

2023-07-11
Harlowton City Hall

A regular meeting of the Harlowton City Council was held July 11, 2023. The meeting opened at 7:00pm with the Pledge of Allegiance.

The minutes of the June 27, 2023, Council meeting stand approved as written.

PUBLIC COMMENT:

Councilman Charley Bennett asked how long a resident must reside in the city before running for city council. It was determined that they must reside in their ward for 60 days prior to running for city council.

COMMITTEE REPORTS:

Library: City Mayor Paul Otten asked Councilmember Johnny Cooney III if he would like to represent the city council on the library board and he accepted.

Ordinance Committee: Not addressed.

Pool: Per Councilmember Charley Bennett, the new steps are almost completed. Bennett is working with Thompson Pool, via phone, to fix the skimmer and the chemical machine until they can get to Harlo. He stated they have been getting 40 to 50 kids per day and 10 to 25 adults. There is work needed on the girls' handicap toilet and a leak in the roof.

Tree Board: The Public Works Director Bob Schuchard stated the new trees will be planted on Friday, July 14, 2023 at 9:00 AM starting at Deer Park.

Wetlands Rail Trail: Councilmember Ron Teig absent.

UPDATES ON DECAY ORDINANCE COMPLAINTS:

Weeds: Per Councilmember Frank Brouillette, one of the areas he addressed at the last meeting has been cleaned up and he spoke with the state and waiting to hear back from Clements as he is not sure who is the owner of one of the areas with tall grass. He talked to Rick Reese, and he is working on his sidewalk. Councilmember Charley Bennett stated the property that received a public complaint at the last council meeting has had no movement and is getting higher.

Vehicles: Deputy Tim McKenna stated there is a bulletin posted in the deputy office so they are aware that when they get complaints and photos, they can be forwarded to them, and they will add them to their list to get started on the enforcement of abandoned vehicles. The City will need to meet with the Sheriff's Office to devise a process plan to start implementing this ordinance.

UPDATE ON PREVIOUSLY DISCUSSED ITEMS:

CITY ATTORNEY REPORT: Brent Brooks follow up on previous items.

1. Burroughs revised survey and land sale.
 - a. The city needs a draft resolution required by statute and it is ready to go pending approval of the city. There is a new survey by Andy Stensrud sent to the mayor and public works director as well as Logan Nutzman, attorney for Boyd Burroughs. Two other necessary documents needed will be a buy and sell agreement and a title commitment. Brooks will also need to verify that the 2 easements contemplated, the Rocky Mountain Cookware and the City waterline, through Mr. Burrough's property are placed in separate easement documents that can be recorded.
2. Formal letter to Sheriff's office for enforcement of unlicensed /inoperable vehicles and draft courtesy notices for weeds and junk vehicles.
 - a. City Attorney Brooks sent draft Courtesy Notices for Weeds/Overgrown Vegetation and Junk Vehicles. The council can read these and modify them to fit the city's ordinances. Councilmember Frank Brouillette wants the record to show he is opposed to telling people what they can and cannot have on their property. Councilmember Kathleen Schreiber agreed with Frank. Bob Schuchard, Charley Bennett, and Attorney Brooks pointed out that the ordinance reads any person possessing one or more junk vehicles shall shield them from public view. Bob Schuchard stated that there is a state code regarding junk vehicles and Attorney Brooks pointed out that the city ordinance defines junk vehicles very similar to the state code. Discussion pursued and it was decided to first address junk vehicles on the city streets then later address private property junk vehicles. Brooks spoke with Billings Code Enforcement Supervisor, Tina Hoeger, and asked if someone from their department could attend a Harlowton City Council meeting to share some suggestions. He would also like to have them look over our weed and junk vehicle ordinances to see if they have ideas. The council will refine the courtesy notices to include specifics regarding time frames and fine amounts. Deputy McKenna mentioned he will make a recommendation and get a policy drafted in their office that once the determined time lapses, they will put a sticker on the vehicle notifying the owner that the vehicle will be removed at the owner's expense if not dealt with. Brooks advised the city and sheriff's office to meet and discuss the process.
3. Grave Hotel insurance and possible lien on property guaranteeing clean up and repairs needed (ex: sidewalks and streetlights).
 - a. Attorney Brooks has contacted Letter Creek, LLC, the attorney for the Graves Hotel. He is asking for a timeline for cleanup and repair. Mayor Paul Otten stated they haven't done much of anything and there is still a question if the investigation is over. Brooks stated that after his conversations with different agencies, it looks like everything is done and returned to the owner. Councilmember Brouillette reiterated the need for some guarantee that the city is covered and not stuck with any cleanup and repair costs. The attorney will talk with their insurance company.
4. New Hospital Annexation.

- a. Attorney Brooks stated there are requirements by statute and several ways to annex a property into the city. He will help draft a petition for annexation for Wheatland Memorial Hospital. He has prepared a rough draft resolution and petition, and he will have the city look at it and see if it will work. There will need to be certain conditions imposed that have to be agreed upon to allow annexation. We will need to hold a public hearing and post the intent to annex the new facility location into the city.
5. MOU (Memorandum of Understanding) between the City and the High School for use of the pool.
 - a. Attorney Brooks composed a draft MOU we can modify to fit our needs. This contains insurance requirements and an indemnification releasing the city from any liability. The city will present the MOU to the High School Superintendent, Randy Durr, for approval and signature.

Follow up on Beth Keating topics.

1. Councilmember Brouillette spoke with several people and work is being done to clean up the sidewalks. There is a question on ownership at one of the locations and he will inquire as to the correct owner to address clean up of that area.
2. Public Works Director Schuchard has removed the old E57B sign and sent pictures to Eastman Sign in Lewistown for a replacement sign. He will get quotes on a couple different sizes for replacement.
3. The city crew has Boomer Trail improvements on their to do list.

NEW BUSINESS:

Councilmember Brouillette would like to discuss the repair and upkeep of the E57B. Windows, frames, and roof repair will need to be discussed. We may be able to coordinate efforts between the city, chamber and school for repairs, upkeep, and signage.

PUBLIC WORKS DIRECTOR REPORT: Bob Schuchard stated he has taken the sewer jetter to Great Falls for repair. While in Great Falls he was able to get 3 cameras for the park and has installed one already. It was mentioned that the city dumpster, in the park, was overflowing with furniture and garbage. The City Clerk-Treasurer, Debbie Johnson, asked what the punishment is for using the city dumpster to which Deputy McKenna replied that per the Montana Code Annotated, it depends on the amount. This will need to be determined by the city's cost of taking it to the dump or taking it to the closest location within reasonable means, whatever that amount would be could determine the fine which could be a misdemeanor or a felony. The fine would increase for repeated offenses. Schuchard reported that the proposed date for the new water has been moved from July 29th to July 17th.

REPORT OF THE CLERK-TREASURER: City Clerk-Treasurer Debbie Johnson asked if the city needs to get a certificate of liability naming the city as additional insured for the Farmer's Market in Chief Joseph's Park. Attorney Brooks said it would be best practice and councilmember, Alli Jones said

she would take care of it. Brooks stated he would be happy to look at all insurance certificates for accuracy.

REPORT OF THE MAYOR: City Mayor, Paul Otten, said everything is going smoothly.

CLAIMS:

Frank Brouillette made a motion to approve the claims and Kathleen Schreiber seconded the motion. The motion passed unanimously.

The meeting was adjourned at 8:35 pm.


Council Members Present: Charley Bennett, Johnny Cooney III, Frank Brouillette, Kathleen Schreiber, Allison Jones

Council Members Absent: Ron Teig

City Office: Mayor Paul Otten, City Clerk-Treasurer Debbie Johnson, City Deputy Clerk Deshawnda Carver, City Attorney Brent Brooks, Public Works Director Bob Schuchard

Sheriff's Department: Deputy Tim McKenna

Public Present: None



Paul Otten, Mayor



Debbie Johnson, City Clerk-Treasurer