

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

CALL TO ORDER

The Regular Council meeting was held Tuesday, March 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 Brant Kassner, Dwayne Andrews, Ken Gardner, Elizabeth Patten, Austin Lott, Kathy Wilcox and Stacy Broell. Council Member Rick Huber was excused.

Also present were City Attorney Dan Rice, Public Works Director Scott Gray, Police Chief Doug Colombik, Police Captain Dan Baker, Fire Chief Branden Stevens, Planner in Training Ally Capps, 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: 2/23/2021

** *Councilperson Patten moved to approve the minutes of the Regular Council Meeting of February 23, 2021, subject to any changes, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 7-0.*

Special City Council Minutes: 3/09/2021

** *Councilperson Kassner moved to approve the minutes of the Special Council Meeting of March 9, 2021, subject to any changes, and seconded by Councilperson Lott. The motion passed by unanimous consent, 7-0.*

SPECIAL COUNCIL MEETING March 9, 2021
CLOSED SESSION 5:00 p.m.

CALL TO ORDER

The Special Council meeting was held Tuesday, March 9, 2021, 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, Elizabeth Patten, Rick Huber, Austin Lott, Kathy Wilcox and Stacy Broell. Council Member Ken Gardner was excused.

Also present were City Attorney Dan Rice, Attorney Geoff Cunningham, Flood Plain Administrator/Auto Cad/Assistant PWPV Samantha Malenovsky, and City Clerk/Minute Recorder Mary Rowe.

CLOSED SESSION

ADJOURNMENT

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

The meeting was adjourned at 5:52 p.m.

City Council Minutes: 03/09/2021

** *Councilperson Gardner moved to approve the minutes of the Regular Council Meeting of March 9, 2021, subject to any changes, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 7-0.*

Finance Committee Minutes: 2/16/2021

** *Councilperson Lott moved to approve the minutes of the Finance Committee Meeting of February 16, 2021, subject to any changes, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 7-0.*

Public Safety Committee Minutes: 3/02/2021

** *Councilperson Patten moved to approve the minutes of the Public Safety Committee Meeting of March 2, 2021, subject to any changes, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 7-0.*

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

The Public Safety Committee met Tuesday, March 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 Elizabeth Patten, Kathy Wilcox and Austin Lott. Excused was: Committee Member Ken Gardner. Also present were: Police Chief Doug Colombik, Police Captain Dan Baker, Mayor John Hollowell, Fire Captain Eddy Kanduch, Fire Captain Jake Richards, Fire Chief Branden Stevens, Dispatch Supervisor Lyne Anderson, AC/CE Officer Mark Winkley, City Building Inspector Russell Murphy, and HR Officer/Recorder Linda Wilkins.

Chairperson Patten called the meeting to order. Item 7 was moved to Item 4

1. Request of Citizens for Public Comment

None.

2. Staff Comments

Chief Stevens reported that a firefighter will out for 30-days for a medical issue. The front apron going into the black top of the street requires repairs, there is a drop off between the apron and the street. The jarring of this drop off caused a hose to become disengaged from the vehicle when leaving the station. The flapping hose may have resulted in injury while the vehicle was enroute to the incident, fortunately this did not happen. Chief Stevens will contact Public Works Director Gray to arrange having the drop off repaired. Call volume is up in the department.

3. Committee Member Comments.

None

4. Discussion of cost for Animal Impound Services.

Committee Member Lott and Officer Winkley have been working on the current charges for animal impound services. According to current

**PROCEEDING OF CITY COUNCIL
MILES CITY, MONTANA**

MCA the City is not charging enough for spaying and neutering. They have been unsuccessful at obtaining current spay / neuter charges from Miles City Veterinary Service; and East Main Veterinary Service will probably not want to continue with the services that they have been providing to the City. The Custer County Fund for Animals is still willing to transport animals to Billings on a temporary basis. Officer Winkley reported that from his research boarding and impound fees have not been raised for a long period of time and these fees need to be raised. Committee Member Lott stated Billings was charging fees of approximately \$10-\$15 boarding, \$25-\$35 impound, and \$100-\$200 adoption fee.

***Committee Member Lott moved to recommend \$15 boarding fee, \$30 impoundment fee and the adoption fee at the lowest spay or neuter charge determined annually, seconded by Committee Member Wilcox and passed unanimously 3-0.*

The current ordinance allows for transport to local veterinary services, there was discussion on changing "local" so that animals may be transported to other facilities outside of Miles City.

***Committee Member Wilcox moved to recommend to the nearest veterinary facility accepting animals, seconded by Committee Member Lott and passed unanimously 3-0.*

5. Discussion and Recommendation regarding RFQ for the Police Department.

Chairperson Patten stated that there are two contractors interested in bidding on the Woolhouse project. They are B & B Builders out of Sidney and Hardy Construction out of Billings. B & B Builders have done projects with SDI Architect's and Hardy just completed the Stockman Bank project on Main, she spoke with individuals involved with either contractor and all have been satisfied with their performance. Both contractors will be interviewed and scored on March 23.

6. Discussion of MCFR Document

Portions of Chief Stevens' report to the Finance Committee on February 12th were discussed along with the current structure issues at the Fire Department. Inspector Murphy stated he had pulled down sheetrock and OSB board to see if the building was a pole barn construction, it is not, but is a stick frame construction similar to modern construction. The insulation is not in good shape, he found charcoal black in the insulation. He called the International Code Council (ICC), if the building renovations are 50% or more, the entire building will need to be renovated. The framing of the living quarters is not correct by today's standards, the generator on the side of the building, the concrete apron and electrical require repair. Several options were discussed for either new construction or repairs; including renovation, looking at the PAR that had been developed and scaling it down, having a satellite station at the Woolhouse and purchasing the lot that Dr. Williams has for sale for new construction. Inspector Murphy has pictures of his findings in the

**PROCEEDING OF CITY COUNCIL
MILES CITY, MONTANA**

current fire hall and will distribute copies to all committee members. Committee Member Lott expressed it was important to get the community involved in the decision-making process for the Fire Department. Chief Stevens stated that there are options for temporary places to store equipment, but logistics would have to be worked on should this be required for either renovation or construction. He also expressed that he thought it would be important for a Public Safety mill levy to be considered by Council to cover the costs of a new station. He stated that the City is running out of time and he is concerned about the protection of the citizens, but knew there were no easy answers. Committee Members Wilcox and Lott stated they would work with Chief Stevens on looking at the PAR, reviewing costs and changes. Committee Member Lott also said he would contact Realtor Dawn Bolejack about Dr. Williams vacant lot. This information would help feed the conversation, and a working group could be formed to work toward specifics.

The COVID reimbursement was discussed from the Cycle 2 of funding in the amount of \$151,349.75. The request was reviewed and all items will be funded except lines 3 and 12 for wildland equipment. A budget amendment will need to be prepared and will be considered and a Public Safety Meeting scheduled at 4:15 p.m. March 5, 2021.

7. Discussion and Recommendation of Dispatch Staffing needs to Finance Committee.

Supervisor Anderson informed the committee Prairie County had contacted her regarding the addition of their 911 service to Southeastern Montana Dispatch. This will impact the need for staffing in the dispatch center; however, there will be 911 funding of approximately \$98,000 to provide this service. There is a 911 Board meeting on March 17, 2021 at 1:30 p.m. in Custer County EOC meeting room. This subject will be revisited at a future committee meeting.

8. Adjournment

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

The meeting was adjourned at 8:20 p.m.

Public Safety Committee Minutes: 3/05/2021

*** Councilperson Patten moved to approve the minutes of the Public Safety Committee Meeting of March 5, 2021, subject to any changes, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 7-0.*

**Public Safety Committee Meeting
March 5, 2021**

The Public Safety Committee met Friday, March 5, 2021, at 4:15 pm via live attendance and Zoom Conferencing in the City Hall Conference Room, 17 S. 8th. Present were Committee Members Elizabeth Patten,

PROCEEDING OF CITY COUNCIL
MILES CITY, MONTANA

Kathy Wilcox, Ken Gardner and Austin Lott. Also present were: Fire Chief Branden Stevens and HR Officer/Recorder Linda Wilkins.

Chairperson Patten called the meeting to order.

1. Request of Citizens for Public Comment

None.

2. Review and Recommend an Amendment of Final Budget for FY 2020-2021 to Increase the Budgeted Amount in the Funds for Fire Unbudgeted Expenditures and Revenue received FY 2019-2020 using the CARES Act Reimbursement Funding for the following funds and object codes:

Expenditure	
2701-007-420461-940	\$30,000
1000-007-420460-940	\$33,500
1000-007-420460-364	\$10,000
1000-007-420460-214	\$ 8,250
1000-007-420460-230	\$ 3,500
1000-007-420460-360	\$ 7,000
Total	\$92,250

Chairperson Patten had spoken to Chief Stevens and changes were made to the expenditures as presented at the Public Safety Meeting of March 2. They would like to earmark \$73,689 to 2701 for the fire building and decrease other line items. Chief Stevens presented a revised expenditure list to the Public Safety Committee.

***Committee Member Wilcox moved to recommend and approve that Cares Act funding in the amount of \$73,689, seconded by Committee Member Gardner.*

There was a brief discussion that the other line items required adjustment.

***Committee Member Wilcox amended the motion to allocate Cares Act Funding to \$73,689 to the building and the balance going to the amended list, seconded by Chairperson Patten.*

***The amended motion passed on roll call vote, 4-0.*

3. Adjournment

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

The meeting was adjourned at 4:25 p.m.

Human Resources Committee Minutes: 3/04/2021

*** Councilperson Andrews moved to approve the minutes of the Human Resources Committee Meeting of March 4, 2021, subject to any changes, and seconded by Councilperson Broell. The motion passed by unanimous consent, 7-0.*

PROCEEDING OF CITY COUNCIL
MILES CITY, MONTANA

Human Resources Committee
March 4, 2021

The **Human Resources Committee** met Thursday, March 4, 2021, at 4:15 p.m. in the City Hall Conference Room. Present were Committee Members Kathy Wilcox, Stacy Broell, and Dwayne Andrews. Committee Member Rick Huber was excused. Also present were: Mayor John Hollowell, Fire Chief Branden Stevens, Police Chief Doug Colombik, Council Member Stacy Broell, Public Utilities Director Tom Speelmon and Human Resources Officer/Recorder Linda Wilkins.

Chairperson Wilcox called the meeting to order.

1. Request of Citizens

None

2. Committee Member Comments

None

3. Review and approve Position Description Revisions

- Utility Billing Assistant

Officer Wilkins explained there were only minor revisions to the position description, including change in Supervisor to the Public Utilities Director, changed to the current formatting for a position description, under Summary of Work the wording "(including scheduling)" and under Physical Requirements, second bullet the word "finger"; were removed from the position description. Committee Member Andrews commented that under Job Performance Standards the words "The extent to which an" be removed from each bullet point.

***Committee Member Broell moved the Utility Billing Assistant position description be approved as amended, seconded by Committee Member Andrews. The motion passed unanimously, 3-0.*

4. Review and recommendation Personnel Policy and Procedure Drug and Alcohol Testing "CDL Holders"

Officer Wilkins explained the procedure was changed to comply with current Federal Motor Carrier requirements and to include medical marijuana. The policy was reviewed by City Attorney Dan Rice.

***Committee Member Broell moved to approve and recommend to City Council the Personnel Policy and Procedure Drug and Alcohol Testing as revised, seconded by Committee Member Andrews. The motion passed unanimously, 3-0.*

5. Review and recommendation Personnel Policy and Procedure Drug Free Workplace

Officer Wilkins explained the procedure was changed to include medical marijuana. The change was recommended by City Attorney Dan Rice.

***Committee Member Andrews moved to approve and recommend to City Council the Personnel Policy and Procedure Drug Free Workplace as revised, seconded by Committee Member Broell. The motion passed unanimously, 3-0.*

6. Review, Revise, Recommend 20-year Wage Scale Matrix wages for all NON-union City Employees for FY 2021-2022:

- Current staff assigned to step reflecting their current # years of service
- New staff start at Step One

The committee reviewed the spreadsheet with current staff placed at their current number of years of service. The decision was made to use different percentages from probation through Step 5, increase the percentage for Steps 6 through 8, increase the percentage for Steps 9 through 10 and then the next two steps will 15 and 20 with a larger increase for these two steps. Officer Wilkins will prepare an Excel worksheet for presentation at the next HR Committee meeting that will have the ability to try different percentages.

7. Upcoming HR Activities
- Managers review, revise and submit to HR PD updates now
 - All performance evals and PE and Wage increase requests with all supporting documentation submitted to HR by May 15
 - COLA increase recommendation to Finance by June 1

8. Next Meeting: March 18, 2021; 4:15 p.m.

9. Adjournment

***Committee Member Andrews moved to adjourn, seconded by Committee Member Broell. The motion passed unanimously 3-0.*

The meeting was adjourned at 5:20 p.m.

Flood Control Committee Minutes: 3/04/2021

Flood Control Committee

March 4, 2021

The Flood Control Committee met Thursday, March 4, 2021, at 6:00 p.m. in the City Hall Conference Room. Those present were Chairperson Ken Gardner, Committee Members Elizabeth Patten and Austin Lott. Committee member Brant Kassner was excused.

Also present were: Floodplain Administrator Samantha Malenovsky, Council Member Stacy Broell and Human Resources Officer/Minute Recorder Linda Wilkins.

1. Request of Citizens/Public Comment:

-None-

2. Committee Members Comments:

-None-

3. Election of Chairperson

*** Committee Member Lott moved to elect Brant Kassner as Chairperson, seconded by Committee Member Gardner.*

On roll call vote the motion passed, 3-0.

4. Update on various flood projects/issues

PROCEEDING OF CITY COUNCIL
MILES CITY, MONTANA

Administrator Malenovsky gave the committee an overview of the flood project. She presented a letter for the Corps of Engineers of February 5, 2021 regarding the current financial status of the Tongue River Section 205 Flood Risk Feasibility Study through December 2020; including the in-kind work that has been approved for the project. There was discussion regarding setting up a special district for the flood project, the city has spoken with Bob Murdo on this matter. Committee Member Patten suggested possibly setting up a Port Authority for the City of Miles City, Administrator Malenovsky will check into this possibility. The City had received an FMA grant in the amount of \$100,000 with 75/25 match; the total project was \$100,461.48. The match was paid with work in-kind and some matching dollars. The FMA grant was used to complete the Master Stormwater Plan which was completed by KLJ Engineers, she has provided a copy to each committee member for review and if there were questions to please contact her. The plan outlines a three-phase project with costs associated with each phase. As part of this project, the old lagoon holding ponds could be worked in to store excess stormwater. Since this project will affect street districts 204 and 205 there will be some financial help through Public Works, also the State will begin working on Highway 59 North, when this construction begins they will work in conjunction with the City to help facilitate aspects of the Stormwater project that would be part of the highway project. Research will also be done for any available grants to assist in funding the project.

In the future it would be good to review flood permit fees. The fees are not covering the costs of issuing a flood permit. The PPI committee met and updated the PPI document to current flood insurance data. The State House of Representatives was looking at a bill regarding changes to the floodway, which would have affected costs to the City and home owners. Danette Cremer was instrumental in getting the bill tabled.

5. Adjournment

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

There being no further business, the Committee adjourned at 6:50 p.m.

** Councilperson Gardner moved to approve the minutes of the Public Safety Committee Meeting of March 4, 2021, subject to any changes, 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	3/25/2021	@4:00pm
Public Safety Committee	4/06/2021	@6:00pm

REQUEST OF CITIZENS & PUBLIC COMMENT

Lilly Cruise, 908 South Cottage, inquired about the remaining funds for the Florence Stacy Fountain in Wibaux Park. She also announced that she is ready to raise funds again. Director Gray replied that the City paid to have the plumbing installed, but the final cost of the fountain installation is still undetermined.

APPOINTMENTS

Miles City Planning Board
Dennis Hirsch

PROCEEDING OF CITY COUNCIL
MILES CITY, MONTANA

Leif Ronning
Michelle Simpson
Tayler Kennedy
Steven Palmeri
Jason Oddy

** *Councilperson Andrews moved to appoint Dennis Hirsch as the City Council appointed member of the Planning Board, seconded by Councilperson Kassner, and passed unanimously, 7-0.*

** *Councilperson Kassner moved to approve the citizen appointees Leif Ronning, Michelle Simpson, Tayler Kennedy, Steven Palmeri, and Jason Oddy, seconded by Councilperson Andrews, and passed unanimously, 7-0.*

Planning Board Members Dennis Hirsch, Tayler Kennedy, Steven Palmeri, and Jason Oddy were sworn in by Mayor Hollowell.

PROCLAMATIONS

None

STAFF REPORTS

None

CITY COUNCIL COMMENTS

Councilperson Patten informed the Council that the GC/CM Review Team had chosen Hardy Construction as the contractor for the beginning stages of the Police Department building. She explained that the selection was based on reference checks, availability, and presentation. They are available to start mid-April after the specifics and contract are prepared and approved by Council.

MAYOR COMMENTS

Mayor Hollowell read a letter from Scoutmaster Dave Swogger, of Troop 222, Boy Scouts of America commending Battalion Chief Sarah Lewin on her patience, skill, and professionalism.

Mayor Hollowell spoke briefly on the American Rescue Plan, which allocates approximately 2.7 million dollars to the Custer County area for projects; with a main focus on sewer, water, and broadband. City Directors are actively engaged in the process.

COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

- A. **ORDINANCE NO. 1345 (First Reading) - AN ORDINANCE AMENDING SECTIONS 4-71, 4-72, and 4-75 OF THE CODE OF ORDINANCES OF MILES CITY, MONTANA, WITH REGARDS TO ANIMALS REDEMPTION BY OWNER; FEE, RELEASE TO PERSON OTHER THAN OWNER AND DISPOSITION OF UNCLAIMED ANIMALS.**

** *Councilperson Patten moved to approve the Ordinance, read by title only and seconded by Councilperson Broell.*

PROCEEDING OF CITY COUNCIL
MILES CITY, MONTANA

Mayor Hollowell stated that the adoption rates increased, so our Ordinance was updated to reflect that increase.

** On roll call vote, the motion passed by unanimous consent, 7-0.
Ordinance No. 1345 passed.

B. RESOLUTION NO. 4395 - A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO ENTER INTO AN AGREEMENT ENTITLED "STATE OF MONTANA AGREEMENT" WITH THE STATE OF MONTANA HISTORIC PRESERVATION OFFICE FOR PARTIAL FUNDING OF THE HISTORIC PRESERVATION OFFICER POSITION.

** 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, 7-0. **Resolution No. 4395 passed.**

ADJOURNMENT

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

The meeting was adjourned at 6:38p.m.


John Hollowell, Mayor


Mary Rowe, City Clerk