

## City Council Meeting September 13, 2011

Present: Mayor John Williams, Councilpersons Evan Stewart, Gale Palmer, 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 called the meeting to order 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. No discussion. Motion carried with all in favor.

- a. Minutes of 8/23/11 Regular Meeting
- b. Claims Roster 9/9/11
- c. July Financial Report

### **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.

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

Mayor Williams asked the City Council what to do with the Coal Board Grant Application submitted for a \$200,000 grant for building a new City Shop. In order to proceed with the grant application, the project has to be included in the budget. Councilperson Palmer responded this was discussed at the August 31, 2011 Special Meeting and the council agreed the grant application should be withdrawn. Councilperson Stewart responded that the council did agree at the special meeting that the shop request should be withdrawn but asked if any of the other council members have changed their mind about the shop. No one indicated they have changed their mind. Mayor Williams will request the grant application be withdrawn.

Mayor Williams reminded the City Council that the city's Capital Improvement Plan needs to be reviewed and updated.

Councilperson Palmer asked about the status of the letters recently received from Richard Burnett. Building/Planning Official Morgan is working on the rezoning request. Mayor Williams asked for direction from the City Council on the request to purchase city property. It was decided to request more specific information from Mr. Burnett regarding the size and exact location of the property he is interested in so that an appraisal can be performed.

**Comment and Participation:**

Mayor Williams opened the Public Hearing at 7:42 pm regarding the Resolution of Intent to transfer the 2001 Ford Transportation Bus to the Colstrip Park and Recreation District. Josh Zapata, representing the Colstrip Park and Recreation District, thanked the City for allowing CPRD to use the bus and reported the bus is already being utilized to transport kids to and from the CPRD Kids Program activities. Josh expressed their appreciation for considering CPRD's request to transfer the bus to them. Mayor Williams closed the hearing at 7:44 pm.

Mayor Williams opened the Public Hearing at 7:44 pm regarding Solid Waste Special Assessments. No comments or objections were received. Mayor Williams closed the hearing at 7:45 pm.

Joe Oberth, 7439 Castlerock Lake Drive, was asked after the last City Council meeting why he was angry. He admits he was angry and explained it was because one or more council members were proposing a resolution that was self-serving and not in the best interests of the city. Mr. Oberth stated he has received an email from Councilperson Becker stating that Mr. Oberth "does not get it" regarding the proposed fifth council member. Mr. Oberth served on the last Local Government Review Commission, with two other well-respected city residents, which recommended the current form of government consisting of a mayor and four council members should continue. Mr. Oberth believes one of the reasons for the proposed change is because one of the current council members is running for Mayor. He wonders if this person wants to avoid being a tie-breaker or be a part-time Mayor after working his regular job. Mr. Oberth also commented on Mr. Becker's statement in *A Cheyenne Voice* that he does not know of any undue tension in the workplace. Mr. Oberth stated if Councilperson Becker had better rapport with the other city workers he would be better informed. Councilperson Becker also stated in *A Cheyenne Voice* that in his opinion the City Charter was set up to cater to the mayor. Mr. Oberth stated the charter was set up because it was considered the best governing form for Colstrip and was reaffirmed by the independent commission. Mr. Oberth would like Councilperson Becker to share with everyone how he has saved the city big bucks as he claims in *A Cheyenne Voice*.

Jim Atchison, representing SouthEastern Montana Development Corporation, thanked the City for helping to sponsor the Energy Open last month. Mr. Atchison reported over 60 people attended the event. Mr. Atchison reported that SEMDC is working with 3-4 new businesses currently. Mr. Atchison explained that the Coal Board Grant process is very competitive and if there is any doubt regarding an application the board will deny it and move onto the next application.

Lu Shomate, representing the Schoolhouse History and Art Center, reported on recent and upcoming events at SHAC.

**Unfinished Business:**

Councilperson Stewart moved to deny the grievance filed for 7384 Castlerock Lake Drive and follow the city's rules and regulations regarding utility services. Councilperson Palmer seconded the motion. Discussion: Councilperson Stewart explained during the Public Works Committee meeting the committee discussed why the rates are set the way they are and the factors involved. Costs are incurred even if the service is not in use and the delivery of water to fire hydrants for fire

protection is part of the cost. Councilperson Jankowski wonders if special consideration could be given because this is a unique situation. Councilperson Palmer feels the city should enforce the current ordinance and if changes are necessary they should be brought to the City Council for consideration. Motion carried with all in favor.

**New Business:**

Councilperson Jankowski moved to approve Resolution No. 2011-R19, approving the Special Assessments for Solid Waste Collection. Councilperson Stewart seconded the motion. No discussion. Motion carried with all in favor.

Councilperson Jankowski moved to approve Resolution No. 2011-R20 to transfer the 2001 Ford Transportation Bus to the Colstrip Park and Recreation District. Councilperson Stewart seconded the motion. No discussion. Motion carried with all in favor.

Councilperson Stewart moved to approve Resolution No. 2011-R21, declaring the 1993 International Dump Truck as surplus equipment and authorizing its sale or disposal. Councilperson Jankowski seconded the motion. Discussion: Councilperson Stewart feels based on the Public Works Director's recommendation and the fact that the truck is not used very much, the city should sell it and use the funds for something else. Councilperson Becker stated the reason for purchasing this truck was because it was bigger than any of the other dump trucks the city owned so it would haul more and require less trips. Councilpersons Palmer, Jankowski and Stewart voted in favor. Councilperson Becker voted nay. Motion carried.

Councilperson Becker moved to approve contracting with C&C Sealcoating to crack-seal city streets in the amount of \$17,000.00. Councilperson Stewart seconded the motion. No discussion. Motion carried with all in favor.

**Administrative Matters:**

Councilperson Becker would like to put on the agenda for the next meeting the request from A *Cheyenne Voice* to be declared a paper of record and to revisit the resolution voted on regarding the Mayor's salary. He doesn't feel it is right that Mayor Williams voted on this. He specifically would like to discuss the expense account. Councilperson Stewart responded that the City Charter requires the Mayor to vote when there is a tie-vote, which in this case there was.

Councilperson Palmer requested the Snowbird Rate be put on the next agenda so that it can be finalized. It was decided the Public Works Committee will meet Thursday, September 22<sup>nd</sup> at 4:00 pm to finalize a recommendation to the City Council.

**Adjournment:**

Councilperson Stewart moved to adjourn the meeting. Councilperson Jankowski seconded the motion. Mayor Williams adjourned the meeting at 8:20 pm.