

## City Council Meeting September 14, 2010

Present: Mayor John Williams, Councilpersons Evan Stewart, Tom Jankowski, Dan Becker and Rick Harbin

Also Present: City Clerk/Treasurer Michelle Richards, Police Chief Larry Reinlasoder, City Judge Gail Beckham and Public Works Director John Bleth

Mayor Williams called the meeting to order at 7:00 pm. Following the Pledge of Allegiance, Clerk/Treasurer Richards called the Roll Call.

### **Consent Agenda:**

Councilperson Harbin moved to approve the Consent Agenda. Councilperson Becker seconded the motion. Discussion: Councilperson Stewart had comments on two claims on the Claims Roster: Claim #14758 for a Shredder for \$460.61 and Claim #14770 for \$701.25 for photos. Councilperson Stewart has discomfort with these purchases that don't appear necessary and the budget has not been approved yet. Councilperson Stewart moved to amend the Special Meeting Minutes of August 31, 2010 on page 2 to add Councilperson's Stewart rebuttal to Councilperson Harbin's statements regarding the Administrative Position that his reasons were due to potential budget constraints that he has calculated to the 2011-2012 budget based on the 2010-2011 budget. Councilperson Harbin seconded the amendment. No discussion on the amendment motion. Amendment motion carried unanimously. Main Motion as amended carried with all in favor.

- a. Minutes of 8/24/10 Regular Meeting
- b. Minutes of 8/31/10 Special Meeting
- c. Claims Roster 9/10/10
- d. Journal Voucher No. 2010-05 thru 2010-07
- e. July Treasurer's Report

### **Departmental Reports:**

Department Reports were given by Police Chief Reinlasoder, City Judge Beckham, Public Works Director Bleth and City Clerk/Treasurer Richards in addition to written reports provided in Council's packets.

### **Public Comment and Participation:**

Lu Shomate, representing the Schoolhouse History and Art Center, presented a copy of the audit recently conducted and also submitted a letter regarding the audit. Lu asked if the city wanted an audit conducted annually. Mayor Williams replied he didn't feel an annual audit is necessary and will leave that decision up to SHAC's Board of Directors.

### **Mayor's Communications:**

The Rosebud County Commissioners have agreed to continue the lease of the Law Enforcement Center with a 1½% yearly escalator.

Mayor Williams submitted a written response to the public request made at the last council meeting from residents in the Sweetgrass Acreage Tracts. Councilperson Harbin asked about creating an SID (Special Improvement District) versus the city paying for the improvements out of its general fund. Mayor Williams explained RSIDS (Rural Special Improvement District) paid for streets, curb and gutter in the Cimarron Subdivision prior to the city's incorporation. In the original townsite area the city replaced water and sewer mains, repaved streets and added curb and gutter but the water and sewer funds paid for a portion of the costs and the city only replaced existing pavement and did not construct new streets. The Sweetgrass Subdivision has never been paved nor had storm drainage and normally these types of improvements are paid for by SIDs.

The Public Employees Association representative has requested a meeting on October 13<sup>th</sup> to hopefully finalize negotiations with the police bargaining unit.

A complaint has been filed with the City regarding an arrest made by a Colstrip Police Officer. Mayor Williams forwarded the complaint to the city's insurer since it includes monetary damages and they will be investigating the complaint.

A complaint has been filed with the City regarding activities at Rye Park. Mayor Williams visited with CPRD's Board of Directors Chairman about the complaint and the board will be discussing the issue at their next meeting.

On October 14<sup>th</sup> the Police Commission will hear an appeal to a written reprimand given to a city police officer.

#### **Unfinished Business:**

Councilperson Stewart moved to adopted Resolution 2010-R12 regarding the 2010-2011 Fiscal Year Budget with the following changes: Increase City Court Purchased Services & Training \$1,900 and the City Court Jury Trial \$300 and decrease the Police Department & Fire Department Facilities Rent budgets by \$1,000 and Unallocated Costs Purchased Services by \$1,200. Councilperson Harbin seconded the motion. Discussion: Councilperson Stewart stated the changes are based on Judge Beckham's request but he does not agree with a change to the supply budget due to the supply budget going over the previous year but feels the fax line and travel expenses are justified and has no problem increasing the jury trial budget. Since the County Commissioners have agreed to continue the law enforcement center lease at the current 1 ½% escalator there is no need for the additional monies put in the rent budgets. Councilperson Becker commented that the Budget Committee looked at the previous years' budgets versus the actual amount spent and recommended decreases since not even 50% of the budget was used in some areas. Motion carried with all in favor.

#### **New Business:**

Councilperson Becker moved to approve the Solid Waste Assessments Resolution No. 2010-R10. Councilperson Jankowski seconded. Discussion: Councilperson Becker stated the assessments are the same as previous years and have not been increased since the city incorporated. Councilperson Harbin asked about financial condition of the Solid Waste Fund. Motion carried with all in favor.

Councilperson Harbin moved to approve the Budget Transfers Resolution 2010-R11. Councilperson Becker seconded the motion. Discussion: Councilperson Harbin stated the transfers are necessary transactions to balance the city's books. Motion carried with all in favor.

Councilperson Stewart moved to approve Resolution 2010-R09, providing funding for the Schoolhouse History and Art Center with no added conditions. Councilperson Harbin seconded the motion. Discussion: Councilperson Stewart stated no questions or objections were raised during the budget process and he doesn't feel any added conditions are necessary such as an audit or ex-officio member. No objections were made. Councilperson Harbin commented the resolution number needs corrected. Motion carried with all in favor.

Councilperson Jankowski moved to approve the first reading of Ordinance 2010-05 adopting the 2009 International Building Code, 2009 International Mechanical Code, 2009 International Existing Building Code, 2009 International Fuel Gas Code, 2008 National Electrical Code and the 2009 Uniform Plumbing Code. Councilperson Becker seconded the motion. Discussion: Councilperson Jankowski stated adoption of the codes are mandated by the State of Montana in order for the city to continue its building inspection program. No objections or comments were made. Motion carried with all in favor.

Councilperson Harbin moved to approve a contract with Total Asphalt and Repair in the amount of \$16,175.00 for street and driveway approach repairs. Councilperson Jankowski seconded. Discussion: Councilperson Harbin stated these areas are in need of repair due to improper drainage. No objections or comments were made. Motion carried with all in favor.

Councilperson Harbin moved to approve a contract with Roan Bucket Truck to trim trees along Castle Rock Lake Drive and Power Road in the amount of \$7,000. Councilperson Becker seconded the motion. Discussion: Councilperson Harbin stated boulevard tree trimming is necessary for public safety for visibility of traffic and traffic signs and is part of proper maintenance. Motion carried with all in favor.

Councilperson Becker moved to approve the purchase of a Carbon Steel Sander in the amount of \$10,705.00. Councilperson Stewart seconded. Discussion: Councilperson Becker stated since the old sander is worn out and inoperable a new one is necessary. No comments or objections were made. Motion carried with all in favor.

**Administrative Matters:**

Mayor Williams reminded council members of the educational opportunities available at the Montana League of Cities and Towns Conference in Butte next month.

**Adjournment:**

Councilperson Stewart moved to adjourn. Councilperson Jankowski seconded the motion. Mayor Williams adjourned the meeting at 8:12 pm.

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Michelle Richards, City Clerk/Treasurer