

City Council Meeting November 26, 2019

Present: Mayor John Williams and Councilpersons Pat Campbell, Jolene Verlanic, Mike Esser and Greg Koczur

Also Present: Fire Chief Rob Pontius, Planning/Building/Zoning Official Kami Egan, City Attorney Gary Ryder, City Clerk/Treasurer Michelle Richards, Public Works Director Bryan Swan and Assistant Police Chief Kris Egan

Mayor Williams called the meeting to order at 7:00 pm. City Clerk/Treasurer Richards called the Roll Call.

Consent Agenda:

Councilperson Verlanic moved to approve the Consent Agenda. Councilperson Esser seconded the motion. No discussion or public comment received. Motion carried with all in favor.

- Minutes of 11/26/19 Regular Meeting
- Claims Roster 11/21/19
- Journal Voucher Nos. 2020-01

Departmental Reports:

Reports were given by Assistant Police Chief Egan, Planning/Building/Zoning Egan, Fire Chief Pontius, Attorney Ryder, Public Works Director Swan and City Clerk/Treasurer Richards.

Mayor's Communications:

A major water leak was discovered in a service line that crosses power plant property to another customer. The water was leaking before the meter so none of the water was paid for. The leak was also substantial enough that the excess water filled a couple of the city's sewer lift stations and flowed to the wastewater treatment plant causing additional expenses to the sewer fund. The city will be looking at how to prevent this type of situation in the future.

The Rosebud County Commissioners have passed a resolution charging the Clearwater Wind Farm an impact fee of .35% of the total estimated cost of the project of \$495 million. Representatives from Orion have requested to meet with Mayor Williams next week. Councilperson Verlanic reported that after the commissioners voted on the tax abatement, one of the county commissioners asked her if the county commissioners could have a closed door meeting with the city council. Councilperson Verlanic told him that would not happen as it would not be appropriate and in violation of state law to have this type of meeting without it being open to the public. He also told her 50% of the public comment was for the abatement and 50% against the abatement.

NorthWestern Energy has agreed to replace the 17 street lights in the Sweetgrass Acreage Tract that are owned by the city with LED lights. The other street lights in town that were converted to LED by NorthWestern Energy are owned by them.

There was an article in the Billings Gazette today about the pollution violation by Talen Energy last year and that in lieu of Talen paying a fine of \$450,000 to Montana DEQ, they can allocate funds through a Supplemental Environmental Program (SEP) for community projects. Mayor Williams contacted Talen last year about the SEP process and potential projects that could be considered. The City was told by Talen to keep any project request to around \$100,000. In the news article, it reported the Northern Cheyenne Tribe will be receiving \$270,000 for a street sweeper, the City of Colstrip \$103,000 and the remainder to the State of Montana.

Another article in the Billings Gazette reported that Avista plans to exit ownership in the power plants and give Colstrip \$3 million in transition funds. Avista did not contact anyone with the City of Colstrip regarding this plan until after it had been filed with the Washington Public Service Commission. Avista also did not contact the City of Colstrip last year when they proposed to the Washington Public Service Commission to merge with Hydro One. The City found out last minute from the Governor's Office and filed an intervention to protect the community of Colstrip. Mayor Williams feels the City of Colstrip needs someone with knowledge and expertise that can monitor these types of activities and assist us when these situations arise.

Public Hearing:

Mayor Williams opened the hearing for the Broadband Feasibility Study Coal Board Grant at 8:00 pm. The city has determined there would be no impact to the environment for this study. Jim Atchison of SouthEastern Montana Development Corporation, voiced SEMDC's strong support for this grant application and the categorical exclusion to the environmental review process. Mayor Williams closed the hearing at 8:01 pm.

Public Comment:

Jim Atchison, SouthEastern Montana Development Corporation, reported on the Comprehensive Economic Development Strategy public input meeting held last night for Colstrip. Water was the biggest issue discussed including the source of water and water rights. Broadband expansion, jobs and marketing plan were the top topics discussed. Jim would like to see an attorney in Helena be on retainer for the City of Colstrip to assist in keeping up with what is going on in regards to the future of Colstrip.

McKenzie Butcher, engineer with Kadrmas, Lee and Jackson, reported First Mark has shut down work on the street project for the winter. The Cimarron Drive drainage issue was completed before the winter shutdown.

New Business:

Councilperson Verlanic moved to approve Resolution No. 2019-R23, declaring a Categorical Exclusion to the Environmental Assessment and Impact Statement requirement of the Montana Environmental Policy Act for the Broadband Feasibility Study. Councilperson Esser seconded the motion.

Discussion: None.

Public Comment: None received.

Motion carried with all in favor.

Councilperson Verlanic moved to approve Change Order No. 1 to the 2019 Road Construction contract with First Mark Construction in the amount of \$138,100.36. Councilperson Koczur seconded the motion.

Discussion: None.

Public Comment: None received.

Motion carried with all in favor.

Councilperson Campbell moved to approve the addition of a short-term employee to the Public Works Department for snow removal at a rate of \$20.00 per hour on an as-needed basis.

Councilperson Koczur seconded the motion.

Discussion: Councilperson Koczur asked what the need is for this position. Mayor Williams reported the Public Works Department is short two full-time employees. Councilperson Verlanic is concerned of the reason why the city has lost two employees in this department recently and if there is something we need to address in this department. She also commented the city already has a process in place to utilize contractors for snow removal assistance. Councilperson Campbell feels this is a good solution until the department is fully staffed again.

Public Comment: None received.

Councilpersons Verlanic and Esser voted against. Councilperson Koczur, Councilperson Campbell and Mayor Williams voted in favor. Motion carried 3-2.

Mayor Williams requested the security camera purchase be tabled to allow another company to provide a proposal. Councilperson Campbell moved to table the Security Camera Systems for City Buildings. Councilperson Verlanic seconded the motion.

Discussion: Councilperson Verlanic asked what the dollar amount is for requiring bids. City Clerk/Treasurer Richards reported state law requires any purchase over \$80,000 to be bid.

Public Comment: None received.

Motion carried with all in favor.

Administrative Matters:

Due to the Christmas Holiday, it was decided to reschedule the City Council's second meeting in December to December 23rd.

Adjournment:

Mayor Williams adjourned the meeting at 8:21 pm.

Michelle Richards, City Clerk/Treasurer