

City Council Meeting  
December 11, 2012

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

Absent: Councilperson Evan Stewart

Also Present: Public Works Director John Bleth, City Clerk/Treasurer Michelle Richards, Police Chief Cory Hert, Fire Chief Ryan Reid, City Attorney Gary Ryder 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. No discussion. Motion carried with all in favor.

- a. Minutes of 11/27/12 Regular Meeting
- b. Claims Roster 12/06/12
- c. Fire Board Appointment

**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.

**Mayor's Communications:**

Police Officer Michael Hayes was introduced and congratulated on his recent completion of the Montana Law Enforcement Academy in Helena.

**Public Comment and Participation:**

Mayor Hanser opened the Public Hearing at 7:24 p.m. regarding the Resolution of Intent to Donate a Fire Truck to the Ashland Fire District. Fire Chief Reid addressed the reasons to donate the truck. No public was comment received. Mayor Hanser closed the hearing at 7:26 p.m.

No other public comment was received.

**Unfinished Business:**

Councilperson Jankowski moved to approve Resolution 2012-R22, donating a surplus fire truck to the Ashland Fire District. Councilperson Williams seconded the motion. Discussion: Councilperson Jankowski commented part of the agreement with the Coal Board when receiving funds from them to purchase a new fire engine was to donate our old fire truck to Ashland. No public comment received. Motion carried with all in favor.

Councilperson Jankowski moved to remove the Amerilert System from the table. Councilperson Williams seconded the motion. No discussion or public comment received. Motion carried with all in favor. Councilperson Jankowski moved to approve contracting with Amerilert for one year on a trial basis and then review the system to determine whether to continue with it. Councilperson Williams seconded the motion. Discussion: Fire Chief Reid commented it was his intent to review the success of the system before renewing it next year. No public comment received. Councilperson Miller voted nay. Councilpersons Williams and Jankowski voted in favor. Motion carried 2-1.

**New Business:**

The Zoning Commission has submitted recommended changes to the City Code to allow chickens in residential areas and some other changes regarding animals within city limits. Attorney Ryder stated he does have some language change recommendations and a few other minor wording clarifications. It was consensus of the City Council to direct Attorney Ryder to develop an ordinance to address the recommendation and wording clarifications. Public Comment: Dan Batie, Jr., 4421 Remington Drive, lives in the R-3 District and has some concerns about the number of animals being proposed. The Baties bought their property in order to have animals such as chickens and goats and now things may be changing with the proposed rules. Suzie Batie, 4421 Remington, feels limiting the numbers of animals allowed lowers the property value of her lot. She doesn't understand why the numbers need to be changed. To her knowledge there is no problem with the current regulations. Richard Vasicek, owner of property on Prospector Drive, disagrees with all this and doesn't know why things need to change. Building/ Planning Official Morgan stated the proposal to scale back the numbers came from the Zoning Commission meeting held last month. The number of chickens and other types of animals allowed in the R-3 District still needs to be decided. Mayor Hanser explained the issue came before the Zoning Commission due to a discrepancy in the City Code and a request from residents in other residential districts to have chickens. The Zoning Commission based their recommendation on the comments made at the November 7<sup>th</sup> public hearing. Councilperson Miller recommended going back to the Zoning Commission for more discussion and public input. Building/Planning Official Morgan stated the Zoning Commission has had four meetings that were posted, put on the city's website and published in the newspaper. No one from the public or R-3 district attended the December 5<sup>th</sup> meeting. Attorney Ryder suggested moving forward with the zoning commission recommendations with the exception of the R-3 district. Councilperson Jankowski made a motion to move forward with allowing chickens in residential areas as recommended by the zoning commission with the exception of the R-3 District. Councilperson Williams seconded. Councilperson Jankowski stated there needs to be more discussion before making a decision on the R-3 district. Motion carried with all in favor. The animal regulations in the R-3 district will be sent back to the Zoning Commission for more discussion.

Councilperson Williams moved to approve the purchase of a sweeper attachment in the amount of \$6,145.00 as requested by the Public Works Department. Councilperson Jankowski seconded the motion. Councilperson Williams moved to amend his motion to add the cost of shipping. Councilperson Jankowski seconded the amendment. No discussion or public comment received. Motion carried with all in favor to amend the motion. Main motion carried as amended with all in favor.

Councilperson Williams moved to approve the purchase of a water valve exerciser in the amount of \$6,599.00 plus shipping as requested by the Public Works Department. Councilperson Jankowski seconded the motion. Discussion: Councilperson Williams explained this is something needed for proper care and maintenance of the water vales so that they open and close properly. No public comment received. Motion carried with all in favor.

Councilperson Williams moved to approve Change Order #1 on the Woodrose Street Sewer Rehab Project in the amount of \$33,900.00. Councilperson Jankowski seconded the motion. Discussion: Councilperson Williams commented that although this is an unanticipated expense, it is absolutely necessary in order to repair the sewer main on Woodrose Street. No public comment received. Motion carried with all in favor.

Councilperson Jankowski moved to reschedule the second regular meeting in December to Thursday, December 20<sup>th</sup> at 6:30 pm due to the Christmas Holiday. Councilperson Miller seconded the motion. Discussion: Councilperson Jankowski commented that there needs to be a meeting to approve claims. No public comment received. Motion carried with all in favor.

**Administrative Matters:**

Councilperson Jankowski asked about the status of union grievances. Attorney Ryder stated he has sent two letters to the union attorney but has not received a response.

City Council went into executive session at 8:00 pm to discuss personnel issues. Mayor Hanser reconvened at 8:24 p.m.

**Adjournment:**

Mayor Hanser adjourned the meeting at 8:25 p.m.

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Michelle Richards, City Clerk/Treasurer