

Harlowton City Council Minutes
August 27, 2019
Harlowton City Hall

A regular meeting of the Harlowton City Council, held August 27, 2019 opened at 7:00 pm with the Pledge of Allegiance. Minutes of the August 13, 2019 council meeting were approved as corrected. The minutes of the July 23, 2019 closed session were approved as written.

There was no public comment.

There was no library report.

Rob Elwood reported that the ordinance committee is recommending approval of the first reading of ordinances 03-2019, 04-2019, 05-2019, 06-2019, 07-2019, and 08-2019 with a few corrections that will be noted when those items come on the agenda. Rob also reported that the ordinance committee will be reviewing the city's utility ordinances and is using Big Timber's ordinance and policy book as a reference for the updates.

Charley Bennett reported that four leaks had been found in the pool piping. The company doing the leak locating estimated the repairs would cost around \$2,500. It was also noted by this company, that there could be fractures in the pool bottom which could be leading to the pool paint failure. A 60 mil liner with a 20 year guarantee would cost around \$70,000. A quote of \$11,500 for placing metal siding on the pool house has been received. Ian is looking into an epoxy type situation to re-floor the shower rooms. Charlie is getting a quote for a more energy efficient boiler. Pool manager Jesi McKeever will be compiling a list of all the items she feels are needed to refurbish the pool and structures. Charley feels that the community would be willing to donate in order to keep the pool open. Charley would like to hold community meetings to discuss options for the pool. Frank Brouillette asked if a quote for a new pool had been sought. Rob Elwood felt if there will be community meetings, options such as a new pool, indoor pool, shared ownership, etc. should also be researched and presented. Rob asked for clarification on the leaks. Charley commented that the company said the "skimmers" are leaking it isn't a leak in the pool itself. Rob asked how long it would take to install a pool liner. Charley commented that he was told it would take about one week and could be done as early as April 2020. Charley asked permission to spend \$2,500 on fixing the leaks. Paul informed him that if there was sufficient appropriations in the pool budget he did not need permission from the council. Charley commented he didn't know if there was money for the fix. Kathie informed him that she had told them (Jesi and Charley) that there was some money available in the pool savings account and that those funds had been budgeted to be spent in the 2020 fiscal year.

There was no Tree board report.

Ron Teig reported that the next clean-up phase at the roundhouse property / wetlands area will hopefully start mid-September as long as the ground continued to dry. Asbestos had been found in the area in general and some clean-up funds will be diverted to asbestos abatement. Ian reported that noxious weeds on the property have gotten out of hand and \$3,000 of clean up funds had been approved to be

spent on the spraying of the weeds. Todd Schock has been hired to do the spraying. Ron reported that there will be further DNRC clean-up grants in 2020 that will be applied for as they become available.

RESOLUTION 2019-07 RESOLUTION TERMINATING LEASE OF CITY-OWNED LAND TO PETERS INC. was reviewed. Attorney Karen Hammel had updated the resolution to include the fact that asbestos contamination had been confirmed by TetraTech. Rob Elwood made the motion to approve Resolution 2019-07 as written. Jim Kalitowski seconded the motion. No further discussion was held. Motion passed unanimously.

A Street Closure Request Form had been completed by Betty Phillips of the Graves Hotel officially requesting street closure on September 6, 2019 from 11:00am to 1:30pm for a showing of classic cars while the owners are having lunch at the Graves. Ron Teig made the motion to approve the street closure as requested. Frank Brouillette seconded the motion. No further discussion was held. Motion passed unanimously.

Paul explained that with the recent grant from the Callant Family Foundation of \$1,500 for recycling, there was approximately one year's worth of funds available to pay 4 Corner's Recycling to continue their recycling service. Paul asked for discussion on if the city should continue to offer the services. Paul mentioned that people were not using the containers correctly (regular household garbage has been left, non-recyclable materials have been left etc.). Charley Bennett asked if Republic Services did recycling in Harlowton. Ian said he would check. Rob Elwood asked if gravel could be added to the area around the recycle bins to help with mud during wet weather. Jim Kalitowski asked if the bins could be moved so that access could be had from both sides of the bins. Ian informed the council that the city owns the large bin but 4 Corners changes the small bins out during pickup rather than always leaving the same bins in place. The recycle bins are on the county's property and any changes made to the placement of the bins would have to be approved by the county. When Dave Leverette (of 4 Corners Recycling) was at the last council meeting he mentioned that new signage needed to be placed on the bins to clarify what could be placed inside. Rob Elwood requested that the city press to have this completed as it had been promised in the past as well and had not been done. Rob recommended that the city continue to use 4 Corners for the year while further research be done on alternate methods of recycling.

RESOLUTION 2019-09 A RESOLUTION OF THE CITY OF HARLOWTON, MONTANA, ADOPTING FISCAL YEAR 2019-2020 BUDGET was presented. Ron Teig made the motion to approve resolution 2019-09 as written. Frank Brouillette seconded the motion. There was no further discussion. Motion passed unanimously.

RESOLUTION 2019-10 A RESOLUTION ESTABLISHING WAGES AND SALARIES FOR THE CITY OF HARLOWTON, MONTANA FOR FISCAL YEAR 2019-2020 was presented. Frank Brouillette asked if the presented wages were used in the budget that was presented at the last council meeting. Kathie answered yes those were the wages used in the fiscal year 2020 budget. Charley Bennett asked how the raises were figured. Kathie explained that during the budget process an initial 3% wage increase and any negotiated wage increases are calculated and if that works with the projected revenue the increase is submitted to the council in the budget. Kathie also explained that lifeguard wages are not calculated on a 3% increase but rather on a years of service basis. Kathie also explained that the wages for the city were compared to the most recent wage and salary survey prepared by MMIA and are comparable to cities of similar size to Harlowton. Frank Brouillette made the motion to approve

resolution 2019-10 as written. Jim Kalitowski seconded the motion. There was no further discussion. Motion passed unanimously.

RESOLUTION 2019-11 A RESOLUTION OF INTENTION TO CANCEL THE NOVEMBER 5, 2019 GENERAL ELECTION OF CERTAIN MUNICIPAL OFFICERS was presented. Kathie explained that election laws had changed during the 2017 legislative session allowing for cancellation of the election if the positions were unopposed. The intent of this resolution is to save the city money by not having to pay the county election administrator for doing mail ballots. Charley Bennett asked if the city was supposed to advertise the open positions for ward council members. Kathie explained that it isn't required to advertise. Council requested that Kathie post the resolution on FaceBook to inform the public. Charley Bennett made the motion to approve resolution 2019-11 as written. Ron Teig seconded the motion. There was no further discussion. Motion passed unanimously.

The council members reviewed the first reading of ORDINANCE NO. 03-2019 ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HARLOWTON, MONTANA, REPEALING SECTION 7.16.020 OF THE CITY OF HARLOWTON MUNICIPAL CODES CONCERNING REPEAL OR MODIFICATION OF ORDINANCE 83. The date of first reading will be changed to August 27, 2019. Rob Elwood made the motion to approve the first reading of ordinance 03-2019 with the change noted. Frank Brouillette seconded the motion. There was no further discussion. Motion passed unanimously.

The council members reviewed the first reading of ORDINANCE NO. 04-2019 ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HARLOWTON, MONTANA, AMENDING CHAPTER 8.04 OF THE CITY OF HARLOWTON MUNICIPAL CODES CONCERNING THE KEEPING OF DOMESTIC LIVESTOCK WITHIN THE CITY OF HARLOWTON CITY LIMITS. Rob Elwood made the motion to approve the first reading of ordinance 04-2019. Frank Brouillette seconded the motion. There was no further discussion. Motion passed unanimously.

The council members reviewed the first reading of ORDINANCE NO. 05-2019 ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HARLOWTON, MONTANA, AMENDING CHAPTER 10.08 OF THE CITY OF HARLOWTON MUNICIPAL CODES CONCERNING THE TRAFFIC AND PARKING ON CITY STREETS, TO CLARIFY AND CHANGE SECTIONS THEREIN CONCERNING PARKING AND SPEED RESTRICTIONS, TO ADD SECTIONS PREVIOUSLY INCLUDED IN CHAPTER 10.46, AND TO REPEAL SECTIONS NO LONGER NECESSARY AND REASONABLE. Charley Bennett made the motion to approve the first reading of ordinance 05-2019. Frank Brouillette seconded the motion. There was no further discussion. Motion passed unanimously.

The council members reviewed the first reading of ORDINANCE NO. 06-2019 ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HARLOWTON, MONTANA, AMENDING CHAPTER 10 OF THE CITY OF HARLOWTON MUNICIPAL CODES CONCERNING VEHICLES AND TRAFFIC, TO ADD A NEW SECTION TO ADDRESS THE LIMITED SIGHT LINE OF ONCOMING TRAFFIC BY RESTRICTING DRIVING TO ONE-WAY TRAFFIC ON A AVENUE IN FRONT OF THE WHEATLAND COUNTY COURTHOUSE. Two corrections were noted. On the fifth "whereas" it should read ", allowing traffic to flow northward only;". In Section 1: Action A. should read "No person shall be allowed to drive any vehicle in a southerly direction on A Avenue NW,..." Ron Teig made the motion to approve the first reading of ordinance 06-2019 with the noted corrections. Rob Elwood seconded the motion. There was no further discussion. Motion passed unanimously.

The council members reviewed the first reading of ORDINANCE NO. 07-2019 ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HARLOWTON, MONTANA, REPEALING CHAPTER 10.54 OF THE CITY OF HARLOWTON MUNICIPAL CODES CONCERNING DRIVING ON SIDEWALKS. Frank Brouillette made the motion to approve the first reading of ordinance 07-2019. Rob Elwood seconded the motion. There was no further discussion. Motion passed unanimously.

The council members reviewed the first reading of ORDINANCE NO. 08-2019 ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HARLOWTON, MONTANA, REPEALING CHAPTER 10.50 OF THE CITY OF HARLOWTON MUNICIPAL CODES CONCERNING ENCROACHMENTS ON PUBLIC RIGHTS OF WAY. Ron Teig made the motion to approve the first reading of ordinance 08-2019. Rob Elwood seconded the motion. There was no further discussion. Motion passed unanimously.

Ian reported that the crew is still working on repairing the washouts on the city streets from the storm earlier in August.

A Ave SW paving will start next week. Rob Elwood will talk to the residents and inform them of the paving schedule and possible parking restrictions. Ian will put together the specifics when he knows the dates. Charley Bennett asked if this street had both sewer and water projects completed on it. Ian explained that the sewer lines would not be replaced on this street any time soon (not likely within the next 20 years).

Frank Brouillette asked if the city had acquired the sand it will need for the upcoming year. Ian informed him that he has already purchased what he felt was necessary.

Rob Elwood inquired about private versus city street lights. There is one on private property that isn't shutting off at night.

Ian will have Martin Excavating do about \$10,000 of work on the railbed west of town. This is the amount that was budgeted for fiscal year 2020. Paul will talk with the county commissioners again to see if they will be helping pay for this work.

The phase 4 water project has gone to bid. It was bid so that the work west of the post office would be done this fall and the rest of the phase could be done this fall or next spring. The bids are out for 20 days starting August 20, 2019.

The library roof contract was signed and returned to the contractor; however, a date for fixing the roof has not been set. Ian continues to press them for a date.

Paul asked Charley if the school was using the pool and if so what was the "rental agreement" with the school. Charley will check with Jesi on the arrangements.

Paul reminded the council that the city's Wetlands project will be featured during the upcoming Range Days sponsored by the Upper Musselshell Conservation District on September 4, 2019 at 3:30.

Travis Schuchard's lease of the "old lagoon" terminated effective August 27, 2019. His prorated refund will be in the next council meeting's claims.

Paul asked if any council member had thought of any projects for Julie Berg's group to work on. No one had thought of anything.

Paul informed the council that the Callant Family Foundation grant for the year had been received.

Paul informed the council that Steve Olsen has agreed to give ownership of the Biegel's Bar to the city so the city can proceed with the clean-up of the burned building. In order to facilitate the transaction, Karen Hammel will draw up the quit claim deed to get ownership transferred. Items that Steve Olsen may have in the building need to be removed prior to the city taking ownership.

A letter had been sent to Tena Keller – Harlowton Gardens regarding her unsubstantiated claim for flowers purchased in 2018. No response has been received from her yet.

Paul reported that resident Bryan Tomlinson has asked the council to consider a variance to the “no private septic” rule so that he can proceed with getting a private septic system permitted on his land on the east side of town. Paul’s opinion is to not allow a variance and not allow de-annexation; but to proceed with the swap of alley closure for easement to extend 6th street through to the Old Gap Road..

Frank wondered why the city wouldn’t allow a variance. Rob commented that by allowing Bryan to have a private septic sets a precedent for the rest of the Harlowton residents. Charley asked if Ian knew how many private septic were currently in city limits. Ian estimated 5.

Paul asked the council members to invite any concerned city residents to council meetings in an effort to stop the “rumor mill” regarding the pool closure rumors and any other concerns going around town.

Next council meeting will be September 10, 2019 at 7:00pm at the Harlowton City Hall. Bryan Tomlinson’s request for septic variance will be on the next agenda.

Frank Brouillette made a motion to pay the claims, checks #22095-22108, from August 10, 2019 through August 23, 2019. Charley Bennett seconded the motion. No further discussion was had. Motion passed unanimously.

Meeting adjourned at 8:48 pm.

Council Members Present: Charley Bennett, Frank Brouillette, Rob Elwood, Jim Kalitowski, Ron Teig

Council Members Absent: John Anderson

Employees Present: Ian Reed

Paul Otten, Mayor

Kathie Newland, Clerk