

City Council Meeting
May 28, 2013

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

Also Present: Public Works Director John Bleth, City Clerk/Treasurer Michelle Richards, Police Chief Cory Hert, 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, City Clerk/Treasurer Richards called the Roll Call.

Consent Agenda:

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

Departmental Reports:

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

Mayor's Communications:

There will be a Budget/Finance Committee and Public Works Committee Meeting on Tuesday, June 4, 2013 at 7:00 pm to review the Water and Sewer Utility budgets and continue discussion on water and sewer rate increases.

Public Comment and Participation: None.

Unfinished Business:

Councilperson Stewart moved to approve the first reading of Ordinance 2013-02, pertaining to animals in the R-3 zoning district. Councilperson Jankowski seconded the motion. No discussion or public comment. Motion carried with all in favor.

Councilperson Jankowski moved to request a funding modification with the Community Transportation Enhancement Program for the Wild Horse Park Trail due to the construction bids being higher than the engineer's estimate. Councilperson Williams seconded the motion. No discussion or public comment received. Motion carried with all in favor.

Councilperson Jankowski moved to award the Wild Horse Park Trail project to the lowest bidder, Total Asphalt Repair, in the amount of \$48,313.53. Councilperson Stewart seconded the motion. No discussion or public comment received. Motion carried with all in favor.

New Business:

Councilperson Stewart moved to approve the Special Events Permit for a Car Show at City Hall on June 21, 2013. Councilperson Miller seconded the motion. No discussion or public comment received. Motion carried with all in favor.

Councilperson Jankowski moved to approve closing portions of Cherry Street, Locust Street, and Woodrose Street during Colstrip Days as requested by the Colstrip Chamber of Commerce. Councilperson Stewart seconded the motion. No discussion or public comment received. Motion carried with all in favor.

Councilperson Stewart moved to approve Resolution No. 2013-R06, amending zoning permit, variance, conditional use and appeal fees. Councilperson Miller seconded the motion. Discussion: Councilperson Stewart asked for clarification on the Zoning Amendment fee. Building/Planning Official Morgan explained an amendment entails considerable time to discuss and review. No public comment received. Motion carried with all in favor.

Councilperson Stewart made a motion to approve the contract with Big Sky Fireworks in the amount of \$7,374.00 for fireworks and insurance during Colstrip Days. Councilperson Jankowski seconded the motion. Discussion: Councilperson Stewart asked Attorney Ryder what he meant in his comments earlier regarding this contract. Attorney Ryder felt more of a burden is being placed on the city than the contractor than normal. No public comment received. Motion carried with all in favor.

Councilperson Williams does not want to receive a gains distribution even though he was a participant of the plan. According to IRS Regulations, the gains have to be distributed to all participants of the flex plan on a uniform basis. Attorney Ryder stated Councilperson Williams can waive his distribution. Councilperson Jankowski made a motion to approve a 35% gains distribution to participants of the medical flexible spending accounts for experience gains realized in fiscal years ending June 30, 2012 and June 30, 2013. Councilperson Miller seconded the motion. No discussion or public comment received. Motion carried with all in favor.

Administrative Matters:

Councilperson Jankowski asked about the Labor/Management Committee. Mayor Hanser stated if the union president(s) request a meeting then one will be scheduled.

Councilperson Williams reported the Coal Board meets on June 14, 2013. This is the largest agenda he has seen since being appointed to the board. The requests total more than \$4 million.

City Council went into Executive Session to discuss litigation matters. The meeting reconvened at 8:12 p.m. No action was taken.

Adjournment:

Mayor Hanser adjourned the meeting at 8:13 p.m.

Michelle Richards, City Clerk/Treasurer