

**REGULAR COUNCIL MEETING October 25,
2022**

CALL TO ORDER 6:00 p.m.

The Regular Council meeting was held Tuesday, October 25, 2022, 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, Rick Huber, Chris Grenz, Mathew Regan, Kathy Wilcox, Roxanna Brush, and Dwayne Andrews. Council Member Stacy Broll was absent.

Also present were City Attorney Dan Rice, Public Works Director Scott Gray, Fire Chief Branden Stevens, Police Chief Doug Colombik 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: 10/11/2022

** *Councilperson Grenz moved to approve the minutes of the Regular Council Meeting of October 11, 2022, subject to any changes, and seconded by Councilperson Brush. Councilperson Grenz mentioned that Councilperson Huber was complimenting Top Gun asphalt on the MDU project and not MDU. The motion passed by unanimous consent, 7-0.*

SCHEDULE MEETINGS

Human Resources Committee Meeting	11/1/2022
@5:00pm	
Finance Committee Meeting	11/29/2022
@6:00pm	

REQUEST OF CITIZENS & PUBLIC COMMENT

None

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Chief Columbik had Julie Emmons-Stoddard speak about the Coal Board Grant. Julie let council know that we are running out of time to apply for this grant. She would like to get it in for the next cycle. It will give more time for a complete and quality application. Dispatch is also applying so the two would be competing with each other. She is discussing combining them into one application for March consideration. Council person Grenz thanked her for her time spent helping Miles City and the surrounding communities. She added she would really enjoy working with a contracted or staff grant writer, which ever one the City decides on.

Chief Stevens is hoping to hear back from local banks by the 22nd of November for approval or denial of a loan. The wrong logo was put on the new fire engine. It will be corrected within the week. The Toy Dance is coming up December 10th. This is the fundraiser that provides toys for the Toys for Tots in our region.

Director Gray wanted to memorialize former City employee Ted Kiltie who passed away. He was a retired Water Department employee who worked for the City for well over forty years. He was Director Grays first boss at the City. He reminded everyone that people should not blow leaves or snow into the street.

CITY COUNCIL COMMENTS

Councilperson Grenz stated that the City writes nuisance tickets all the time and the property across from the City Shop has so much stuff stacked on the boulevard. Since it is our property he wants something done. He attended the flood meeting and this has gone on long enough. He asked that the Mayor have a levy put on a ballot for a special election. The Mayor let Mr. Grenz know that is not something he can do. It has to be done by council. Councilperson Grenz stated he feels all that would be needed to fix the slough would be taking a Bobcat down there and deciding what grade you want it at. It would flow nicely and we don't know if the public is even going to vote to build the dike. The money we got would not be wasted. It could then go to new police cars and work on the police building. Anything left could go to the fire department. The Mayor asked Mr. Grenz to clarify how much money he thought should be taken from the project. Mr. Grenz stated the five hundred thousand dollars for the project is not necessary. Then with the dike we could just take out five hundred yards in the summer when the river is really low and replace it with five hundred yards of dike that will pass inspection. He stated it would be a lot of work for the city crew but if the Jaycees who were mostly amateurs can do it in 1972 he doesn't see in today's age and equipment being so much bigger, better, faster, than what it was then why we couldn't at least take this on and do something. Director Gray pointed out that the ARPA money has to be used on the slough. It can only be used on infrastructure projects and cannot go to police or fire. The city crews cannot do what they are doing now if they are focusing on the dike. They are maintenance workers not a construction crew.

Councilperson Gardner also attended the flood meeting and questioned the timeline. Director Gray let him know they want to tie the 7th street project and the slough project together so that construction in the area can just be done all at one time. Mr. Gardner mentioned to the council that they could vote for a GI to be done for the Tongue River and the Yellowstone River at the same time. It is a two year wait for the GI so it makes sense to do both.

Councilperson Andrews stated that he understands that everyone is concerned but that he is not concerned. The project is way too big and costs way too much. He would prefer to put his efforts into a fire building and police cars which will help more effectively right now.

Councilperson Huber asked about the pink house on 7th street. He wanted to know what is taken so long getting it torn down. The mayor stated that we don't have a policy to tear down personal property. Chief Stevens stated he would be happy to defer to council to make the decision. As the Fire Chief he has been given zero training on how to condemn a person's personal property and he has no desire to do it. If council would like to take the power away from him he would greatly appreciate it. Mayor Hollowell added that they don't have to but council

also has the ability to condemn a building. The building inspector could give them enough information on structure to back it. Mr. Huber stated that he was under the impression that it was already condemned. Mayor Hollowell added that the previous building inspector deemed it a dangerous building but that it was never condemned. Attorney Rice has not been able to find any Montana cities that force demolition of a building. Mr. Huber asked Jim Atchison to speak on a grant that One Health received. Jim Atchison informed the council that they just received information that USDA awarded a grant to One Health at a little more than 4.8 million dollars. It is a 13-million-dollar project and will create a training tract for rural physicians in Eastern Montana and a telemedicine hub. Julie Emmons Stoddard added that they will use this as leverage to help with a possible EDA Grant for the utilities department sewer project.

MAYOR COMMENTS

Mayor Hollowell asked council if they would like to have the next council meeting that is scheduled for November 8th which is Election Day. Councilperson Grenz stated we have too much responsibility to the city to not have the meeting. The Mayor stated if no one makes a motion to change or cancel the meeting we will have the meeting as scheduled.

COMMITTEE RECOMMENDATIONS

Finance Committee Recommend the following:

-Write off deceased patient ambulance accounts in the amount of \$1,957.34

** *Councilperson Gardner moved to approve the recommendation and seconded by Councilperson Brush. The motion passed unanimously, 7-0.*

-Write off ineligible patient accounts in the amount of \$4,318.34

** *Councilperson Brush moved to approve the recommendation and seconded by Councilperson Gardner. The motion passed unanimously, 7-0.*

-Send Past Due Patient Accounts to DCI Collections in the amount of \$104,248.65.

** *Councilperson Brush moved to approve the recommendation and seconded by Councilperson Huber. The motion passed unanimously, 7-0.*

Human Resource Committee Recommends the following:

-Approve Grant Writer Contract

** *Councilperson Andrews moved to approve the recommendation and seconded by Councilperson Wilcox. The motion passed unanimously, 7-0.*

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

- A. **ORDINANCE NO. 1364 (Second Reading) – AN ORDINANCE AMENDING SECTIONS 5-26, 5-46, AND 5-61 AND ADOPTING REVISED BUILDING CODES.**

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

UNFINISHED BUSINESS

- A. **ORDINANCE NO. 1364 (Second Reading) – AN ORDINANCE AMENDING SECTIONS 5-26, 5-46, AND 5-61 AND ADOPTING REVISED BUILDING CODES.**

** *Councilperson Grenz moved to approve the Ordinance read by title only, and seconded by Councilperson Gardner. On roll call vote, the motion passed unanimously, 7-0.*

NEW BUSINESS

- A. **APPROVAL TO SEND PAST DUE UTILITY CUSTOMER ACCOUNTS TO CPI COLLECTIONS**

** *Councilperson Wilcox moved to approve the recommendation and seconded by Councilperson Gardner. The motion passed unanimously, 7-0.*

- B. **ORDINANCE NO. 1365 (First Reading) – AN ORDINANCE AMENDING ORDINANCE NO. 1334, ESTABLISHING NEW RATES FOR THE USE OF THE MILES CITY AMBULANCE**

** *Councilperson Andrews moved to approve the Ordinance read by title only, and seconded by Councilperson Regan. There was question on language in the Ordinance. Chief Stevens was not sure if it was the correct language or not.*

** *Councilperson Brush made a motion to table the Ordinance and seconded by Councilperson Huber. The motion passed unanimously, 7-0.*

- C. **RESOLUTION NO. 4487 – A RESOLUTION APPROVING ELEVATOR MAINTENANCE AGREEMENT WITH KONE INC.**

** *Councilperson Huber moved to approve the Resolution read by title only, and seconded by Councilperson Grenz. On roll call vote, the motion passed unanimously, 7-0.*

- D. **RESOLUTION NO. 4488 – A RESOLUTION ADOPTING A REVISED PURCHASING POLICY FOR THE CITY OF MILES CITY, MONTANA.**

- ** Councilperson Andrews moved to approve the Resolution read by title only, and seconded by Councilperson Grenz. On roll call vote, the motion passed unanimously, 7-0.

ADJOURNMENT

- ** Councilperson Brush moved to adjourn the meeting, seconded by Councilperson Regan, and passed unanimously.

The meeting was adjourned at 7:38 p.m.



John Hollowell, Mayor



Jody Kinsey, Deputy City Clerk