

**REGULAR COUNCIL MEETING September
27th, 2022**

6:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, September 27th, 2022, 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 Stacy Broell, Ken Gardner, Rick Huber, Kathy Wilcox, Roxanna Brush, and Dwayne Andrews. Chris Grenz was absent.

Also present were Police Chief Doug Colombik, City Attorney Dan Rice, Public Utilities Director Tom Speelmon, Fire Chief Branden Stevens, Dispatch Supervisor Lyne Anderson, and Deputy City Clerk/Minute Recorder Jody Kinsey.

PLEDGE OF ALLEGIANCE

Mayor Hollowell led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 08/09/2022

** *Councilperson Gardner moved to approve the minutes of the Regular Council Meeting of August 9th, 2022, subject to any changes, and seconded by Councilperson Brush. The motion passed by unanimous consent, 6-0.*

SCHEDULE MEETINGS

The following meetings will be held in the City Hall Conference

Room:

Human Resources Committee	10/4/2022	@ 5:00pm
Finance Committee	10/4/2022	@ 6:00am

REQUEST OF CITIZENS & PUBLIC COMMENT

None

APPOINTMENTS

Ward III Council Member

There was discussion from Attorney Rice and Mayor Hollowell on what procedure to follow for choosing a new Council Member. Attorney Rice recalled the Resolution which states interviews need to take place, Council would then vote, the scores would be tallied and then the Human Resources Committee makes a recommendation back to Council.

** *Councilperson Wilcox moved to suspend the rules, seconded by Councilperson Brush. On rollcall vote Councilpersons Broll, Gardner, Huber, and Brush all voted no. Councilpersons Wilcox and Andrews voted in favor of suspending the rule. The motion failed, 4-2.*

PROCLAMATIONS

None

STAFF REPORTS

Chief Colombik gave an update on felony cases for the year. He stated that of the sixty-two felonies to date thirty are sex crimes. Of those thirty cases twenty-five sex crimes were against minors. He mentioned that they are seeing a lot of exploitation particularly targeting the elderly.

Attorney Rice asked about the social media policy and his review of deleted comments on social media. Deputy Clerk Kinsey let him know that no comments had been deleted so far.

Chief Stevens stated that call volume is steady. There are two staff members on paternity leave and one on medical leave. They have recently hired two part-paid employees. The state fire fighter's consortium is this weekend. The tower truck is almost ready. Senator Tester has a fire station grant that sounds promising.

Director Speelmon informed everyone that there was a second health advisory at the water treatment plant. New monitoring equipment is being installed and that should help. The underground work on 5th street is done.

Supervisor Anderson shared that the 911 board agreed to a temporary trial agreement with Dawson County. Her and Chief Stevens may be asked to speak at the state level on the call protocols that they use for emergencies. Advanced Life Saving calls used to take one minute and fourteen seconds to dispatch and this protocol has the response time down to about forty seconds. They also have more life saves to date than ever before.

Deputy Clerk Kinsey read a message on behalf of Sam Malenovsky. She asked that council review the information given to them and be prepared to decide at the next meeting. Councilperson Wilcox wanted to remind the Council that the email from Chris Fassero from the Army Corp of Engineers states that it is not feasible to do a lesser project.

CITY COUNCIL COMMENTS

Councilperson Andrews informed the council that he will not be at the next meeting.

MAYOR COMMENTS

The Mayor received a letter from an attorney of behalf of Lilly Cruise regarding the Wibaux Park Fountain.

COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

- A. **ORDINANCE NO. 1362 (Second Reading) – AN
ORDINANCE AMENDING SECTION 2-54 AND 2-55
REGARDING THE CITY COUNCIL FLOOD
CONTROL COMMITTEE.**

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

- B. **ORDINANCE NO. 1363 (Second Reading) - AN**

ORDINANCE CHANGING THE ZONING OF THE EAST ½ OF LOTS 9 & 10 OF BLOCK 7 OF THE WOODLAND PARK ADDITION TO THE CITY OF MILES CITY FROM RESIDENTIAL A DISTRICT TO MOBILE HOME RESIDENTIAL DISTRICT, AND PROVIDING FOR A HEARING THEREON.

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

CONSENT AGENDA (Items C-M)

- C. RESOLUTION NO. 4472 (*Second Reading*) - A
RESOLUTION PURSUANT TO §2-9-212 OF THE MONTANA CODE ANNOTATED, AUTHORIZING A PERMISSIVE MEDICAL LEVY FOR FY 2022-2023 TO FUND GROUP HEALTH INSURANCE PREMIUM CONTRIBUTIONS BY THE CITY AND PROVIDING FOR HEARING THEREON
- D. RESOLUTION NO. 4473 (*Second Reading*) - A
RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 165 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2022-2023.
- E. RESOLUTION NO. 4474 (*Second Reading*) - A
RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 167 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2022-2023.
- F. RESOLUTION NO. 4475 (*Second Reading*) - A
RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 171 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2022-2023.
- G. RESOLUTION NO. 4476 (*Second Reading*) - A
RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 172 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT

LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2022-2023.

H. RESOLUTION NO. 4477 *(Second Reading)* - A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 195 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2022-2023.

I. RESOLUTION NO. 4478 *(Second Reading)* - A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 202 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2022-2023.

J. RESOLUTION NO. 4479 *(Second Reading)* - A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 173 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2022-2023.

K. RESOLUTION NO. 4480 *(Second Reading)* - A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL OF THE PROPERTY WITHIN MAINTENANCE DISTRICT NO. 205 TO DEFRAY THE COST OF MAINTAINING THE IMPROVEMENTS IN THE SAID MAINTENANCE DISTRICT NO. 205 FOR THE FISCAL YEAR 2022-2023.

L. RESOLUTION NO. 4481 *(Second Reading)* - A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL OF THE PROPERTY WITHIN MAINTENANCE DISTRICT NO. 207 TO DEFRAY THE COST OF MAINTAINING THE IMPROVEMENTS IN THE SAID MAINTENANCE DISTRICT NO. 207 FOR THE FISCAL YEAR 2022-2023.

M. RESOLUTION NO. 4482 *(Second Reading)* - A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL OF THE PROPERTY WITHIN MAINTENANCE DISTRICT NO. 204 TO DEFRAY THE COST OF MAINTAINING THE IMPROVEMENTS IN THE SAID MAINTENANCE DISTRICT NO. 204 FOR THE FISCAL YEAR 2022-2023

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. 1362 (Second Reading) – AN ORDINANCE AMENDING SECTION 2-54 AND 2-55 REGARDING THE CITY COUNCIL FLOOD CONTROL COMMITTEE.

****** *Councilperson Wilcox moved to approve the Ordinance, read by title only and seconded by Councilperson Brush. On roll call vote, the motion passed unanimously, 6-0.*

B. ORDINANCE NO. 1363 (Second Reading) - AN ORDINANCE CHANGING THE ZONING OF THE EAST ½ OF LOTS 9 & 10 OF BLOCK 7 OF THE WOODLAND PARK ADDITION TO THE CITY OF MILES CITY FROM RESIDENTIAL A DISTRICT TO MOBILE HOME RESIDENTIAL DISTRICT, AND PROVIDING FOR A HEARING THEREON.

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MAINTENANCE DISTRICT NO. 204 FOR THE FISCAL
YEAR 2022-2023

** Councilperson Broell moved to approve the Ordinance, read by
title only and seconded by Councilperson Brush. On roll call
vote, the motion passed unanimously, 6-0.

ADJOURNMENT

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

The meeting was adjourned at 7:07 p.m.



John Hollowell, Mayor
Clerk


Jody Kinsey, Deputy City