

City Council Meeting
May 24, 2011

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

Also Present: City Clerk/Treasurer Michelle Richards, Police Chief Larry Reinlasoder, City Attorney Gary Ryder, Public Works Director John Bleth, Building/Planning Official Jan Morgan, and Fire Chief Ryan Reid

Mayor Williams opened the Public Hearing at 7:00 pm. Following the Pledge of Allegiance, Clerk/Treasurer Richards called the Roll Call.

Consent Agenda:

Councilperson Becker moved to approve the Consent Agenda. Councilperson Stewart seconded the motion. Discussion: Councilperson Stewart had a correction for the minutes on page 4 in the first paragraph regarding the statement “that union pay and benefits are usually better than non-union so employees need to get used to it”. He believes he said sometimes rather than usually and feels the comment “employees need to get used to it” is a little harsh and that is not the way it was meant. Motion carried with all in favor.

Departmental Reports:

Reports were given by Chief Reinlasoder, Building/Planning Official Morgan, Fire Chief Reid, Attorney Ryder, Public Works Director Bleth and City Clerk/Treasurer Richards.

Public Comment and Participation: No comments received.

Mayor’s Communications:

Mayor Williams reported a teleconference with the Montana Department of Environmental Quality regarding the backwash issue will be held on June 15th. Public Works Director Bleth and the Mayor will be in Billings at our engineer’s office for the teleconference to address the issues regarding the Administrative Order of Consent. The DEQ wants to hear from our engineers on the parameters that the city requested.

The city budgeted \$30,000 for an Emergency Warning System. Mayor Williams visited with the county for participation in this project but he doesn’t know if this is going to occur. Mayor Williams suggested applying for a Coal Board Grant for \$35,000 to fund the remaining portion of the system. Councilperson Jankowski moved to approve applying to the Coal Board for the Emergency Warning System. Councilperson Becker seconded the motion. No discussion. Motion carried with all in favor.

Unfinished Business:

Councilperson Jankowski moved to reconsider the employee medical benefits decision made at the May 4, 2011 special meeting for the non-represented employees. Councilperson Stewart seconded the motion. Discussion: Councilperson Stewart asked if this motion passes would the issue be put on the agenda. Mayor Williams responded if the motion passes it will put it up for reconsideration at this meeting. Councilpersons Stewart and Jankowski voted in favor. Councilperson Becker abstained due to conflict of interest; he is a city employee. Mayor Williams voted in favor. Motion carried.

Councilperson Jankowski moved to revert back to the level of employee medical benefits in place prior to the May 4th decision of the City Council. Mayor Williams called for a second to the motion. Attorney Ryder stated if there are not sufficient council members to vote the Mayor is allowed to vote so he doesn't have an objection to the Mayor seconding the motion. Councilperson Stewart doesn't have an objection to the Mayor seconding the motion. Mayor Williams seconded the motion. Discussion: Councilperson Jankowski stated after listening to the employee's comments and the options that were presented to the City Council there should have more time for consideration. Changes to employee benefits should go through the Personnel Committee and this didn't. He feels maybe the City Council was under pressure to make a decision and ended up making a double-standard by splitting the employees which could create a rift between the non-represented employees and the represented employees. He reiterated the prior decision made was not personal and he apologized. Councilperson Stewart thanked Councilperson Jankowski for his comments and explained the Personnel Committee was not able to convene in time and that is why the matter went to the City Council. Councilperson Becker abstained due to conflict of interest; he is an employee of the city. Councilpersons Stewart, Jankowski and Mayor Williams voted in favor. Motion carried.

New Business:

Councilperson Jankowski moved to approve the Special Events Permit Request for a band on the south side of City Hall on Friday, June 24th and to close Cherry Street during the event. Councilperson Stewart seconded the motion. Discussion: Councilperson Jankowski commented that Colstrip Days is a huge celebration for the community and this request brings in music for the event. Motion carried with all in favor.

Councilperson Becker would like a resolution adopted requiring all agreements, contracts, changes of use, conditional uses, amended plats and variances be submitted to the City Council. He stated there has been confusion in the past regarding purchases and contracts, for example the contract that the City Council even wasn't aware of with Hill's Pet. He wants all these things to go through proper channels and to go to the City Council for approval. Councilperson Stewart asked if a policy can override an ordinance. Attorney Ryder explained an ordinance would need to be passed by the City Council to amend the code regarding variances and conditional uses. Attorney Ryder stated he has already committed to developing a policy regarding contracts and agreements and should probably refer the zoning issues to committee as it is more complicated.

Mayor Williams invited persons interested in the vacant council position to address the City Council. Terry Colbrese of 23 Plum Court, Gale Palmer of 103 Olive Drive, Shawn McAlpine of 420 Alder Court, Rose Hanser of 10 Juniper Drive, and Lawretta Miller of 6912 Blackhawk Circle addressed the City Council and explained their reasons for seeking the appointment. Donald Anderson, 2421 Pryor Court, requested to withdraw his name from consideration at this time.

Mayor Williams expressed his appreciation to all those interested in the appointment and asked for nominations from the City Council. Councilperson Stewart nominated Shawn McAlpine. Mayor Williams called for a second three times. No second was made. Councilperson Stewart nominated Rose Hanser. No second to the nomination was made. Councilperson Stewart nominated Lawretta Miller. No second to the nomination was made. Councilperson Becker nominated Gale Palmer. Councilperson Jankowski seconded the nomination. Councilperson Stewart nominated Terry Colbrese. No second to the nomination was made. Councilperson Stewart moved to close the nominations. Councilperson Jankowski seconded the motion. Mayor Williams asked for a vote on the nomination of Gale Palmer for the vacant City Council position. Councilperson Stewart voted nay. Councilpersons Jankowski and Becker voted in favor. Motion carried. City Clerk/Treasurer administered the Oath of Office to Mr. Palmer.

Councilperson Jankowski moved to add an additional Public Works Summer employee as requested by Public Works Director Bleth. Councilperson Stewart seconded the motion. No discussion. Councilperson Palmer abstained. Councilpersons Stewart, Jankowski and Becker voted in favor. Motion carried.

Administrative Matters:

Due to the upcoming election, Attorney Ryder suggested the City Council consider whether to request a mail ballot election.

Administrative Matters:

Councilperson Jankowski moved to adjourn the meeting. Councilperson Becker seconded the motion. Meeting adjourned at 7:50 p.m.

Michelle Richards, City Clerk/Treasurer