

## City Council Meeting January 25, 2011

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

Also Present: City Clerk/Treasurer Michelle Richards, Building/Planning Official Jan Morgan, Fire Chief Ryan Reid and Police Chief Larry Reinlasoder

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 Stewart seconded the motion. Discussion: Councilperson Becker asked about Claim #15237 for replacement of a countertop. Fire Chief Reid explained the invoice was for tearing out a broken countertop at the fire training center, a new 20' countertop and repair of cabinetry. Councilperson Becker also asked about Claim #15221 to the Colstrip Medical Center from the police department. Police Chief Reinlasoder reported it was a blood draw for a DUI suspect. Motion carried with all in favor.

- a. Minutes of 1/10/11 Regular Meeting
- b. Claims Roster 1/21/11

### **Departmental Reports:**

Department Reports were given by Police Chief Reinlasoder, Building/Planning Official Morgan, Fire Chief Reid, and City Clerk/Treasurer Richards in addition to written reports provided in Council's packets.

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

Lu Shomate, Director of the Schoolhouse History and Art Center, reported SHAC received small grants of \$200 each from PPL Montana, First Interstate Bank and First Interstate Bank Foundation for the Outreach and In-house Education Programs. February classes include the Colstrip Senior Citizens, After Five Kids, Liberty Academy, Lame Deer Senior Citizens, Boys & Girls Club in Lame Deer, Forsyth Senior Center, and the Rosebud County Nursing Home. The Gone to Pieces Quilt Club will be displaying their quilts at SHAC in February. Lu also thanked the city's Public Works Department for the awesome snow removal at SHAC this winter.

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

Mayor Williams provided City Council with a Memorandum regarding the meeting in Helena with the Department of Environmental Quality. The City needs to respond to the Administrative Order of Consent by February 15<sup>th</sup>. Attorney Ryder is currently reviewing the consent decree and it will be ready for council's action at the next regular meeting. There are two options available for compliance: mixing zone or clarifier. Testing and engineering costs alone for the mixing zone option are estimated at \$10,000. The mixing zone option would be much cheaper than a clarifier.

A Police Union Negotiating meeting was held last week and tentative agreement has been reached. The proposed contract will need to be approved by both the City Council and union members. Major components of the contract are: annual raises, use of comp time, additional compensation for working on major holidays, canine officer pay for care of canine, and additional pay for field training officer.

**Unfinished Business:** None.

**New Business:**

Councilperson Stewart has submitted a letter to the City Council regarding the investigation of City Court Case 210CR0000138. Councilperson Stewart reviewed documents concerning this case from MMIA, court records, and correspondence between the county attorney and police department and has serious questions regarding the handling of the case. The charge against the defendant in the case was dismissed due to evidence not being submitted after several requests from the County Attorney to the Police Department. The City Council has not seen any documentation of what has been done to correct any deficiencies. Councilperson Stewart was told a policy has been developed but has not seen it. Chief Reinlasoder stated a policy has been developed and has a copy available. Mayor Williams stated no confidential information or names will be divulged at this time due to other pending charges related to this case. Councilperson Stewart moved to accept the proposal as written to direct Police Chief Reinlasoder to provide a written report of police case 210CR0000138 in accordance with Montana State Statute 7-32-4105(c). Councilperson Becker seconded the motion. Discussion: Councilperson Harbin asked if a written report will be necessary if Chief Reinlasoder gives a verbal explanation. Mayor Williams stated a written report will be appropriate if the motion is passed. Motion carried with all in favor.

Police Chief Reinlasoder gave a verbal account of the case in question and the reasons for the dismissal of the case by the County Attorney. Chief Reinlasoder stated the charge was dismissed due to a lack of evidence, not due to actions of the arresting Police Officer. A policy was established as a result of this situation by Police Chief Reinlasoder outlining what the officers are required to do in regards to criminal case investigations. Chief Reinlasoder takes responsibility for actions of his officers since that is his job as Chief of Police. He will provide a written account to the City Council. Mayor Williams stated Police Policies should be submitted for the Mayor's review and approval in addition to legal review. Councilperson Stewart stated it was his understanding that all policies need to be approved by the City Council. It was agreed that the written report should be submitted no later than February 22, 2011.

**Adjournment:**

Councilperson Stewart moved to adjourn. Councilperson Jankowski seconded the motion. Mayor Williams adjourned the meeting at 8:22 pm.

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Michelle Richards, City Clerk/Treasurer