

Colstrip City Council  
Regular Meeting  
October 28, 2008

Present: Mayor John Williams and Councilpersons Dan Becker, Betty Jo Ellison, Rick Harbin and Susan Hert

Also Present: Public Works Supervisor John Bleth, City Attorney Gary Ryder, City Clerk/Treasurer Michelle Richards, Police Chief Larry Reinlasoder, Fire Chief Ryan Reid and Zoning/Code Enforcement Officer Jan Morgan

Mayor Williams opened the meeting at 7:00 pm, followed by the Pledge of Allegiance. City Clerk/Treasurer Richards called the roll.

Consent Agenda:

Councilperson Harbin moved to approve the Consent Agenda. Councilperson Ellison seconded the motion. Discussion: Councilperson Ellison questioned the finance charge on the claim to First Interstate Bank MasterCard. Mayor Williams explained this is a continuation of the invoice not turned in on time. Motion carried with all in favor.

- a. Minutes of 10/14/08 Regular Meeting
- b. Claims Roster 10/24/08
- c. September Treasurer's Report
- d. Journal Voucher No. 09-01

Departmental Reports:

Department Reports were given by Public Works Supervisor Bleth, Attorney Ryder, City Clerk/Treasurer Richards, Zoning/Code Enforcement Officer Morgan, Fire Chief Reid and Police Chief Reinlasoder in addition to written reports provided in Council's packets.

Councilperson Harbin noted vehicles are being parked in the ramp area on the southeast end of City Hall. Mayor Williams stated this is not a parking area and no parking signs will be posted.

Public Comment and Participation:

Janelle Loyning, 16 Yarrow Court, is concerned about all the stray cats in town. She feels they pose a health risk to her children and herself and that Animal Control is not responding to the problem. She doesn't see the point of having Animal Control if they don't take care of problems. She is contacting other communities about what they do. She also doesn't feel she should have to be responsible for trapping the cats and disposing of them.

Police Chief Reinlasoder responded to Ms. Loyning's comments. He stated animal control is limited by the law and there is no law in Colstrip restricting cats from running at large. Mrs. Loyning clarified she is concerned about stray, mangy cats and the possibility of them biting children or pets. She also stated her biggest problem was that she had personally spoken to Mayor Williams and what he told her was totally different than what the Animal Control Officer told her.

Cindy Miller, 421 Woodrose, contacted Animal Control about a cat problem. She was told Nancy doesn't deal with cats at all. She licenses her cats and doesn't understand why if animal control doesn't deal with cats. Chief Reinlasoder stated he has corrected the Animal Control Officer about receiving cat complaints.

Mayor Williams explained the city does have an ordinance dealing with cats and that they city does have a responsibility to deal with animal problems. The ordinance does not restrict cats from running at large. Councilperson Becker reported that there are some abandoned trailers in Mrs. Loyning's neighborhood that have numerous stray cats living there.

Kayla Brainard asked how many hours per week the Animal Control Officer works. Kayla said she has never got a hold of Nancy when calling to report a problem.

#### Mayor's Communications:

The next Coal Board meeting will be in Colstrip on December 12<sup>th</sup> at the new City Hall. Mayor Williams' term is up the end of this year.

#### New Business:

The Public Safety Committee has held several meetings the last few months regarding the use and sale of fireworks. The committee's recommendation is to limit the use of fireworks to July 1<sup>st</sup> – 4<sup>th</sup> and New Year's Eve and Colstrip Days by Special Permit only. Currently fireworks are allowed June 24<sup>th</sup> through July 5<sup>th</sup>. Chief Reinlasoder reported there were approximately 30 complaints this past summer regarding fireworks. The committee also recommends limiting the sale of fireworks from June 30<sup>th</sup> - July 4<sup>th</sup>. Councilperson Ellison reported there was public input received at the committee meetings. Councilperson Becker pointed out that a petition signed by 130 residents regarding fireworks was also received by the City Council. Councilperson Hert asked about the handling of fireworks, such as kids lighting fireworks with a torch. Attorney Ryder stated words such as "responsibly" or "safely" could be added to the ordinance but state law already addresses not properly supervising children. Councilperson Harbin asked about restricting where people can do fireworks and the littering. Attorney Ryder said the city could add "authorized location". Councilperson Harbin asked about people who sale fireworks. Police Chief Reinlasoder explained the fire marshal inspects the fireworks stands. Attorney Ryder will prepare an ordinance for the next meeting.

Councilperson Ellison moved to approve \$3,318 for outside lights at City Hall for the flagpole. Councilperson Hert seconded the motion. Discussion: Councilperson Harbin asked why the need for this change. Mayor Williams explained it was not part of the original contract. Motion carried with all in favor.

Councilperson Harbin moved to approve Resolution 08-R13, ratifying the water rights stipulation agreement between the City and PPL Montana. Councilperson Ellison seconded the motion. Discussion: Councilperson Harbin asked how much the water right is for. Mayor Williams explained it is for 2 cubic feet per second. Motion carried with all in favor.

Councilperson Ellison moved to approved Resolution 08-14, authorizing a short-term operating loan from First Interstate Bank and using the investment accounts as collateral. No discussion. Councilperson Harbin abstained as he is a member of the First Interstate Bank Advisory Board. Councilpersons Ellison, Hert and Becker voted in favor. Motion carried 3-0.

#### Administrative Matters:

Mayor Williams reminded everyone of the Open House/10<sup>th</sup> Anniversary Celebration next Friday, November 7<sup>th</sup> at City Hall.

Mayor Williams adjourned the meeting at 8:00 pm.

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Michelle Richards, City Clerk/Treasurer