodplain and floodway Program for Public Information was updated to remain compliant with the State.

** On a roll call vote, the motion passed by unanimous consent, 6-0.
Resolution No. 4393 passed.

D. Discussion on Interlocal Agreement with County.

Councilperson Lott stated that this agreement needs to be passed as a twelve-month agreement; the rates for Ambulance need to be updated and/or a service charge put in place.

The Council agreed to move forward with a resolution at a one-year term.

Chief Stevens said that a service agreement would serve better than the current "pay-per-use" charges. Chief Stevens and Mayor Hollowell will initiate communication with the County Commissioners for the upcoming agreement.

ADJOURNMENT

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

The meeting was adjourned at 7:30 p.m.



John Hollowell, Mayor



Mary Rowe, City Clerk