

December 12, 2023  
Harlowton City Hall

A regular meeting of the Harlowton City Council was held on December 12, 2023. The meeting opened at 7:00pm with the Pledge of Allegiance.

The minutes of the November 14, 2023 Council meeting were approved with no changes.

**PUBLIC COMMENT:** No comments.

**COMMITTEE REPORTS:**

**Library:** Councilmember Johnny Cooney III discussed the 2023 Annual Library Report with the council. Council members went over the main points in the report, including what items were checked out most frequently, how many people attended the library in the year of 2023. Councilmember Cooney discussed with the council the most frequently checked out item, which was a portable hot spot router. Councilmember Charley Bennett discussed the option of purchasing more of the hot spot routers, to allow more access for the community to check these items out.

**Ordinance:** Councilmember Frank Brouillette stated they still have not met.

**Pool:** Councilmember Charley Bennett stated he spoke with Thompson Pools regarding the pump, he was given a quote for the cost of the pump that includes the installation of the pump, which will be around \$11,000. Councilmember Bennett also stated he would like to work with Thompson Pools so we can ensure that all records of the maintenance and repairs are kept.

**Tree Board:** The Public Works Director Bob Schuchard stated we still do not have a plant date set.

**Wetlands Rail Trail:** Councilmember Ron Teig was not present.

**UPDATE ON DECAY ORDINANCE COMPLAINTS:** Councilmember Frank Brouillette stated we now have 10-day stickers that are being printed at the Sheriffs Dept. An officer from the Wheatland County Sheriffs Dept, Officer Kevin Frese informed the council that there have been stickers placed on vehicles as of today's meeting. Public Works Director Bob Schuchard asked Officer Frese if the WCSD was notifying any of the owners of the vehicles once the stickers were placed, in the case that any of the owners lived out of State or out of the City. Officer Frese informed the council that no, they do not notify owners once the stickers are placed. Mayor Paul Otten asked what is being done with the cars that have stickers placed and are not moved appropriately. Councilmember Bennett informed that the vehicle would be towed and sent to the dump. The cost of the towing would be at the expense of the vehicle owner, not the City.

**UPDATE ON PREVIOUSLY DISCUSSED ITEMS:**

1. Mayor Otten began discussion on the Floodplain Public Hearing. Resolution 2023-14, Intent to update the Floodplain Regulations. Frank Brouillette motioned to accept the updated

Regulations and Johnny Cooney III, second the motion. Three members, Brouillette, Cooney and Jones, were in favor, Councilmember Bennett opposed. The motion passed.

2. The first reading of Ordinance 02-2023 to update the Floodplain Regulations was brought to discussion, the ordinance states;

“a reasonable application fee of \$100 is required for the processing of floodplain permit applications and variance applications for the City of Harlowton. The City of Harlowton may impose or adopt additional fees for costs of permit applications, notices, variances, inspections, certifications, or other administrative actions required by these regulations.”

Mayor Otten proposed the motion to pass Ordinance 02-2023 regulation and asked for public comment. No Public Comment. Johnny Cooney III motioned, Ally Jones seconded. Three Members, Brouillette, Cooney and Jones, voted in favor, Bennett opposed. The motion passed.

The second reading is scheduled for January 9, 2024.

3. Discussion of proposing a reservation option at Chief Joseph Park. Mayor Otten decided against the option. He stated, “we have always maintained the first come first serve rule, and we should continue to do so.” Charley Bennett confirmed that the only option for rental is the park gazebo.
4. Muni-Code Presented by City Attorney Brent Brooks. Proposal to begin a contract with Muni-Code. Brent Brooks went over what Muni-Code will bring to the city regarding our Ordinances. Muni-Code will go through the City of Harlowton Ordinances and they will review, organize, and update Ordinances as necessary. Muni-Code allows easier access for the public to search and read over all the City Ordinances. The cost for Muni-Code would be around \$9600, with a \$23 per page or a \$395 yearly charge to maintain and continually update. Brouillette agrees that this would be a beneficial program for the City Clerk, as well as the City. Brouillette would prefer to wait for the 2025 Fiscal Year to begin the contract. This would allow time for the City to look for funding options, to include grants. Frank Brouillette motioned for the proposal to begin in the 2025 Fiscal Year. Johnny Cooney III second. The Motion passed unanimously.
5. Diane Jones Property Damage was brought forward from Mayor Otten. The cost for the property repair would be around \$40,000 along with the cost to move Triangle Communications guide pole which would cost roughly \$2,700. Mayor Otten would like the cost to be split between the City of Harlowton and the homeowner, Diane Jones. Discussion ensued between Diane Jones’s representative, Adam Jones, and the city about possible options. Public Works Director Bob Schuchard & Councilmember Charley Bennett spoke with Diane Jones about the homes’ damage, and at the time she was willing to share the cost of the repairs. Frank Brouillette & Bob Schuchard believe the City should pay for our portion and do our due diligence, and Diane Jones should pay and repair her portion. Schuchard will work with Duane Otto from Do-All Construction on an itemized bid.
6. Follow up on Councils suggested changes to the Billings Camper/ Trailer Ordinance. No suggestions from the council were sent to the Attorney but Mayor Otten presented a vague

draft that will need to be modified by Attorney Brooks and approved by the council to fit the needs of Harlowton.

#### **NEW BUSINESS:**

1. City Clerk Treasurer Debbie Johnson proposed the idea of a “re-issue check form”. The form would need to be filled out and notarized before the City of Harlowton would re-issue a check to a business or individual. Council approved unanimously.
2. Two new Council members were sworn into office. Roger Kitts & Johnny Cooney III both took the oath of office and were sworn into the City of Harlowton City Council. Councilmember Ron Teig was not at this meeting and will need to take his Oath of Office before the Jan 9<sup>th</sup>, 2024 meeting.
3. Mayor Otten brought forward the Utility share program, the program would assist members of the community in paying their utility bills. A motion to approve a \$50 allotment for the limit of 6 months was brought forward from Brouillette. The motion passed unanimously. The City will allow for donations to the utility share, once the donation account has been set up, an announcement will be sent to the members of the community on how they are able to donate.

**PUBLIC WORKS DIRECTOR REPORT:** Bob Schuchard brought forward the needs for the Public Works department. His first proposal was the need to replace wiring for the City Christmas lights. Schuchard would like to have outdoor electrical boxes placed on the existing poles along Central Ave. He will be working on getting quotes for the updates of the wires. The bids will be collected within the next 8-9 months. The next proposal brought forward was the update and or replacement of the Public Works vehicles. Schuchard informed the Council that both the vehicles the Public Works Dept currently use are damaged or “falling apart”. Schuchard asked for recommendations on a new vehicle that could be utilized between the public works, as well as other City Employees. Council member Bennett proposed the idea that we get a smaller AWD vehicle. The council will be looking into options for discounts to purchase vehicles that are given to government entities. Schuchard will also be looking into the options of other mechanics to fix the other vehicles.

The next items brought forward by Schuchard was that Bob Church wants to dump fracking water into the Lagoon in Chief Joseph Park. Schuchard was advised against this idea, due to liability if the water were to become contaminated from the fracking water. Schuchard informed the council that Bob Church is refusing to give water samples of the fracking water as well. Mayor Otten informed the council that he will speak with Bob Church tomorrow at a Board Meeting and let him know that the city will not be moving forward with the dumping of the fracking water. Council agreed unanimously that this would be too much of a liability for the City.

#### **REPORT OF THE CLERK-TREASURER:**

City Clerk-Treasurer Debbie Johnson brought forward to the council a liability the City might be placing themselves in with community members over paying on their utility accounts. Per Attorney Brooks, this adds a debt to the city because the money is technically owed. This could affect the potential for the City to receive funding or grants in the future. Council discussion ensued on the possible limit to be set on accounts for overpayment, or if setting up for automatic payments was the better route.

The next item brought forward was the RAIL system, Johnson introduced this system to the council as a way to ensure that all projects and timelines are being followed up on and met. The council requested that this be made accessible to them, Johnson proceeds on getting this document sent to the council members. Johnson also brought forward the option to purchase security cameras for the safety and surveillance of the City Hall. The council agreed unanimously that the cameras should be purchased. Johnson's next item was addressed to the Chamber and Council, Johnson was questioning why the City Clerk/Treasurer was responsible for the payroll of the Chamber. Councilmember Allison Jones states that she was not sure when this responsibility was passed onto the city, but she would reference previous council minutes to find out when this began. Further discussion will continue to see if the city will remain responsible for the Chamber's payroll.

**Attorney Report:** Attorney Brooks informed the council that he was able to get everything necessary to the Sweetgrass title company for the Burroughs Land sale, except for a signed agreement from Mr. Burroughs and his attorney. Brooks has followed up with Mr. Burroughs. But he has yet to respond.

**MAYORS REPORT:** Nothing to report.

**ITEMS FOR NEXT MEETING:**

- a. Councilmember Brouillette would like to discuss CDBG Grants to assist with the Musselshell County Development Co-Op. Mayor Otten will be at a meeting on December 21<sup>st</sup>, he will find out more information on housing grants.

**CLAIMS:**

Frank Brouillette made a motion to accept the claims. Johnny Cooney III seconded the motion. The motion passed unanimously.

The meeting was adjourned at 9:14 P.M.

Councilmembers Present: Charley Bennett, Johnny Cooney III, Frank Brouillette, Allison Jones,  
Councilmembers Absent: Kathleen Schrieber, Ron Teig

City Office: Mayor Paul Otten, City Clerk-Treasurer Debbie Johnson, City Clerk-Treasurer Alexis Petersen, Public Works Director Bob Schuchard, City Attorney Brent Brooks, Officer Kevin Frese

Public Present: TJ Tupker, Adam Jones, Roger Kitts (sworn in at the 12-12-23)

  
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Paul Otten, Mayor

  
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Lexi Petersen, City Clerk-Treasurer