

**REGULAR COUNCIL MEETING December 13,
2022**

6:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, December 13, 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, Mathew Regan, Kathy Wilcox, and Roxanna Brush. Council Members Stacy Broll, Chris Grenz, and Dwayne Andrews were absent.

Also present were City Attorney Dan Rice, Public Works Director Scott Gray, Fire Chief Branden Stevens, Police Chief Doug Colombik, Flood Plain Administrator Samantha Malenovsky 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: 10/25/2022

** *Councilperson Brush moved to approve the minutes of the Regular Council Meeting of October 25, 2022, subject to any changes, and seconded by Councilperson Regan. The motion passed by unanimous consent, 5-0.*

Human Resources Committee Minutes: 8/18/2022

** *Councilperson Wilcox moved to approve the minutes of the Human Resources Committee Meeting of August 18, 2022, subject to any changes, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 5-0.*

Human Resources Committee Minutes: 10/4/2022

** *Councilperson Wilcox moved to approve the minutes of the Human Resources Committee Meeting of October 4, 2022, subject to any changes, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 5-0.*

Human Resources Committee Minutes: 10/18/2022

** *Councilperson Wilcox moved to approve the minutes of the Human Resources Committee Meeting of October 18, 2022, subject to any changes, and seconded by Councilperson Regan. The motion passed by unanimous consent, 5-0.*

REQUEST OF CITIZENS & PUBLIC COMMENT

Laura Sevier 1211 North Cottage came to speak on the welfare of the animals in Miles City. She recently met with Chief Colombik and Animal Control Officer Mark Winkley about a specific cat that Officer

Winkley referred to as a barn cat. She showed a video of the cat on her phone to Mayor Hollowell. She was concerned about a Corgi that was not posted to the internet. If kids are missing an animal she stated they will not know that it is at the shelter without it being posted. She mentioned that she would like to file complaints against two dispatchers and one police officer. She believes that Officer Winkley is overworked and that the city should have two full time Animal Control Officers. She is going to ask the ASPCA to look into how our shelter is run and wanted to know if there is an Animal Control Officer School. Councilperson Wilcox told Ms. Sevier that we could look into the policy for the shelter after the new year.

STAFF REPORTS

Chief Colombik asked the Council what their plans are for police cars. The cars are continuing to break down. The public and officers are at risk. The department needs basic functioning equipment. The public needs them to be able to respond in a timely manner. There have been multiple meetings and nothing is happening. He stated that officers can't go to a domestic or violet crime call when the cars might break down. He is only asking for maybe one new car a year. When he spoke to Deluxe Motors he was told a brand-new Dodge car is around \$60,000.

Director Gray spoke on the upcoming snow storm and extreme cold temperatures. He suggested people hunker down if at all possible. His department is working on getting routes plowed. Scott thanked the Street Department for all the snow removal. Councilperson Wilcox agreed and asked if we have funding for the overtime needed to plow streets. Director Gray mentioned that the MDU project caused some alley work to be postponed. That funding will be available if needed.

Director Speelman noted that the North 7th project design is done and sent to DEQ for approval. North Haynes is submitted for approval. They did not get the EDA grant but were encouraged to apply again with changes. DNRC is going to be building near BLM. The water/wastewater department is losing an employee and they currently have a vacancy.

Chief Stevens said his department is preparing for the storm and sent out a press release. County roads may be impassable due to the heavy snow and drifting. They have plans in place for triaging patients that are in the county. The department has been busy so the storm only adds to the work. They will hold a public meeting for the USDA grant application.

CITY COUNCIL COMMENTS

Councilperson Gardner attended the Airport Commission meeting. He said they would like to see charges assessed to the airport. They believe it is double what it should be. He would like it put on the agenda for the next finance meeting.

Councilperson Brush thanked Chief Colombik for the law enforcement response to the school threats.

MAYOR COMMENTS

The mayor informed the council that someone had inherited land that they would like to donate to the city. It is a vacant lot on North 3rd. The council agreed they would be interested in the property. He notified the council the Councilperson Stacy Broell is resigning her council position. He asked the council if they wanted to have a council meeting on the 27th of December. In the past the second council meeting in December was cancelled. All council members present said they would be available to attend a meeting that day.

COMMITTEE RECOMMENDATIONS

Human Resources Committee recommend assigning administrative assistant planner duties to Floodplain Administrator's responsibilities with a \$1.50 increase for additional duties.

** Councilperson Wilcox moved to approve the recommendation, and seconded by Councilperson Brush. Administrator Malenovsky asked that the council reconsider the pay at \$2.00 an hour due to the workload. Director Gray brought up two potential rest homes/assisted living facilities and two potential subdivisions. Councilperson Wilcox moved to withdraw her recommendation and refer it back to committee, seconded by Councilperson Regan. Councilperson Brush would like to see it as a full-time position. Director Gray agrees that it should be a full-time position but would like to see someone take over the duties until a full-time person can be found. The motion to refer back to Human Resources Committee passed unanimously, 5-0.

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

A. RESOLUTION NO. 4489 – A RESOLUTION TO ACCEPT DETERMINATION THAT CATEGORICAL EXCLUSION FINDING IS APPROPRIATE FOR THE CITY OF MILES CITY PURCHASE OF SIX POLICE VEHICLES.

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

NEW BUSINESS

A. APPROVE REVISED RESOLUTION 4471 ATTACHMENT “EDUCATIONAL EXPERIENCE AGREEMENT WITH HOLY ROSARY HEALTHCARE”.

** Councilperson Wilcox moved to approve the resolution read by title only, and seconded by Councilperson Gardner. The motion passed unanimously, 5-0.

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

** Councilperson Wilcox moved to approve the Ordinance read by title only, and seconded by Councilperson Huber. The motion passed unanimously, 5-0.

C. ORDINANCE NO. 1366 (First Reading) – AN ORDINANCE ENACTING “CHAPTER 26 – NOISE” OF THE CODE OF ORDINANCES OF MILES CITY,

PROCEEDING OF CITY COUNCIL
MILES CITY, MONTANA

MONTANA.

- ** Councilperson Huber moved to approve the Ordinance read by title only, and seconded by Councilperson Regan. On roll call vote, the motion passed unanimously, 5-0.
- D. RESOLUTION NO. 4489 - A RESOLUTION TO ACCEPT DETERMINATION THAT CATEGORICAL EXCLUSION FINDING IS APPROPRIATE FOR THE CITY OF MILES CITY PURCHASE OF SIX POLICE VEHICLES.
- ** Councilperson Huber moved to approve the Resolution read by title only, and seconded by Councilperson Wilcox. On roll call vote, the motion passed unanimously, 5-0.
- E. RESOLUTION NO. 4490 - A RESOLUTION OF THE CITY OF MILES CITY APPROVING A "NOTICE OF AWARD" AND "AWARD RECOMMENDATION" FOR DIAMOND J CONSTRUCTION, LLC, TO BUILD "HANGAR 10" AT FRANK WILEY FIELD.
- ** Councilperson Gardner moved to approve the Resolution read by title only, and seconded by Councilperson Huber. On roll call vote, the motion passed unanimously, 5-0.
- F. RESOLUTION NO. 4491 - A RESOLUTION AUTHORIZING THE CITY OF MILES CITY APPROVING THE ASSIGNMENT OF ITS CONSULTING AGREEMENT WITH LAND SOLUTIONS LLC TO GEOPLAND LLC.
- ** Councilperson Wilcox moved to approve the Resolution read by title only, and seconded by Councilperson Brush. On roll call vote, the motion passed unanimously, 5-0.
- G. RESOLUTION NO. 4492 - A RESOLUTION ESTABLISHING CITY OF MILES CITY PERSONNEL POLICIES REGARDING STAFF REPORTS TO CITY COUNCIL.
- ** Councilperson Brush moved to approve the Resolution read by title only, and seconded by Councilperson Gardner. Councilperson Wilcox motioned to amend the Resolution to procedure step three letter G should end after the word officer. 'but including' should be struck. Councilperson Huber motioned to refer back to Human Resources Committee. On roll call vote, the amended motion passed unanimously, 5-0.
- H. APPROVAL OF GROWTH POLICY SCOPE OF WORK.
- ** Councilperson Brush moved to approve the growth policy, and seconded by Councilperson Gardner. On roll call vote, the motion passed unanimously, 5-0.

I. APPROVAL OF OCTOBER CLAIMS

** Councilperson Wilcox moved to approve the claims, and seconded by Councilperson Brush. On roll call vote, the motion passed unanimously, 5-0.

J. APPROVAL OF NOVEMBER CLAIMS

** Councilperson Brush moved to postpone November claims until they can be reviewed by a member of the Finance Committee, seconded by Councilperson Regan. On roll call vote, the motion passed unanimously, 5-0.

ADJOURNMENT

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

The meeting was adjourned at 8:18 p.m.



John Hollowell, Mayor



Jody Kitsey, Deputy City Clerk