

City Council Meeting
August 14, 2012

Present: Mayor Rose Hanser, Councilpersons Lawretta Miller, Tom Jankowski, and John Williams
Absent: Councilperson Evan Stewart
Also Present: City Clerk/Treasurer Michelle Richards, Acting Police Chief Cory Hert, City Attorney Gary Ryder, Fire Chief Ryan Reid and Building/Planning Official Jan Morgan

Mayor Hanser called the meeting to order at 7:00 pm. Following the Pledge of Allegiance, Clerk/Treasurer Richards called the Roll Call.

Consent Agenda:

Councilperson Miller moved to approve the Consent Agenda. Councilperson Williams seconded the motion. No discussion or public comment. Motion carried with all in favor.

- a. Minutes of 7/10/12 Regular Meeting
- b. Claims Roster 7/20/12

Departmental Reports:

Reports were given by Acting Police Chief Hert, Building/Planning Official Morgan, Fire Chief Reid, Attorney Ryder, and City Clerk/Treasurer Richards.

Mayor's Communications:

A Spay and Neuter Clinic for dogs and cats will be held on August 24 and 25, 2012 at IBES. Animal owners living within city limits will be required to license their animals but the late fee will be waived for those participating in this clinic.

The Mayor has received numerous expressions of appreciation from those affected by the recent fire activity and agencies for assisting with the area fires.

Public Comment and Participation:

Jim Atchison, Executive Director of SouthEastern Montana Development Corporation (SEMDC), thanked the City for renewing their membership with SEMDC and presented a certificate of appreciation. Jim reported the 2011 population of Colstrip has increased slightly from 2010 to 2248. Jim also reported on the Energy Open held last week in Colstrip with Senator Baucus participating, tours and a golf tournament. Jim thanked the City for their sponsorship and participation.

Unfinished Business:

Councilperson Williams made a motion to remove the Riedel Sewer Backup Claim from the table. Councilperson Jankowski seconded the motion. Motion carried with all in favor. Councilperson Williams commented that he had read an article from MMIA that they will be offering \$1,000 to persons experiencing a sewer backup even if the municipality is not at fault. Councilperson Williams recommends offering the Riedels \$8,158.61 under the Goodwill Policy instead of the \$5,000

recommended by the Goodwill Committee. Councilperson Miller disagreed. She feels it should be capped at \$5,000 because the city was not at fault and the city took reasonable and ordinary care of the sewer mains. Councilperson Williams moved to give George and Pat Riedel \$8,158.61 for their sewer backup claim. Councilperson Jankowski seconded the motion. Discussion: Councilperson Williams recognizes it is not as much as the Riedels would like but feels it takes care of the issue fairly. Councilperson Miller asked what is going to be the limit for the other affected property owner and any future claimants from sewer backups. Attorney Ryder suggests setting a limitation for future claims since the city is not an insurance company and requiring a release of claim before the city disburses the funds. Councilpersons Jankowski and Williams voted in favor. Councilperson Miller voted nay. Motion carried 2-1. Mr. Riedel stated he would accept the offer and thanked the council for their time and consideration.

New Business:

Councilperson Williams moved to approve the purchase of a VXU Meter Reading Unit in the amount of \$20,000 as requested by Public Works Director Bleth. Councilperson Miller seconded the motion. Discussion: Councilperson Jankowski asked if the meters don't read with the radio read unit do they have to be hand read. Mayor Hanser confirmed an employee has to go back to the property and get a reading. Motion carried with all in favor.

Councilperson Williams moved to approve contracting with Total Asphalt Repair in the amount of \$14,382.00 for the sewer main repair on Woodrose Street. Councilperson Jankowski seconded the motion. No discussion or public comment. Motion carried with all in favor.

Hannah Schantz addressed the City Council regarding her proposal to serve as City Prosecutor for the City of Colstrip. Mayor Hanser commented on the amount of compensation requested. Mrs. Schantz explained she has spoken with the current and previous prosecutors and both feel the compensation should be increased due to the amount of time involved. If approved, the contract would take effect October 1, 2012. Councilperson Williams would like to see a periodic report from the prosecutor. This item will be on a future agenda for City Council consideration.

Councilperson Jankowski moved to approve repairing the 1985 Road Grader with a new engine in the amount of \$16,000.00 as proposed by Public Works Director Bleth. Councilperson Miller seconded the motion. No discussion or public comment. Motion carried with all in favor.

Councilperson Williams moved to approve the Preliminary Budget for the 2012-2013 fiscal year as submitted. Councilperson Jankowski seconded the motion. Discussion: Councilpersons Williams and Jankowski thanked the City Clerk/Treasurer and department heads for their assistance with the budget. Motion carried with all in favor.

Adjournment:

Mayor Hanser adjourned the meeting at 8:00 p.m.

Michelle Richards, City Clerk/Treasurer