

**REGULAR COUNCIL MEETING February 14,
2023**

6:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, February 14, 2023, in the City Hall Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana. Council President Roxanna Brush called the meeting to order. Council Members present were Pamela Bovee, Ken Gardner, Chris Grenz, Rick Huber, Mathew Regan, and Kathy Wilcox. Council Member Dwayne Andrews was not present.

Also present were City Attorney Dan Rice, Public Utilities Director Tom Speelmon, Public Works Director Scott Gray, Flood Plain Administrator/Auto Cad/Assistant PWPV Samantha Malenovsky, and City Clerk/Minute Recorder Mary Rowe.

PLEDGE OF ALLEGIANCE

Council President Brush led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

Regular City Council Minutes: 1/24/2023

** *Councilperson Grenz moved to approve the minutes of the Regular City Council Meeting of January 24, 2023, subject to any changes, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 7-0.*

Public Service Committee Minutes: 1/31/2023

** *Councilperson Grenz moved to approve the minutes of the Public Service Committee Meeting of January 31st, 2023, subject to any changes, and seconded by Councilperson Regan. The motion passed by unanimous consent, 7-0.*

Public Safety Committee Minutes: 11/17/2022

** *Councilperson Grenz moved to approve the minutes of the Public Safety Committee Meeting of November 17th, 2022, subject to any changes, and seconded by Councilperson Wilcox. The motion passed by unanimous consent, 7-0.*

Human Resource Committee Minutes: 12/01/2022

** *Councilperson Wilcox moved to approve the minutes of the Human Resources Committee Meeting of December 1st, 2022, subject to any changes, and seconded by Councilperson Grenz. The motion passed by unanimous consent, 7-0.*

Human Resource Committee Minutes: 01/05/2023

** *Councilperson Wilcox moved to approve the minutes of the Human Resources Committee Meeting of January 5th, 2023, subject to any changes, and seconded by Councilperson Regan. The motion passed by unanimous consent, 7-0.*

Human Resource Committee Minutes: 01/19/2023

** *Councilperson Wilcox moved to approve the minutes of the Human Resources Committee Meeting of January 19th, 2023,*

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*subject to any changes, and seconded by Councilperson Gardner.
The motion passed by unanimous consent, 7-0.*

SCHEDULE MEETINGS

The following meetings will be held in the City Hall Conference Room:

Finance Committee Meeting	2/23/2023	@6:00pm
Human Resources Committee Meeting	2/23/2023	@5:00pm

REQUEST OF CITIZENS & PUBLIC COMMENT

None

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Council reviewed staff reports and asked about the fence around the splash pad. Director Gray explained that it will be six feet in height and that Stockman Bank has donated \$3,500 dollars and has challenged the community to match the donation. He also explained that he planned to add the alley on the north side of Wibaux park to the street maintenance district 204 and include the Florence Stacy fountain in the district. It would add curb, gutter, sidewalk, and décor to the street and alleviate the general fund from the cost burden of construction and maintenance.

CITY COUNCIL COMMENTS

Councilperson Grenz reported that the mirror on Stower and Montana is broken. He also stated that the County Commissioners were interested in swapping the triangle piece of property by the Sherriff Department for a piece of property by Pine Hills, so that option should be pursued.

Councilperson Brush spoke about animals being found deceased around town and asked that people report animal cruelty if they come across it.

Councilperson Wilcox commended Officer Winkley for doing a great job.

MAYOR COMMENTS

None

COMMITTEE RECOMMENDATIONS

Human Resources Committee presented a sheet of recommendations regarding Planning Assistant Duties and Compensation for employees that have been doing the duties during the planner vacancy through current and compensation for employees to continue the duties moving forward until a planner is hired. To continue to seek a Planner, whether it be a contracted position, a City/County position, or a City only Planner Assistant position.

Councilperson Grenz left the meeting at 6:50pm.

Councilperson Huber requested that #2 (retro pay for duties already performed) be stricken from the recommendation and move forward with #1 only (compensation for duties performed going

forward). Director Gray, Clerk Rowe, and Administrator Malenovsky explained that there are different areas that each employee had been handling and asked that compensation be paid for all those that have been doing the duties. It was explained that it would not be duties permanently added to job descriptions, but temporary additional duties for the employees that are currently doing them. Attorney Rice explained that the recommendation had to be limited to one area, not an array of items.

** *Councilperson Wilcox moved to approve temporary additional duties and compensation as stated, including backpay, through June 30, 2023, seconded by Councilperson Regan.*

Councilperson Grenz returned to the meeting at 7:32pm.

Attorney Rice updated Councilperson Grenz on the conversation that commenced in his absence.

Councilperson Wilcox called to question.

** *On a roll call vote the motion failed, 5-2 with Gardner, Huber, Grenz, Regan, and Brush voting no.*

BID OPENINGS

N Haynes Sewer Project

Director Speelmon opened and read aloud the two bids received.

JR Civil

-Alt A \$2,850,977.80

-Alt D \$260,570.20

Diamond J Construction

-Alt A \$2,538,945

-Alt D \$173,470

-Alt E \$158,650

** *Councilperson Wilcox moved to refer to Finance, seconded by Councilperson Grenz and passed unanimously, 7-0.*

BID AWARDS

None

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

- A. **RESOLUTION NO. 4494 – A RESOLUTION APPROVING A REVISED COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF MILES CITY AND THE LOCAL NO. 283-B UNION**

** *Councilperson Grenz moved to approve the Resolution, read by title only and seconded by Councilperson Huber.*

Council reviewed the changes.

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Officer Wilkins explained that the fiscal impact would be approximately \$100,000 and stated that it is already budgeted in for this year.

** On roll call vote, the motion passed by unanimous consent, 7-0. Resolution No. 4494 passed.

B. RESOLUTION NO. 4495 – A RESOLUTION ESTABLISHING CITY OF MILES CITY PERSONNEL POLICIES REGARDING POLICY TITLE

** Councilperson Huber moved to approve the Resolution with changing “policy title” to “FMLA” and seconded by Councilperson Bovee. On roll call vote, the motion passed by unanimous consent, 7-0. Resolution No. 4495 passed.

C. RESOLUTION NO. 4496 – A RESOLUTION ACCEPTING WATER AND SEWER INFRASTRUCTURE INSTALLED TO SERVE THE CITY VIEW SUBDIVISION INTO THE CITY OF MILES CITY’S MUNICIPAL WATER AND SEWER SYSTEMS

** Councilperson Grenz moved to approve the Resolution and seconded by Councilperson Huber.

There was a brief discussion about the subdivision as a whole.

** On roll call vote, the motion passed by unanimous consent, 7-0. Resolution No. 4496 passed.

D. RESOLUTION NO. 4497 – A RESOLUTION APPROVING AN AMENDED SUBDIVISION IMPROVEMENTS AGREEMENT FOR CITY VIEW SUBDIVISION

** Councilperson Grenz moved to approve the Resolution and seconded by Councilperson Bovee. On roll call vote, the motion passed by unanimous consent, 7-0. Resolution No. 4497 passed.

E. RESOLUTION NO. 4498 – A RESOLUTION APPROVING AN “AMENDMENT TO ENGINEER-OWNER AGREEMENT” WITH KLJ ENGINEERING, LLC, FOR FLOODPLAIN SERVICES

** Councilperson Grenz moved to approve the Resolution and seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 7-0. Resolution No. 4498 passed.

F. RESOLUTION NO. 4499 – A RESOLUTION OF THE CITY OF MILES CITY APPROVING A “UTILITY EASEMENT” AND “EASEMENT GRANT” FROM THE STATE OF MONTANA

** Councilperson Bovee moved to approve the Resolution and seconded by Councilperson Gardner. On roll call vote, the

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motion passed by unanimous consent, 7-0. Resolution No. 4499 passed.

G. APPROVAL OF JANUARY CLAIMS

** *Councilperson Wilcox moved to postpone until next meeting, seconded by Councilperson Huber and passed unanimously, 7-0.*

ADJOURNMENT

** *Councilperson Huber moved to adjourn the meeting, seconded by Councilperson Bovee and passed unanimously.*

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



John Hollowell, Mayor



Mary Rowe, City Clerk