

**REGULAR COUNCIL MEETING February 28,
2023**

6:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, February 28, 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, and Dwayne Andrews.

Also present were City Attorney Dan Rice, Public Utilities Director Tom Speelmon, Public Works Director Scott Gray, Fire Chief Branden Stevens, Police Chief Doug Colombik, 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

Regular City Council Minutes: 2/14/2023

** *Councilperson Grenz moved to approve the minutes of the Regular City Council Meeting of February 14th, 2023, subject to any changes, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 8-0.*

Finance Committee Minutes: 1/17/2023

** *Councilperson Grenz moved to approve the minutes of the Finance Committee Meeting of January 17th, 2023, subject to any changes, and seconded by Councilperson Regan. The motion passed by unanimous consent, 7-0.*

SCHEDULE MEETINGS

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

Human Resources Committee Meeting 3/9/2023 @5:00pm

REQUEST OF CITIZENS & PUBLIC COMMENT

Tracy Gierke came to the meeting to request an alcohol variance for Wibaux Park. Councilperson Brush moved to place repealing the resolution that prohibits alcohol variances at Wibaux Park on the next agenda seconded by Councilperson Bovee.

Mary Catherine Dunphy 904 Pleasant #4 came in to notify the public that Montana Dakota Utilities is proposing a 37.5% rate increase which would be their second increase in the last 3 years. She gave information on where the community could submit comments.

Councilperson Grenz asked the Mayor if he would be willing to write a letter to MDU of behalf of the City. The Mayor said he will.

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Deputy Clerk Kinsey asked the council to give the Finance Department funding to send her to the Clerks Institute in May.

** *Councilperson Grenz moved to approve funding for Deputy Clerk Kinsey to attend the Clerks Institute, and seconded by Councilperson Andrews. The motion failed, 7-1 with Councilperson Andrews voting in favor.*

Chief Colombik gave commendations to many of his staff for heroic service to the City and lifesaving efforts.

CITY COUNCIL COMMENTS

Councilperson Grenz thanked Chief Stevens for his lengthy detailed staff report in the last council packet. He stated that it answered many questions that he had. He then asked Chief Stevens about some of the apparatus' and what the plans were for out of commission vehicles. Councilperson Grenz brought up the Kosty property and annexation with new commercial properties having to sign a no protest to annexation. Mayor Hollowell explained that the council can initiate annexation at any time. Councilperson Grenz would still like to go in with the county on a joint city/county planner.

Councilperson Wilcox said she would be okay with entertaining a city/county planner but would need more information before pursuing it.

Councilperson Andrews stated that the only way he would agree to a city/county planner would be if that person is housed in City Hall.

Councilperson Huber followed by saying the Bucking Horse Saloon slipped through the cracks with annexation. The mayor let him know that no annexation can happen without Council initiating it. He stated it can only slip through the cracks if Council chooses not to do it. Councilperson Huber asked Director Gray if it was true that Council was responsible for that or where it happened. Director Gray said it happened during the planning and he doesn't do annexation. Mayor Hollowell reiterated that it is Council that does annexation. He further stated annexation is only done by request or by Council initiating it.

Councilperson Brush asked to have annexation rules and regulations put on the agenda for the next meeting. Attorney Rice asked if everyone on Council has reviewed the growth policy. He stated it covers everything they need to know about annexation. He stated that everyone on Council should be familiar with the growth policy and it is being updated. Attorney Rice suggested a committee to do the leg work since it is not a simple process. Councilperson Brush said she would still like to see a committee set up for annexation. The Mayor stated it could be an Ad-Hoc committee. Councilperson Brush and Councilperson Grenz would both like to be on the Ad-Hoc committee. Mayor Hollowell will talk to staff and get back to them so they can decide when they will meet.

Councilperson Huber would like any action items that involve bid openings or outside contractors that show up to meetings to be moved up on the agenda so they don't have to sit through the whole meeting.

MAYOR COMMENTS

Mayor Hollowell asked for a motion to reconsider the decision regarding the planner from the last meeting.

No motion was made.

COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

Finance Committee Recommended Boss Office for the printing bid.

** *Councilperson Brush moved to accept the Boss Office Printing Bid, and seconded by Councilperson Andrews. The motion passed by unanimous consent, 8-0.*

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

A. Approve Task Order 2, Agreement to Furnish Professional Services to the City of Miles City for Montana Department of Transportation 2023 Transportation Alternatives Program Capital Improvement application. (Finance Committee Recommends Approving).

** *Councilperson Grenz moved to approve the Task Order, read by title only and seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 8-0.*

B. RESOLUTION NO. 4500 - A RESOLUTION APPROVING THE WORK PLAN AND BUDGET FOR FISCAL YEARS 2021-2022 AND 2022-2023 FOR BUSINESS IMPROVEMENT DISTRICT NO. 101, AND PROVIDING FOR HEARING THEREON

** *Councilperson Wilcox moved to approve the Resolution read by title only and seconded by Councilperson Bovee. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4500 passed.*

C. RESOLUTION NO. 4501 - A RESOLUTION OF THE CITY COUNCIL OF MILES CITY, MONTANA SUBMITTING TO THE QUALIFIED ELECTORS OF MILES CITY THE QUESTION OF ISSUING GENERAL OBLIGATION BONDS IN ONE OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO THREE MILLION NINE HUNDRED FORTY-FIVE THOUSAND AND NO/100 DOLLARS (\$3,945,000) FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF DESIGNING, CONSTRUCTING, EQUIPPING, AND FURNISHING A NEW CITY FIRE AND RESCUE STATION ON CITY-OWNED PROPERTY LOCATED AT 2800 MAIN MILES CITY, MONTANA; AND PAYING COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS

** *Councilperson Grenz moved to approve the Resolution and*

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seconded by Councilperson Huber. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4501 passed.

- D. RESOLUTION NO. 4502 - A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO ENTER INTO AN AGREEMENT WITH DIAMOND J CONSTRUCTION, LLC., FOR THE HAYNES AVENUE SANITARY SEWER REHABILITATION PROJECT.

** Councilperson Huber moved to approve the Resolution and seconded by Councilperson Grenz. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4502 passed.

- E. ORDINANCE NO. 1367 - AN ORDINANCE AMENDING SECTION 23-33 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY REGARDING INSTALLATION AND MAINTENANCE OF SERVICE PIPES. (Finance Committee Recommends Approving).

** Councilperson Bovee moved to approve the Ordinance read by title only and seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 8-0. Ordinance No. 1367 passed.

- F. RESOLUTION NO. 4503 - A RESOLUTION ADOPTING AMENDED "MODEL GOVERNMENT SOCIAL MEDIA TERMS AND CONDITIONS FOR USERS" PERTAINING TO CITY OF MILES CITY SOCIAL MEDIA ACCOUNTS.

** Councilperson Grenz moved to approve the Resolution and seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4503 passed.

G. APPROVAL OF JANUARY CLAIMS

** Councilperson Grenz moved to approve the claims, seconded by Councilperson Huber and passed unanimously, 8-0.

ADJOURNMENT

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

The meeting was adjourned at 7:37 p.m.



John Hollowell, Mayor



Mary Rowe, City Clerk