

**CITY OF COLSTRIP  
CITY COUNCIL**

Regular Meeting

May 13, 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 Dan Becker and Betty Jo Ellison

Absent: Councilpersons Susan Hert and Rick Harbin

Also Present: City Attorney Gary Ryder, Public Works Supervisor John Bleth, Police Chief Larry Reinlasoder, Zoning/Code Enforcement/Building Inspector Jan Morgan, Administrative Assistant Kathie Bailey, Fire Chief Ryan Reid, City Judge Gail Beckham and City Clerk/Treasurer Michelle Richards

**Consent Agenda:**

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

- a. Minutes of 4/22/08 Regular Meeting
- b. Claims Roster 5/09/08

**Departmental Reports:**

In addition to written information included in the council's packets Fire Chief Reid, Police Chief Reinlasoder, Judge Beckham, Zoning/Code Enforcement/Building Inspector Morgan, Public Works Supervisor Bleth, City Clerk/Treasurer Richards, Attorney Ryder and Administrative Assistant Bailey gave departmental reports.

Attorney Ryder asked for direction on the claim submitted by Chief Reinlasoder regarding the credit of other government service in accruing vacation leave. Councilpersons Becker and Ellison had no objection to Attorney Ryder and Mayor Williams meeting with Chief Reinlasoder to discuss the issue.

**Public Comment and Participation:**

Mayor Williams asked for public comment on the Encroachment Easement requested by Mike and Judy Hayworth and Maurice Maslowski. Zoning/Code Enforcement Officer Morgan explained the situation that a shared garage was built years ago 4 inches into the alley. No

comments or objections were received from the public. Councilperson Ellison moved to approve an Encroachment Easement for the property at 121 Olive. Councilperson Becker seconded the motion. Discussion: Attorney Ryder explained an easement is also necessary for the neighboring property owner since the garage is shared by both parties. Councilperson Ellison moved to amend her motion to include 127 Olive (Lots 4 & 5 of Block 19, Original Townsite). Councilperson Becker seconded the amendment motion. Amended motion carried with all in favor. The main motion as amended also carried with all voting in favor.

The Public Hearing for the proposed Budget Amendment to the 2007-2008 Fiscal Year Budget was opened at 7:30 pm. City Clerk/Treasurer Richards explained the amendment is for unanticipated revenue in the amount of \$52,900 from the city's flexible spending account and the expenditure of the gains back to the plan participants. No comments or objections were received. Mayor Williams closed the hearing at 7:31 pm.

The Public Hearing for a Variance at 4030 Prospector for Bill & Laurie Neumiller was opened at 7:31 pm. Zoning/Code Enforcement Officer Morgan introduced the variance request and explained it is for a garage to exceed the size limitation in the R-3 Residential District by 164 square feet and for the garage to extend five feet into the back setbacks of the property. The property behind Neumiller's is green belt and managed by the Colstrip Park & Recreation District. Councilmember Becker asked if anything was needed from CPRD. Mrs. Morgan stated CPRD's permission is not required. No comments or objections from the public were received. Mayor Williams closed the hearing at 7:35 pm.

Jim Atchison, representing SouthEastern Montana Development Corporation, reported that Evan Barrett of the Governor's Office of Economic Development visited Colstrip last week. Some topics discussed were the study of an elderly care facility in Colstrip, the Otter Creek coal development and other natural resource development in the area.

**Mayor's Communications:**

Mayor Williams announced the city was awarded a Tree City USA Growth Award during Arbor Day Activities on May 2<sup>nd</sup>. Mayor Williams recognized city employee Tana Pippin for submitting the grant applications for tree planting projects and organizing the forestry projects.

Mayor Williams attended the Montana Municipal Elected Officials Workshop in Billings last week.

**Unfinished Business:** None.

**New Business:**

Councilperson Becker moved to approve a Variance at 4030 Prospector to allow the construction of a garage which exceeds the city's garage size limitation by 164 square feet and extends five feet into the back setback of the property. Councilperson Ellison seconded. No discussion. Motion was carried with all in favor.

Councilperson Ellison moved to approve Resolution No. 08-R05, authorizing a \$32,900 amendment to the 2007-2008 Fiscal Year Budget. Councilperson Becker seconded the motion. No discussion. Motion carried with all in favor.

Councilperson Ellison moved to approve Resolution No. 08-R06, declaring Surplus Equipment and authorizing its sale or disposal. Councilperson Becker seconded the motion. No discussion. Motion carried with all in favor.

Councilperson Becker moved to approve Task Order #11 Amendment with Morrison Maierle in the amount of \$3,825 for additional engineering services on the UV Disinfection System. Councilperson Ellison seconded the motion. No discussion. Motion carried.

Councilperson Ellison moved to approve Change Order No. 1 in the amount of \$5,527 on the Lift Station "C" Project. Councilperson Becker seconded the motion. No discussion. Motion carried unanimously.

Councilperson Becker moved to grant a Utility Easement to NorthWestern Energy for underground electric service at the new City Hall location. Councilperson Ellison seconded the motion. No discussion. Motion carried with all in favor.

Councilperson Ellison moved to approve the Customer Agreement with NorthWestern Energy for electrical service at the new City Hall location. Councilperson Becker seconded the motion. No discussion. Motion carried unanimously.

Mayor Williams adjourned the meeting at 7:50 p.m.

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Michelle Richards, City Clerk/Treasurer