

City Council Meeting September 9, 2014

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

Also Present: City Clerk/Treasurer Michelle Richards, Building/Planning Official Janet Morgan, Police Chief Cory Hert, Public Works Director Bryan Swan and City Attorney Gary Ryder

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 Miller seconded the motion. No discussion or public comment received. Motion carried with all in favor.

- Minutes of 8/26/14 Regular Meeting
- Claims Roster 9/04/14
- Journal Voucher No. 2014-06

Departmental Reports:

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

Carl Jackson of Kadrmas, Lee and Jackson updated the City Council on ongoing projects including the Water Backwash System Improvements and Sewer Lift Station Improvements. There are also four upcoming projects the engineers are working on in the areas of water, wastewater and storm drainage.

Mayor's Communications:

Mayor Hanser and Building/Planning Official Morgan provided information to the Community Technical Assistance Program (CTAP). CTAP is gathering information from communities in Eastern Montana to see what they can do to help with land planning, land use, growth policies, zoning, subdivisions, etc.

Public Comment and Participation: None received.

Unfinished Business:

No action was taken on the Drug & Alcohol Testing Policy. Attorney Ryder and Mayor Hanser will be meeting with MPEA Representative Darcy Dahle.

Councilperson Miller made a motion to remove the Goodwill Policy from the table for discussion. Councilperson Koczur seconded the motion. Discussion: Councilperson Williams is concerned about removing the Goodwill Committee and putting a limit on how much the City Council can award. Mayor Hanser responded that these recommendations came from the Goodwill Committee. Attorney Ryder stated most insurance policies only cover up to \$5,000 for these types of claims. Councilperson Williams feels the City Council is capable of coming up with something that is fair and equitable to both the city and the customer. Councilperson Miller feels having a Goodwill Committee is good, that there is a need to have a dollar amount limit and that everyone be treated equally. Councilperson Koczur would like to have a provision for the City Council to go above the \$5,000 for special cases. Councilperson Jankowski would like to remove the limitation the City Council can award since every situation is different. He also would like to keep the Goodwill Committee. No public comment received. Motion carried with all in favor.

No action was taken on the Tree Ordinance. Attorney Ryder will prepare the ordinance for first reading at the next meeting.

New Business:

Councilperson Williams moved to approve setting the Solid Waste Special Assessments at \$112.50 per year for 96 gallon-containers and \$168.00 per container per pickup for 300 gallon containers. Councilperson Jankowski seconded the motion. No discussion or public comment received. Motion carried with all in favor. A public hearing on the assessments will be held during the next meeting.

Councilperson Jankowski moved to approve Resolution No. 2014-R20 approving the Rosebud County Pre-Disaster Mitigation Plan. Councilperson Williams seconded the motion. Discussion: Councilperson Miller asked what the plan is and if it is available to look at. Mayor Hanser has a copy of the plan. Motion carried with all in favor.

Councilperson Jankowski moved to approve Resolution No. 2014-R21 approving 2013-2014 budget transfers. Councilperson Koczur seconded the motion. Discussion: Councilperson Williams asked about the Advisory Services account. Mayor Hanser explained this is for the union negotiator. No public comment received. Motion carried with all in favor.

Councilperson Miller moved to appoint Evan Stewart to the Police Commission for a 3-year term. Councilperson Jankowski seconded the motion. Discussion: Councilperson Williams asked if Mr. Stewart would be replacing Roy Dolbear on the commission. Mayor Hanser confirmed that is correct and that Mr. Dolbear did not express interest in continuing to serve. Councilpersons Miller and Jankowski voted in favor. Councilpersons Williams and Koczur voted nay. Mayor Hanser voted in favor. Motion carried 3-2.

Councilperson Jankowski moved to approve the special Events Permit request for the Homecoming Parade on September 19, 2014. Councilperson Miller seconded the motion. No discussion or public comment received. Motion carried with all in favor.

Councilperson Jankowski moved to approve the request from Public Works Director Swan to purchase a Snow Plow. Councilperson Miller seconded the motion. Discussion: Councilperson Jankowski asked what is the cost of the plow. The cost is \$15,500. Councilperson Williams is not sure this is the solution and it is a lot of money for a snow plow but is willing to go along with Public Works Director Swan's request. Motion carried with all in favor.

Councilperson Miller moved to approve the Reduction In Force to eliminate the Animal Control Officer position and the part-time Police Officer position. Councilperson Koczur seconded the motion. Discussion: Councilperson Williams was under the impression that this was a reorganization of the Police Department and that the employees would be notified of the direction the City intended to take. Mayor Hanser stated neither employee has been notified yet but will be given three weeks notice as stated in the collective bargaining agreement. Councilperson Miller agreed the employees should have been notified before action was taken. Councilperson Koczur would like to have the change not take effect until January 1, 2015. Councilperson Williams moved to amend the motion to give the Animal Control Officer 90 days notice instead of three weeks. Councilperson Koczur seconded the motion. No discussion. Amendment carried with all in favor. Mayor Hanser asked for Public Comment. No public comment received. Motion carried as amended with all in favor.

Councilperson Jankowski moved to approve an additional full-time Police Officer position. Councilperson Koczur seconded the motion. Discussion: Councilperson Williams asked if the recommended starting wage is more than what current officers are receiving. Mayor Hanser stated it is. Councilperson Jankowski asked for Point of Order; the motion on the floor is only to consider adding an additional full-time police officer to the department and not the hourly wage. No public comment received. Motion carried with all in favor.

Mayor Hanser explained there was a suggestion to have the Police Department handle Code Enforcement instead of the Building/Planning Official but after more thought and discussion, it may be better to continue to have someone work with city residents to comply with the city code before the police are involved. Public Comment: Hanna Schantz, Colstrip Prosecuting Attorney, expressed her concerns about code enforcement being enforced solely by the police department. She feels the Building/Planning Official does a good job of working with people to come into compliance with city codes so that a violation ticket isn't written. If code enforcement is handled solely by the police department it could result in more court cases and increase the costs of prosecution. Councilperson Williams thanked Attorney Schantz for her comments. No action was taken on this issue.

Councilperson Miller feels starting police officers should not be paid more than current police officers and that it would be insulting to the employees. Councilperson Williams agrees with Councilperson Miller. Councilperson Williams moved to advertise for police officer and dispatch positions according to the current wage structure. Councilperson Koczur seconded the motion. Discussion: Councilperson Jankowski commented the current wage paid by the city for police officers is less than Rosebud County Sheriff Deputies and would like to review this after the collective bargaining agreement is ratified. Public comment: Darcy Dahle with MPEA stated she

appreciates the discussion about police department wages but stated all wages, benefits and working conditions are subject to negotiation. Motion carried with all in favor.

Mayor Hanser asked no action be taken at this time on the Building/Planning Official's position description, hours and wages. Councilperson Koczur moved to table. Councilperson Miller seconded the motion. No discussion or public comment received. Motion carried with all in favor.

Administrative Matters:

City Council went into Executive Session to discuss a Personnel Matter at 8:50 pm. City Council returned from Executive Session at 9:07 pm.

Adjournment:

Councilperson Koczur moved to adjourn the meeting. Councilperson Jankowski seconded the motion. Mayor Hanser adjourned the meeting at 9:07 pm.

Michelle Richards, City Clerk/Treasurer