

City Council Meeting  
October 25, 2011

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

Absent: Councilperson Gale Palmer

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. Discussion: Councilperson Jankowski asked about Claim #16013 for renting the forklift. Councilperson Jankowski asked if the City is going to buy a forklift. Public Works Director Bleth stated that is his intention and will submit a request for the council's consideration. Councilperson Becker asked about charging fuel on the MasterCard and Claim #16018 for appraisal fee. City Clerk/Treasurer Richards explained the fuel cards did not work one day so the MasterCard was used. Mayor Williams explained the appraisal fee is for the appraisal the City Council authorized in order to consider a request to purchase a portion of city property. Motion carried with all in favor.

- a. Minutes of 10/11/11 Regular Meeting
- b. Claims Roster 10/21/11
- c. September Financial Report

**Departmental Reports:**

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

Building/Planning Official Morgan asked for council's direction regarding a Building Permit. A property owner on Primrose wants to rebuild an attachment to an existing garage. A previous variance to side setbacks was obtained from the Colstrip Expansion Committee prior to the city's incorporation but was never filed with Rosebud County. City Council gave permission to issue a building permit and for a variance request to be submitted to the City Council so it can be officially recorded.

The property owner for which a Conditional Use Permit was granted by the City Council on July 26, 2011 has revised his plans. Councilperson Becker moved to proceed with amending the Conditional Use Permit at 4023 Prospector Drive. Councilperson Jankowski seconded. Discussion: Councilperson Becker noted the amendment is for a smaller shop than approved in the original Conditional Use Permit. Councilperson Jankowski stated he doesn't think a person should have to show hardship in order to house and protect their property. Councilperson Stewart recommends changing the rules instead of not following them or allowing exceptions. Councilpersons Jankowski and Becker voted in favor. Councilperson Stewart voted against. Motion carried.

**Mayor's Communications:**

Mayor Williams reported there are a number of issues to deal with at the Water Treatment Plant. He recommends completing a Facilities Site Plan like the city did a few years ago for the Wastewater Plant. Mayor Williams proposes submitting a grant request to the Coal Board to fund the study, at an estimated cost of approximately \$58,000. The Coal Board has funded this type of project 100% in previous similar projects. The next Coal Board meeting is January 20<sup>th</sup> in Colstrip.

City Employees (except law enforcement) that are forming a bargaining unit with MPEA are ready to begin negotiations. A meeting is scheduled for November 9<sup>th</sup> at 10:00 am. Councilperson Jankowski will participate in the negotiations.

A Police Commission Hearing is scheduled for December 5<sup>th</sup> to hear an appeal to a reprimand filed by a Police Officer.

The appraisal has been received on the piece of property that Scott Aberle is interested in purchasing from the city. The information has been provided to Mr. Aberle and the city is waiting to hear if he is still interested in pursuing this purchase.

**Public Comment and Participation:** None.

**Unfinished Business:**

Councilperson Jankowski moved to approve Senior Resident Snowbird Rate Resolution No. 2011-R23, declaring the intention of the City Council to adopt a reduced Senior Resident Snowbird Rate. Councilperson Stewart seconded the motion. Discussion: Councilperson Becker asked if this would come back to council for final approval. Attorney Ryder confirmed the City Council will make their final decision after the public hearing. Councilperson Stewart is not comfortable with this idea due to the audit finding on the water rate bond covenant. Councilperson Jankowski pointed out that only one month of revenue with the increased water rates was included in the fiscal year the audit covered. Motion carried with all in favor.

**New Business:**

Councilperson Becker moved to approve Resolution No. 2011-R24, declaring surplus equipment. Councilperson Stewart seconded the motion. Discussion: Councilperson Becker commented that the snow plow is not used and is too small. The garbage truck will probably be sold for parts due to its condition. Motion carried with all in favor.

**Administrative Matters:**

The Public Works Committee will meet on November 2, 2011 concerning Colstrip Properties grievance.

City Council went into Executive Session to discuss a litigation issue at 7:47 pm. City Council returned from Executive Session at 7:53 pm.

**Adjournment:**

Councilperson Jankowski moved to adjourn the meeting. Councilperson Stewart seconded the motion. Mayor Williams adjourned the meeting at 7:54 pm.