

City Council Meeting September 11, 2012

Present: Mayor Rose Hanser, Councilpersons Evan Stewart, Lawretta Miller, Tom Jankowski, and John Williams

Also Present: Public Works Director John Bleth, City Clerk/Treasurer Michelle Richards, 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 Jankowski moved to approve the Consent Agenda. Councilperson Williams seconded the motion. Motion carried with all in favor.

- a. Minutes of 8/28/12 Regular Meeting
- b. Claims Roster 9/06/12
- c. August Financial Report

Departmental Reports:

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

Bid Opening – Surplus Refuse Hauler

City Clerk/Treasurer Richards opened bids received for the Surplus Refuse Hauler. One bid was received from Chad Batey in the amount of \$5,750.00. The bid will be reviewed and a recommendation made for award presented at the next meeting.

Mayor's Communications:

Mayor Hanser reported the Police Commission ruling on the appeal filed by former Police Chief Larry Reinlasoder. The commission ruled the termination of Mr. Reinlasoder's employment was with just cause and the Mayor did not abuse the discretion of her office. Mayor Hanser would like to appoint Cory Hert as Police Chief.

Councilperson Williams made a motion to approve the appointment of Cory Hert as Police Chief with a compensation level in accordance with his experience and that it be retroactive to his appointment as Acting Police Chief. Councilperson Jankowski seconded the motion. Discussion: Councilperson Stewart commended Officer Hert for his performance since taking over the department and feels he has accomplished a lot in a short period of time. Motion carried with all in favor.

Public Comment and Participation:

Jim Atchison, 7405 Castlerock Lake Drive and representing SouthEastern Montana Development Corporation, reported the Eastern Montana Development Forum will be held in Miles City this Thursday at Miles Community College and distributed information regarding this event.

Lu Shomate, representing the Schoolhouse History and Art Center, reported that SHAC submitted the grant application to the Coal Board, which was written by SouthEastern Montana Development Corporation, that the City of Colstrip agreed to sponsor. A PPL Grant has also been applied for and Lu is pursuing other grant opportunities. An audit was completed recently on SHAC's financial records. SHAC's 37th Annual Arts and Crafts Fair is coming up in November. A farmers market was held each week in August and was very successful.

Mayor Hanser opened the Public Hearing at 7:26 p.m. for the Solid Waste Special Assessments. No objections or comments were received either in person or in writing. Mayor Hanser closed the hearing at 7:27 p.m.

Unfinished Business:

Councilperson Williams moved to approve contracting with Hannah Schantz for Court Prosecution Services beginning October 1, 2012 in the amount of \$2,000 per month plus \$150 per month for office expenses. Councilperson Jankowski seconded the motion. Discussion: Councilperson Williams commented the contract is a fair agreement for the city and he appreciates the work done by Attorney Ryder and Ms. Schantz. Motion carried with all in favor.

Councilperson Williams moved to award the bid for the Emergency Warning System to Industrial Communications in the amount of \$93,797.00. Councilperson Jankowski seconded the motion. Discussion: Councilperson Stewart asked what the estimated cost of the system was. Mayor Hanser stated the project was estimated at \$65,000 when it was quoted a year ago and the bid received is for four sirens instead of two. Councilperson Jankowski commented the city has a Coal Board Grant in the amount of \$35,000 and Rosebud County will be contributing \$25,000. Councilperson Stewart is uncomfortable due to the cost difference and whether the system is necessary due to the minimal amount of severe weather experienced the past few years. Councilperson Williams explained that the initial request for this purchase came from the Senior Citizens due to severe weather, fires and the power plant and that Colstrip did have an early warning system 40 years ago. The community needs to have something in place to notify the residents in case of an emergency situation. Public Comment: Shelly Wayne, 1610 Vista, spoke in favor of the warning system with four sirens. Jim Atchison, 7405 Castle Rock Lake, spoke in favor of the warning system and commented that a lack of communication was a big factor in the recent fire activity at Lame Deer and Ashland. Councilperson Stewart asked if a plan has been developed on how the warning system would be implemented. Mayor Hanser explained the county has a plan in place and the city would probably use theirs as a guide. Motion carried with all in favor.

New Business:

Councilperson Jankowski made a motion to approve Resolution No. 2012-R16, adopting the Solid Waste Special Assessments. Councilperson Stewart seconded the motion. No discussion or public comment was received. Motion carried with all in favor.

Councilperson Williams moved to prepare a resolution regarding the Montana Legislative Redistricting Plan and submit it immediately to the Districting Commission. Councilperson Stewart seconded the motion. Discussion: Councilperson Stewart asked for clarification if the resolution would be on the next agenda or prepared right away. Mayor Hanser would like to submit the letter as soon as possible. Motion carried with all in favor.

Councilperson Jankowski moved to approve the request made by Public Works Director Bleth to purchase a 2013 1 Ton Chevrolet Pickup in the amount of \$25,708.00 from Denny Menholt Chevrolet. Councilperson Stewart seconded the motion. Discussion: Councilperson Miller asked if Heberle Ford could be contacted and asked to match the lower bid so that the city was purchasing more locally. Attorney Ryder didn't feel it would be the best business practice to do this. Councilperson Williams stated businesses should provide their best price when requested to provide a proposal. Councilperson Jankowski feels the vehicle bid by Denny Menholt is a better vehicle for the price quoted. Motion carried with all in favor.

Mindy & Andy Kohn, 1555 Piedmont, recently received a letter from Building/Planning Official Morgan notifying them that chickens are not allowed in the zoning district she lives in. Mr. & Mrs. Kohn submitted information regarding chickens. Mrs. Kohn requested the City Council reconsider the regulations prohibiting chickens.

Aubrey Kluver, 1371 Laramie Circle North, spoke in favor of allowing chickens in residential areas.

Shelly Wayne, 1610 Vista, stated she supports the Kohns and their request to allow chickens in residential areas. She is a neighbor of the Kohns and hasn't experienced any issues with their chickens.

Councilperson Stewart moved to forward the livestock ordinance to the Zoning Commission for review and a recommendation for any changes. Councilperson Jankowski seconded the motion. Discussion: Councilperson Stewart commented that rabbits should also be considered and that hopefully the recommendation from the Zoning Commission will make the regulations easier to find and understand than the current city code. Motion carried with all in favor.

Administrative Matters:

Councilperson Stewart commented that Section 1-6-2 of the City Code regarding terms of department heads needs to be reviewed and possibly amended. The water and sewer rates also need to be evaluated; it was the intention that this be done annually. Councilperson Stewart also asked about the status of the property management and sale of city property policy requested several months ago by the council.

Councilperson Williams commented that he will be providing information to the council from the Montana League of Cities and Towns Resolutions Committee in preparation for the next legislative session.

Adjournment:

Mayor Hanser adjourned the meeting at 8:07 p.m.

Michelle Richards, City Clerk/Treasurer