

**CITY OF COLSTRIP  
CITY COUNCIL**

Regular Meeting  
March 25, 2008

Mayor Williams called the meeting to order at 7:00 p.m. Following the Pledge of Allegiance City Clerk/Treasurer Richards called the roll. The following were:

Present: Mayor John Williams, Councilpersons Sue Hert, Rick Harbin, Dan Becker and Betty Jo Ellison

Also Present: City Attorney Gary Ryder, Public Works Supervisor John Bleth, Police Chief Larry Reinlasoder, Fire Chief Ryan Reid, and City Clerk/Treasurer Michelle Richards

**Consent Agenda:**

Councilperson Harbin moved to approve the Consent Agenda. Councilperson Ellison seconded the motion. No discussion. Motion carried with all in favor.

- a. Minutes of 3/11/08 Regular Meeting
- b. Claims Roster 3/21/08
- c. February Treasurer's Report

**Departmental Reports:**

In addition to written information included in the council's packets Chief Reinlasoder, Fire Chief Reid, Public Works Supervisor Bleth, City Clerk/Treasurer Richards and Attorney Ryder gave departmental reports.

**Public Comment and Participation:**

Mayor Williams opened the Public Hearing at 7:40 p.m. for a variance at 3224 Appaloosa Drive. Mark Stevens, 404 Wildrye and owner of the property at 3224 Appaloosa Drive, explained his request is to place steps for a new mobile home 2 ½ feet into the side setback requirement. Mr. Stevens presented a statement signed by neighbors of the property, except one he was not able to contact, stating they have no objections to the variance. Councilperson Harbin asked if the variance would transfer if the property is ever sold. Attorney Ryder stated the variance would transfer. Councilperson Ellison moved to approve the Variance Request at 3224 Appaloosa Drive for steps to extend 2 ½ feet into the side setback. Councilperson Hert seconded the motion. No discussion. Motion carried unanimously. Mayor Williams closed the hearing at 7:45 p.m.

Charles Hartman, 4 Woodrose Avenue, addressed the City Council about curfew violations at city parks. His daughter was issued a curfew citation at Castle Rock Lake even though the lake area is outside of city limits. Mr. Hartman asked how the city can have a city park outside of city limits. He also feels that the City Council should look into how many other tickets have been written at the lake for city ordinance violations. His understanding is that city police officers cannot write tickets for ordinance violations outside of city limits. Mr. Hartman asked if this is correct. Attorney Ryder responded the officers cannot.

Attorney Ryder explained that city ordinances are only enforceable in city limits. Police Officers do have jurisdiction outside city limits under state law but not for enforcing city ordinances. Attorney Ryder cannot respond to previous cases without knowing the specifics and circumstances of each of those cases.

Police Chief Reinlasoder stated he doesn't feel this is the appropriate forum to discuss this type of violation. He is not aware of any city parks in Colstrip as they are all under the jurisdiction of the Colstrip Parks and Recreation District. He also stated the only way to get to the lake area and back is to go through city limits. The Chief stated the youth were cited after they returned to city limits, not at the lake where the police officer first came into contact with them. Chief Reinlasoder is only aware of 3 citations issued for curfew violations, two which were part of this situation and the other was inside city limits at the request of the parent.

### **Unfinished Business:**

Councilperson Harbin moved to waive the reading and approve the second reading of Ordinance 2008-01 pertaining to the Zoning Commission's recommendation in limiting detached and attached garage sizes. Councilperson Ellison seconded. Discussion: Attorney Ryder reported a couple of grammatical errors were found and corrected since the first reading. Motion was carried with all in favor. The ordinance becomes effective in 30 days.

The Building Committee met last week with architect Durward Sobek to go over the bid and alternate bids for the new City Hall. It was recommended not to approve the alternate bids and move forward with the base bid. Mr. Sobek recommends the acceptance of the low bid submitted by General Contractors. Councilperson Hert moved to award the base bid for construction of City Hall to the low bidder, General Contractors, in the amount of \$2,106,018.00. Councilperson Ellison seconded the motion. No discussion. Motion carried with all in favor. Councilperson Harbin asked when construction will begin. Mayor Williams will notify the architect tomorrow and construction should be able to begin as soon as the contract is signed and the contractor has obtained their insurance and bond. Mayor Williams is planning to have a ground breaking ceremony.

### **New Business:**

Councilperson Harbin moved to approve the recommendation submitted by the Zoning Commission to zone Lot 6B, Block 11 of the Stillwater Subdivision as Commercial. Councilperson Hert seconded. No discussion. Motion was carried with all in favor.

Councilperson Ellison moved to approve the Computer and Email Usage Policy for employees as submitted by the Personnel Committee. Councilperson Hert seconded the motion. Discussion: Councilperson Harbin asked who is going to oversee the computer network. Mayor Williams stated he will be. Motion carried unanimously.

Councilperson Becker moved to renew the lease with V-1 Propane/Heritage Propane for parking a propane truck in the city's Warehouse Yard with the escalations proposed by Mayor Williams. Councilperson Ellison seconded the motion. Discussion: Councilperson Harbin asked if the city has any issues with competing with the storage facilities. Mayor Williams stated there have never been any objections to the city doing this. Councilperson Hert asked if there were any liability issues to be concerned about. Mayor Williams is not aware of any. Motion carried with all in favor.

Councilperson Harbin moved to approve the purchase of a Wildland Fire Truck and necessary equipment as requested by the Fire Department. Councilperson Ellison seconded the motion. Discussion: Councilperson Hert asked if there were any other bids obtained other than the one from Heberle Ford in the amount of \$26,000. Fire Chief Reid stated he had not because Heberle is a local dealer. Councilperson Hert would like more bids obtained since it is taxpayers' money being used. Chief Reid stated he would contact other dealerships. Councilperson Harbin commented if the truck is being ordered we may not get it before the end of the fiscal year so it may not affect the current budget. Councilperson Harbin asked if this purchase would take care of the fire department for at least five years on major equipment. Chief Reid stated it would. Motion carried with all in favor.

Councilperson Harbin moved to accept the grant from the Montana Board of Crime Control in the amount of \$17,500 to assist in the enforcement of underage drinking laws. Councilperson Ellison seconded the motion. No discussion. Motion carried unanimously.

Councilperson Ellison moved to approve Resolution No. 08-R02, requiring the reimbursement of training expenses for police officers if they are employed with the City of Colstrip less than three years. Councilperson Harbin seconded the motion. Discussion: Councilperson Harbin asked if this was for recruits the city puts through the Police Academy. Mayor Williams confirmed that is what it is for. Councilperson Harbin asked if the city has any other employees special training is paid for. Mayor Williams explained the Public Works Department employees have to obtain and maintain water and sewer related certifications but not to the extent of the police department. Motion carried with all in favor.

Councilperson Ellison moved to proceed with an Invitation to Bid for installation of the UV Disinfection System at the Sewage Treatment Plant. Councilperson Hert seconded the motion. Discussion: Councilperson Harbin commented the cost will be more than the city anticipated and asked if it is within the budgetary confines. Mayor Williams stated the city did budget funds for this but the cost will exceed what was budgeted.

Mayor Williams adjourned the meeting and 8:43 p.m.

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Michelle Richards, City Clerk/Treasurer