

City Council Meeting
May 10, 2011

Present: Mayor John Williams, Council Members Evan Stewart, Tom Jankowski and Dan Becker.

Also Present: Deputy Clerk Tana Pippin, Building/Planning Official Jan Morgan, City Attorney Gary Ryder, Public Works Director John Bleth, and Sergeant Cory Hert.

Mayor Williams called the meeting to order at 7:00 pm. Following the Pledge of Allegiance, Deputy Clerk Tana Pippin called the roll call.

Consent Agenda:

Council Member Stewart moved to approve the Consent Agenda. Council Member Jankowski seconded the motion. Discussion: Council Member Becker expressed that he still has a problem with the dog food purchase from the police department claim. Council Members Stewart and Jankowski voted in favor. Council Member Becker voted nay. Motion carried two to one.

Departmental Reports:

Public Works Director John Bleth apologized to the Mayor, Council and Public for his outburst at the April 26th City Council Meeting and he also provided a written report.

City Attorney Ryder explained that he received an email from the DEQ identifying a few of the issues that need to be discussed regarding backwash issues. Attorney Ryder will be setting up a conference call between the DEQ and the City of Colstrip to discuss a few changes.

City Attorney Ryder discussed the issue of minute taking. Everyone has a different opinion in how they prefer minutes to be recorded. Some individuals prefer every word recorded and others prefer a generalized format. One thing to consider would be to have employees attend a minute taking conference. These conferences can be very beneficial and are held in Billings and Miles City.

City Attorney Ryder explained that Mayor Williams has received information that there may be an unfair labor practice complaint filed regarding the health care decision that the council made on May 4, 2011 special meeting. Regarding the Union contract there are three routes to take at tonight's meeting. The first option is to ratify the contract as is, the second option is to modify the contract with the new employee benefit decision and then ratify, or the third option is for council to reconsider the option 5 health insurance benefit for all employees then ratify the contract. The main issue is we do not want to violate unfair labor practices. We need to come to a fair decision.

City Attorney Ryder explained that he had spoken with Mike Hayworth and he expressed that the Police Department has become more responsive to him.

Building/Planning Official Jan Morgan provided a written report and explained that there have been concerns expressed to her regarding the man camp in the industrial area. Jan explained that it was the responsibility of the Zoning Commission to investigate the facility and issue a permit. Building/Planning Official Morgan believes this is the best place for this facility as it is in the Industrial Zoning and all the campers will be in one area not spread across the city. Council

Member Becker said he was under the impression that the Zoning Commission would go to the Council for their approval. City Attorney Gary Ryder said that the Zoning Commission has made recommendations in the past to the Council.

Sergeant Cory Hert provided a written update and explained that Chief Reinlasoder is on vacation until next week. Council Member Stewart asked when the prescription drug take back will be held and Sergeant Hert explained that they had already held the drop off a couple of weeks ago.

Mayor Williams expressed his appreciation for the Police Departments great job of removing a predator from the Colstrip area.

Public Comment:

Lu Shomate, SHAC Director, provided an update on the activities occurring at SHAC. There have been over 1200 visitors at SHAC since April. SHAC has been providing the Outreach programs, including working with senior citizens and the after school program children. SHAC has also started a scholarship program and has begun planning a golf tournament. One of their favorite activities was working with the FBMS students in their positive role conference. Lu explained that they are working on their home page, Facebook page, and a library program. They will also be providing many summer classes for adults and children. SHAC has also asked for \$20,000.00 for funding from the Rosebud County Commissioners.

Paula Peplow, City employee, asked City Council to reconsider their decision to reduce the employee benefits decision they made on May 4th. The employees that utilize the flex benefit lost the extra 10% last year and now have lost even more. Paula Peplow explained that the City received \$44,443.00 from unused flex dollars for the previous benefit period. The city will continue to receive any unused flex dollars; therefore it helps compensate the cost of the plan.

Jan Morgan, City employee, expressed to the City Council that she is disappointed in their decision to cut the employee benefit package. Jan recently was given a raise and with the flex plan cut it will reduce her wage/benefits package dramatically. These flex dollars are a great benefit to Jan and her husband. Jan does not understand the reason the council has decided to cut the employee benefits.

John Bleth, City employee, stated that he concurs with Paula Peplow and Jan Morgan.

Frank Barretto, Colstrip Police Dispatcher, explained that he has already had his flex benefits reduced do to less hours worked. Frank's family utilizes this benefit to the maximum. Frank explained that if the council believes there need to be cuts made from the budget he hopes that they will consider other areas and not the employee benefits.

Darcy Dahle, Montana Public Employee Association Union Representative, stated that the Police Department union members had been to the bargaining table and reviewed many different subjects. One of those discussed was the insurance and benefits plan, which Darcy would recommend that the City Council leaves this plan the same. Many employees from the Police Department contacted Darcy when they heard about the 5/4/11 City Council Meeting.

These employees were very upset with the changes the council voted in. Darcy Dahle would recommend that council reconsider your benefit decision. Darcy Dahle explained that there were no grievances filed yet regarding these unfair labor practices. Darcy Dahle also submitted a letter from Rex Rogers, Business Manager for IBEW local 1638 for the council. Darcy Dahle expressed that the Police Union would really like to have a union contract approved.

Shelly Wayne, Colstrip Citizen, said that Colstrip is looking trashy. Shelly advises her family to not look at the trash when they come to town. Shelly said she would put on gloves and pick up trash herself but it is not her responsibility. Shelly Wayne said that the trash is not the cause from the overhaul employees in town but other residents.

Nancy Reid, Colstrip Animal Control Officer, expressed that the Mayor and City Council and City Attorney have worked hard to work with the union. Now Nancy feels as if she is being punished for not being healthy because her flex benefits are being reduced. Nancy Reid said that many people have hidden health issue costs. Nancy Reid said that the community has a damn fine Police Department. In closing Nancy asked the City Council to look at faces not numbers when making their decisions....consider flesh and blood not black and white?

Julie Park, City of Colstrip Dispatcher, explained that she has lived in Colstrip since 1990. Julie said that Colstrip is a great community and we can all work together through these issues.

Mayor's Communications:

Mayor John Williams thanked everyone for their input. Mayor Williams said we have the best of all situations with all the opportunities as a community we enjoy. Disharmony is usually caused from within not from outside. Mayor Williams stressed that we should all have respect for each other including employees, council members and mayor. A fair equitable workplace creates an excellent environment to provide services for our community. The city employees, council members and mayor are all here to provide excellent services for the residents in our community. Mayor John Williams senses an erosion of trust from the employees and the Colstrip citizens.

Mayor John Williams also asked the council members to reconsider the change in the employment benefit package that council changed on May 4, 2011 as the flex plan changes will not be implemented until February and our employees greatly appreciate these benefits and do not take them for granted. Mayor Williams encouraged the council to look at ways to improve upon the services our employees provide to our citizens.

Mayor John Williams explained that there will be two council member positions open for election. The Mayor position will also be open. We must all get back on track and work together for our goal to provide our residents great services.

Unfinished Business:

Darcy Dahle explained that the union would really like to work through this process. The contract that had been agreed upon was with the understanding that the health insurance

benefits would remain the same as prior to the May 4th, 2011 council meeting. Council Member Stewart asked for clarification regarding the contract and the health care benefits. Council Member Stewart made a motion to ratify the Police Union contract with the benefits to remain as before the May 4th, 2011 Council decision. Council Member Jankowski seconded the motion. Discussion: Council Member Stewart expressed that he felt the process had been going on for a long time so they should try to move on it and pass the contract. Council Member Stewart also commented that union pay and benefits are usually better than non-union so employees need to get used to it. Council Member Becker said he had thought about it a lot also and we need to get the union off the ground and move forward.

Council Member Jankowski said he would like to thank the city bargaining team and union, as he is a union member and a union must stand together or it will fall. Council Member Stewart voted yes, Council Member Jankowski voted yes and Mayor John Williams votes yes. Council Member Becker abstained as he is a city employee. Motion carried.

Council Member Stewart explained that he would rather not discuss employee benefits at this time as it is not on the agenda. Council Member Becker said he is okay with that too.

Council Member Jankowski made a motion to accept the short term grazing lease with John Poole. Council Member Stewart seconded the motion. Motion carried 3-0.

Council Member Stewart made a motion to accept the 5 year dewatering well agreement with PPL Montana. Council Member Becker seconded the motion. Motion carried 3-0.

There was discussion regarding utilizing, "A Cheyenne Voice," to be a declared paper of city record. Attorney Gary Ryder explained that there is not a requirement to pass a resolution to declare a specific newspaper or specify a paper as a paper of record.

New Business:

Council Member Jankowski made a motion to approve Resolution No 2011-R07 for budget transfers. Council Member Becker seconded the motion. Motion carried 3-0.

Administrative Matters:

Council Member Jankowski expressed to the city employees that his decision to cut employee benefits was not personal. Council Member Jankowski believes that the city employees have one of the best employee packages in town. Council Member Jankowski explained that he may have made an error in his decision after listening to the employees comments and will try to come to a better decision.

Council Member Stewart made a motion to adjourn the meeting. Council Member Becker seconded the motion. Meeting was adjourned at 8:17 p.m.

Tana Pippin, Deputy Clerk