

REGULAR COUNCIL MEETING March 23, 2022
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. Council President Kathy Wilcox called the meeting to order. Council Members present were Brant Kassner, Dwayne Andrews, Ken Gardner, Rick Huber, Chris Grenz, and Kathy Wilcox. Council Members Roxanna Brush and Stacy Broell were absent.

Also present were City Attorney Dan Rice, Police Chief Doug Colombik, Police Captain Dan Baker, Fire Chief Branden Stevens, Battalion Chief Sarah Lewin, 911 Director Lynn Anderson, Flood Plain Administrator Samantha Malenovsky and Deputy City Clerk/Minute Recorder Jody Kinsey.

PLEDGE OF ALLEGIANCE

Council President Kathy Wilcox led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES
City Council Minutes: 3/8/2022

****** *Councilperson Grenz moved to approve the minutes of the Regular Council Meeting of March 22, 2022, subject to any changes, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 6-0.*
Public Safety Committee Minutes: 2/15/2022

Public Safety Committee Meeting
February 15, 2022

The Public Safety Committee met Tuesday, February 1, 2022, at 6:00 pm via live attendance and Zoom Conferencing in the City Hall Conference Room, 17 S. 8th. Present were Committee Members Roxanna Brush, Chris Grenz, Kathy Wilcox, and Ken Gardner. Also present were: Police Chief Doug Colombik, Mayor John Hollowell, Police Captain Dan Baker, Fire Chief Branden Stevens, Council Member Rick Huber, Dispatch Supervisor Lynne Anderson and HR Officer/Recorder Linda Wilkins.

Chairperson Brush called the meeting to order.

1. Recommendation on Custer County Senior Citizens to utilize unused space on the main floor at the Police Department

Marilynn Arnoldt, 804 Marilyn St and Deb Schmeling, 2119 Butler spoke to the committee regarding the need for space for Senior Citizen activities and the search for that space. They had approached Mayor Hollowell about using space at the Police Department. Committee Member Grenz expressed concern about the use of the stairs to get into the building. Ms. Arnoldt stated that if the area could be used the Senior Citizens would be looking at obtaining donations and grants to upgrade the facility. Supervisor Anderson expressed her concerns regarding have a non-law enforcement entity in the building, due to security issues within the law enforcement field. Chief Colombik empathized with the current lack of a home for Senior Citizen activities, but explained the risks of placing a non-law enforcement organization in a law enforcement facility are too high. He would fear for the safety of the individuals using the facility. As 911 moves to being a regional facility, this space would be well suited for this expansion. Mayor Hollowell asked all to think of another building option for the Senior Citizens. The City will relook at this issue and will assist in the pursuit of a space for the Senior Citizens

****Committee Member Wilcox moved to table, seconded by Committee Member Gardner, on roll call vote the motion passed, 4-0.**

2. Update from Firehall Working Group

Fire Chief Stevens updated the committee:

- The Public Safety Committee had suggested a budget of \$5 million for the building and had requested that other configurations of the planned fire station be looked at for possible reconfiguration of the plans presented in the Preliminary Architectural Report (PAR).
- JGA Architects, the original architects for PAR, have rearranged the plan, for fire station use only, to an I-shape configuration. This will allow for continued use of the new part of the current station during construction. No additional land will need to be purchased, the

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current area of land will allow for the turning radius of all fire vehicles, except one; which will not present a problem when moving vehicles. This revised PAR will be presented to City Council for approval.

- The Working Group has meet, through teleconference, with staff from Senator Tester, Senator Daines and the Governor's office to find money to be allocated to the project. USDA has a grant that would provide for 35% of the cost of the building (\$1.75 mil), the other 65% (\$3.25 mil) would require a mill levy to allow for the borrowing of funds.
 - The following studies are required to be provided with the grant application:
 - o Environmental assessment – the group has contacted Brownfields Program for possible funding of this assessment.
 - o Financial Feasibility Study – this will require budget reports through 2023 and the would be performed by an independent CPA. Chief Stevens has sent an e-mail to the Mayor to see if the City Clerk's office can assist with the financial information.
- When this information has been prepared and presented to USDA, it is implied the funding is easily acquired.
- The proposal will be presented to City Council for approval, should approval be given and the resolution prepared it will be presented to the Custer County Clerk and Recorder for a mill levy to cover the \$3.25 million that will be covered through a loan.

The process of obtaining the appropriate documentation will take approximately 5 months.

3. Police department maintenance plan

Items that the committee would like to see addressed in Phase 2:

- Lighting
- Signage on the front of the building

Captain Baker reported that most items of the punch list have been addressed.

There is approximately \$80,000 left in contingent funds from Phase 1. Items to be addressed with the remainder of these funds:

- Mortar work on the brick, estimate for this work is \$25,000. The Mayor will consult with the building inspector and architect on this item as it is believed this should have been addressed as part of the first phase.
- The Mayor will also contact the building inspector on any other deficiencies that could be covered as part of Phase 1.

The committee would like to take a close look at the roof as a priority item for next year's budget.

4. Adjournment

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

The meeting was adjourned at 7:20 p.m.

*** Councilperson Gardner moved to approve the minutes of the Public Safety Meeting of February 15, 2022, subject to any changes, and seconded by Councilperson Grenz. The motion passed by unanimous consent, 6-0.*

Human Resources Committee Minutes: 2/17/2022

Human Resources Committee February 17, 2022

The **Human Resources Committee** met Tuesday, February 17, 2022 at 4:15 p.m. at City Hall in the Human Resources Office. Present were Committee Members Kathy Wilcox, Stacy Broell, Rick Huber and Dwayne Andrews. Also present were: AFSCME Representative Hannah Nash, Public Works Director Scott Gray, Flood Plain Administrator Samantha Malenovsky, AFSCME Local 283A Acting President Gail Krezelak, City Water Clerk Alex Butcher, and Human Resources Officer/Recorder Linda Wilkins.

Chairperson Wilcox called the meeting to order.

1. Request of Citizens
None

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2. Committee Member Comments
None
3. Discuss & recommend next steps:
- a. City Buildings/Shops Maintenance Staff - new position (7 buildings)
Chairperson Wilcox thought that this position should be considered considering the number of buildings owned by the City. There was discussion regarding the duties of this position. After this discussion it was decided to look at the scope of such a position and the cost.
- **Committee Member Huber moved to postpone, seconded by Committee Member Broell. The motion passed, 3 aye, 1 nay.*
- b. CDL Class B Trainer – Current driver add a new certificate? New position?
The Federal Motor Carrier Safety Administration is requiring a certified trainer to train CDL drivers. Director Gray has contact the Miles Community College CDL program regarding these requirements. It may be possible for the City to work with other communities to work to meet the certified trainer requirements. More information needs to be obtained to move forward.
- **Committee Member Broell moved to postpone, seconded by Committee Member Andrews. The motion passed, unanimously 4-0.*
- c. Civil Engineer – never advertised
Director Gray stated that we currently have profession engineers retained for existing projects, he suggested it would be best to wait until the existing projects were completed to discuss hiring an engineer.
- **Committee Member Huber moved to postpone, seconded by Committee Member Broell. The motion passed, unanimously 4-0.*
4. Scott Gray: discuss rate increase need for summer seasonal help
Director Gray discussed it will be difficult to find seasonal help with the current wages being paid when other local businesses are paying \$14 or \$15/hour and the City's starting wages are \$10 or \$11/hour. Committee Member Broell thought the City should be charging more at the pool.
- **Committee Member Andrews moved to refer to finance for raising the pool fee, seconded by Committee Member Wilcox. The motion passed, unanimously 4-0.*
5. Position Descriptions: review, revise, approve
- a. Administrative Assistant – Police Department
The position description has been reviewed by Chief Colombik and needs no changes.
***Committee Member Broell moved to approve the position description, seconded by Committee Member Huber. On roll call vote, the motion passed, 4-0.*
- b. Utility Billing Clerk Supervisor
The position description was discussed and the role of supervising another employee, along with the possibility of wage increase.
- **Committee Member Wilcox moved to table, seconded by Committee Member Broell. The motion passed unanimously, 4-0.*
- c. ***Committee Member Wilcox moved to table, seconded by Committee Member Huber. The motion passed unanimously, 4-0.*
6. Other
None
7. Next Meeting: March 15, 2022
The next committee meeting was scheduled for March 2, 2022 at 4:15 p.m.
8. Adjournment
- **Committee Member Huber moved to adjourn, seconded by Committee Member Broell. The motion passed unanimously 4-0.*
- The meeting was adjourned at 5:30 p.m.
- **** *Councilperson Andrews moved to approve the minutes of the Human Resources Meeting of February 17, 2022, subject to any changes, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 6-0.*

SCHEDULE MEETINGS

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The following meetings will be held in the City Hall Conference Room:
Human Resources Committee 4/05/2022 @4:15pm

REQUEST OF CITIZENS & PUBLIC COMMENT

Jim Atchison with Southeastern Montana Development Corporation attended the meeting and awarded the Fire Department with \$2,182 in Covid-19 relief funds for training purposes. Chief Stevens accepted the funding and credited Battalion Chief Lewin with doing all the work the get the funding.

Craig Dalakow 814 Wells came to address Chief Colombik on an issue he had where two 911 calls were not responded to. Chief Colombik stated he was not sure what issue Mr. Dalakow was referring to and Director Anderson was not aware of what he was referring to either. Chief Colombik told Mr. Dalakow that if he had an issue with something that was police business he needed to bring the issue to the Police Department. He stated addressing the Council was not the way to solve the problem and filling out an official complaint would be the correct action to take.

Cory Cheguis Deputy Emergency Services Coordinator for Custer County came to sit in and listen to the meeting. He stated the county has some different funding available and he wanted to help the city and county work better together.

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Councilperson Kassner had mentioned texting and driving. Chief Colombik stated that around 2012 a policy had been developed for a law against texting and driving. It was presented to the Public Safety Committee at that time and was voted against. Council discussed and decided to add it to the next Public Safety Agenda. Chief Colombik shared weekly police statistics. He does not believe any tickets have

been written for speeding on Leighton this week because of the increased police presence. However, they have been writing speeding tickets in other locations.

Administrator Malenovsky gave a report of behalf of Directors Gray and Speelmon. The Utilities Department has been replacing curb stops. The Streets Department has been filling pot holes and blading alleys. They have discussed installing a camera at the splash pad. Sand has been added at the Oasis and repairs were done to the docks. Councilperson Huber asked if Tractor Avenue was built up properly to take the weight of the heavy trucks. Administrator Malenovsky did not know. Councilperson Huber asked if Director Gray could give that information at the next council meeting.

CITY COUNCIL COMMENTS

Councilperson Wilcox was called by a citizen requesting a stop sign on the intersection for Pearl and South Lake. Councilperson Huber thinks Director Gray and the Police department should come up with a plan for what streets need stop signs. Councilperson Grenz brought up the public nuisance form. He believes the form doesn't work. Chief Colombik stated that the court will not prosecute the nuisance if there are no witnesses. Attorney Rice said state law says the property has to affect a considerable amount of people. They as councilmembers or citizens can offer to be witnesses on any public nuisance. Councilperson Huber believes changes need to be made to the way the court is run and has heard that there are thousands of dollars in revenue outstanding from warrants. Chief Colombik added that Officer Winkley does an outstanding job with nuisance complaints and it is frustrating because of the court process. Councilperson Gardner thinks that Officer Winkley should take pictures of the properties if someone has a complaint and that should be enough for the court. Chief Colombik stated that if it was up to the police the person would be fined but the prosecutor makes the decision.

MAYOR COMMENTS

None

COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

-MCFR Ladder Truck

** Councilperson Andrews moved to approve the Bid and seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 6-0.

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

A. VARIANCE REQUEST FOR 531 HUFFMAN TO PLACE AN ATTACHED GARAGE AT BASE FLOOD ELEVATION.

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

B. ORDINANCE NO. 1352 – (First Reading) AN ORDINANCE GRANTING TO MONTANA-DAKOTA UTILITIES CO., A CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE FRANCHISE AND RIGHT TO CONSTRUCT, MAINTAIN AND OPERATE, WITHIN AND UPON, IN AND UNDER THE STREETS, ALLEYS AND PUBLIC GROUNDS OF THE CITY OF MILES CITY, CUSTER COUNTY, MONTANA.

** Councilperson Kassner moved to approve the Ordinance, read by title only and seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 6-0. Ordinance No. 1352 passed.

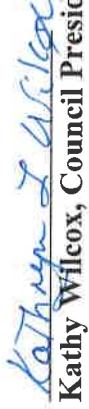
C. RESOLUTION NO. 4455 - A RESOLUTION APPROVING PLACEMENT OF STOP SIGNS AND CROSSWALK SIGNAGE ON LEIGHTON BOULEVARD

** Councilperson Andrews asked to amend the resolution to include language that states the crosswalk will be repainted no less than twice annually. Councilperson Grenz moved to amend the Resolution and seconded by Councilperson Andrews, the motion passed by unanimous consent, 6-0. Councilperson Grenz moved to approve the amended resolution and seconded by Councilperson Andrews. On roll call vote, the motion passed by unanimous consent, 6-0.

ADJOURNMENT

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

The meeting was adjourned at 6:49p.m.


Kathy Wilcox, Council President


Jody Kinsey, Deputy City Clerk