

Harlowton City Council Minutes  
September 24, 2019  
Harlowton City Hall

A regular meeting of the Harlowton City Council, held September 24, 2019 opened at 7:00 pm with the Pledge of Allegiance. Minutes of the September 10, 2019 council meeting were approved as written.

Mayor Otten updated the council on Biegel's Bar ownership transfer. He had not heard back from Steve Olson yet.

Paul informed the council that the city had not received the engineer's quotes on extension of the city utility services toward Bryan Tomlinson's property (Van Cleve Addition Block 12 Lots 1-9 and 16-24).

There has been no update from Attorney Karen Hammel on the possibility of exchange of closing an ally for street easement on the same property.

Paul informed the council that one surveyor has recommended not re-platting the industrial lots to allow for ally/street access between them. Instead he recommended getting permanent easement for the utility services that run through there. Additional information is being gathered so the council can decide on how to proceed.

John Anderson reported that the library has installed a baby changing station in one of the bathrooms at the library. The library is working on "library stations" which would operate as book exchange areas in outlying towns and areas. The South Central Federated Library meeting will be in Big Timber this upcoming Saturday. There are some board and staff hoping to attend.

Rob Elwood reported that the ordinance committee is recommending approval of the second reading of ordinances 3-2019 through 8-2019 at tonight's meeting. The committee is recommending repealing the entire Title 5 of the Harlowton municipal code. Next ordinances that the committee will focus on include the water, sewer and decay ordinances. The review of these will be a lengthy process.

There was no Tree Board report.

There was no Wetlands Rail Trail report.

Charley Bennett reported that he has talked with some members of the Wheatland County Wind Impact Grant committee to see if donor restricted grant funds received from the Wind Impact Grant for the pool can be used for a new boiler rather than for a new heat exchanger for the old boiler. Charley also indicated that if the pump impellor has been ordered he would like the order cancelled. Jesi reported that American Swimming Pools (ASP) has been working on the skimmer leaking issues and there is more damage than previously suspected. The estimate to fix all of the skimmer issues is now around \$9,000.00. Previous repairs to the pool bottom and painting are also failing which could also be contributing to the water leaking issue. ASP is waiting for approval to proceed with fixing the leaking skimmer issues due to the increased cost. Paul indicated he would like ASP to just fix the two original skimmer issues so the pool could get winterized. Kathie provided Charley with the balance \$17,206.95 in the swimming pool savings account of which there is just over \$9,000 of unrestricted funds available to spend. Paul told Jesi if it is within the pool budget to go ahead and get the skimmer issues fixed so the pool can get winterized as the weather prediction for the upcoming weekend is freezing temperatures. Charley indicated he had talked with Larry Callant about his potential financial support

of the pool repair projects. Additional estimates are being gathered or have been received for other parts of the pool project. Rob asked for further explanation of the possible lining of the pool which Charley provided.

Ron and Esther Fischer were in attendance to inform the council that any changes made at Fischer Park needed to be approved by them prior to implementation as per the lease agreement between the Fischers and the City of Harlowton. Paul apologized to the Fischers' and ensured them that no ill intent was intended. Darlene Bacon, who helps take care of the flowers at Fischer Park, applied for Wheatland County Wind Impact grant funds on behalf of the city and was awarded \$2,000.00 for implementation of a new sign for Fischer Park. Currently the "backsplash sign" on the railroad ties are obscured by large growing plants during the summer. She enlisted members of the Harlowton FFA club to present their designs to the council. Three members presented three different proposals. The proposals were given to Ron and Esther Fischer to review.

Beth Keating, as representative for the American Lutheran Church, informed the council that the church had disconnected their water service to the main church building and was paying for only one water bill. After doing such, they discovered that the in-ground sprinkler system was sourced from the church. The church council voted to plumb the faith center and church together and still only pay one water bill. It was brought to their attention that this possibly violated the city of Harlowton's ordinance 1-2103 (11-5-2013). Beth was wanting to get the city council's opinion on this matter. Discussion ensued about the wording, applicability and enforcement of ordinance 1-2103 as currently written. Rob Elwood made the motion to table the discussion until further information could be obtained from Ian Reed who was not in attendance at the meeting. Charley Bennett seconded the motion. Motion passed unanimously.

Marlene Robertson, as representative for the Harlowton Kiwanis Club, reported that the club is concerned about the swimming pools future and offered the club's support. Discussion regarding past efforts to improve the pool and future efforts to improve the pool were held. Marlene asked if the city council would allow the Kiwanis Club to facilitate meetings to gather the community's input regarding the pool. Council consensus is to allow the Kiwanis club to facilitate meetings to gather community input regarding the swimming pools future.

Frank Brouillette made the motion to table discussions regarding sale of land between 9 A Ave SW and 10 A Ave NW until further information could be obtained from attorney Karen Hammel. Rob Elwood seconded the motion. Motion passed unanimously.

The council members reviewed the second 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. There were no changes or questions from the council nor the public. Rob Elwood made the motion to approve the second reading of ordinance 03-2019 as written. Frank Brouillette seconded the motion. There was no further discussion. Motion passed unanimously.

The council members reviewed the second 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. There were no changes or questions from the council nor the public. Rob Elwood made the motion to approve the second reading of ordinance 04-

2019 as written. Frank Brouillette seconded the motion. There was no further discussion. Motion passed unanimously.

The council members reviewed the second 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. Rob explained the provided map showing where angled parking is allowed defined in more clarity the wording within the ordinance. Jim Kalitowski wondered why the churches that currently allow angled parking were not on the map nor in the written description. Rob explained that if other parts of town (churches, Moose Lodge etc.) wanted to allow angled parking they would ask for a variance to the ordinance. Jack Runner asked for clarification on semi-truck parking. Julie Woodard asked for clarification of the term parking. Rob Elwood made the motion to approve the second reading of ordinance 05-2019 as written. John Anderson seconded the motion. There was no further discussion. Motion passed unanimously.

The council members reviewed the second 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. Resident Beth Keating asked if the fence located at the corner was on private property. Rob Elwood explained that he researched the issue and believed the fence was on private property. Rob Galahan asked if mirrors could be placed to help with the situation. Paul explained a mirror had been installed but had been ruined (either by wind or a truck hitting it) so didn't appear to be a viable long-term solution. Tina Peterson asked if parking on that portion of A Avenue would be limited to just the east side. It was explained that parking would be allowed on both sides of the street but only in a northerly direction. John Anderson made the motion to approve the second reading of ordinance 06-2019 as written. Jim Kalitowski seconded the motion. There was no further discussion. Motion passed unanimously.

The council members reviewed the second 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. It was clarified to the public in attendance that this ordinance is repealing the current restriction to driving on the sidewalk. There were no changes or questions from the council nor the public. Rob Elwood made the motion to approve the second reading of ordinance 07-2019 as written. Jim Kalitowski seconded the motion. There was no further discussion. Motion passed unanimously.

The council members reviewed the second 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. Tina Peterson asked for clarification on the applicability of the ordinance. Rob explained that it was mainly pertaining to vendors setting up tents, trailer or stands on public right of ways to do business and as the city does not currently enforce this municipal code, the ordinance committee felt it was best to repeal the current code. Charley Bennett made the motion to approve the second reading of ordinance 08-2019 as written. Rob Elwood seconded the motion. There was no further discussion. Motion passed unanimously.

Paul Otten presented information provided by Ian Reed regarding needing a decision from the council on what to purchase for Central Avenue holiday decorations as the current ones have been deemed contaminated by asbestos from being stored in one of the rail road buildings. It takes quite a while to receive holiday ornaments and in order to receive the ornaments in time something would need to be ordered soon. Ian had spoken with Wheatland County Chamber of Commerce director Erin Fisk to discuss the option of getting banners for this year as banners are quite a bit less expensive and the “generic” holiday banners ship quickly. Resident Rob Galahan voiced his concern that there would be no lights on the ornaments/banners on Central Avenue. Additional discussion ensued about options for the holiday ornaments. Tina Peterson offered to coordinate with the Wheatland County Chamber of Commerce and the city to raise funds to replace the ornaments on Central Avenue. She will coordinate with Ian Reed on the safe options for ornaments that could be purchased.

Paul reported that the Family Dollar store is still interested in purchasing some city property north of Harlowton, but Paul discovered that is was platted as a city park so doesn't believe the city can sell it for another use. Additionally there is currently no MDT approved access as the property abuts highway 191. Julie Woodard has been working with the representatives from Family Dollar as well and explained to them that purchasing city property is a lengthy process and the outcome is not guaranteed.

Paul reminded the council that the phase 4 water project bid opening is Thursday September 26, 2019 at 2:00 at the library. There were five to six bidders at the pre-bid meeting.

Paul will continue to visit with the county commissioners to try secure additional funding to fix the railroad bed west of town.

The library roof repair is scheduled for November if the weather cooperates.

Next council meeting will be October 8, 2019 at 7:00pm at the Harlowton City Hall.

Frank Brouillette asked about the claim to Dakota Playground. Kathie explained that is the last of the playground equipment and the FWP grant will cover those costs. Rob Elwood asked about the claim to DEQ. Kathie explained that is paying DEQ for the work they have been doing on the phase 2 railroad property clean up and will be reimbursed to the city through a DNRC grant. Paul pointed out that the supplies for rebuilding the fence between the old landfill and the Winnicook ranch did not cost as much as originally thought. John Anderson made a motion to pay the claims, checks #22125-22148, from September 6, 2019 through September 20, 2019. Charley Bennett seconded the motion. No further discussion was had. Motion passed unanimously.

Meeting adjourned at 8:57 pm.

Council Members Present: John Anderson (arrived 7:04), Charley Bennett, Frank Brouillette, Rob Elwood, Jim Kalitowski

Council Members Absent: Ron Teig

Employees Present: Jesica McKeever

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Paul Otten, Mayor

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Kathie Newland, Clerk