

HARLOWTON CITY COUNCIL PUBLIC MEETING

July 8, 2014

Harlowton City Hall

A public meeting of the Harlowton City Council held July 8, 2014 opened with the Pledge of Allegiance. Minutes of the June 24, 2014 meeting were approved as written.

The council discussed the pay raise for Mayor and Council again. Resident Linda Wilsman wrote a letter to the Mayor and City Council members stating that they should follow the law and work on the city's infrastructure rather than use those funds for pay raises. [Letter attached] Mayor Sell responded with an email from City Attorney, Jon Hesse saying: Dear Jayme, Mayor and Members of the City Council: Attached are Sections 7-1-4111 and 7-3-4255. The City of Harlowton is a Third Class City per 7-1-4111. The City Council can elected to pay the Mayor and Members of the Council an amount more then what is set forth in Section 7-3-4255 (1)(a) because the statute uses the term "may" which is a discretionary term and not a mandatory term such as "will not", "shall not", "cannot ", and "must not". Thus the City can set the pay at what they believe is necessary and can afford. Also, I spoke with the Local Government Assistance Accountant and most cities pay way more then what is set forth in that statute. If you have questions, let me know. Thank you. Jon.

Mayor Sell then explained that revenues from the general fund cannot be used to pay expenses in the water or sewer fund so the salary increases would not affect the water or sewer projects in any case. Also, in response to Wilsman's letter he stated that he and the council members had worked to get water and sewer rates on a good track to bring the city up to where it needed to be which is, in part, why raises would be merited. He again suggested a raise for council members to \$50 per meeting and \$500 per month for the mayor. Councilman Tomlinson did not want to vote for a raise for himself without gathering public input but agreed the mayor deserved a raise. Councilman Anderson agreed with Tomlinson. Mayor Sell didn't feel comfortable receiving a raise if the council members did not. A decision was made to gather public opinion and wait until a full council was present.

The City of Harlowton needs to pass a resolution for the USDA-Rural Development grant with the city matching 25% and the grant covering 75% towards new equipment. The grant will pay \$48,300 and the city would pay \$16,100. The money would go towards the purchase of a new mosquito sprayer, a snow plow mount and a Skidsteer. Councilman Tomlinson made a motion to adopt RESOLUTION NO. 2014-11: AUTHORIZING AN APPLICATION FOR THE USDA-RURAL DEVELOPMENT COMMUNITY FACILITIES GRANT FOR THE CITY OF HARLOWTON AND DESIGNATING THE AUTHORIZED SIGNORS TO SUBMIT THE APPLICATION AND SIGN THE APPROPRIATE DOCUMENTS and apply for the grant. Councilman Joe Brouillette seconded the motion. Motion carried unanimously.

The council discussed the firework ordinance. Mayor Sell thinks that the council voted to change the ordinance to allow fireworks on July 3 and 4th until midnight, both nights, but there was never a new ordinance made from the vote so the old ordinance stands stating that fireworks are

prohibited within city limits. The council decided to have the City Attorney draw up a new ordinance to be voted on once it is drafted.

A city resident who chose to remain anonymous, submitted a list of properties that they believed to be in violation of the decay and fire ordinance with lawns that were in need of mowing. The list was given to the council to look in to.

City Superintendent, Ian Reed reported that the West End Well went on line July 8 and pumped 50,000 gallons that day at 250 gal/min. The well was not pumping any black particulates and the electrical is working well but the electrician still needs to work on a few things. The city crew has been doing street work and mowing. They also fixed the hole in front of resident Clara Reed's house. The crew has been spraying mosquitoes 3 days a week.

A public meeting was held for Montana DEQ and Pioneer Technical Services, Inc. to give an update on the fuel contamination removal. Scott Gestring from the DEQ told the council that 18,425 gallons of mixed product has been removed to date. Ken Manchester from Pioneer Technical Services said they are working to find the source but are making the Thompson Well a priority, though there has not been any contamination according to the testing. They will be drilling new wells next week and all but one of the desired well sites were approved by the county. The next phase will be adding the new wells to the thicker part of the plume, finding pockets holding free product and removing product near the well.

The sewer project only got 2 bids, contractors were contacted as to why. 1 contractor received another bid prior to the project, and the others only wanted to bid the project as subcontractors. Bids came in over budget, DEQ states that lines must be 8" and we have 6" lines. DEQ has allowed that we keep our 6" lines since there is not the volume going through them that would ever require the city to have 8' lines and the 6" lines will be lined and it will save the city about \$100,000. We can accept the base bid and have awarded the bid to PEC Construction and Dick Anderson as the subcontractor. Construction will begin Monday, July 21, 2014.

John Anderson made a motion to pay the bills, check numbers 19196-19220. Jim Kalitowski seconded the motion. Motion carried unanimously.

Meeting adjourned

Next Meeting July 22, 2014.

Council Members Present:

Bryan Tomlinson

Jim Kalitowski

Joe Brouillette

John Anderson

City Employees Present:

Ian Reed

July 6, 2014

Mayor Sell and Councilmen,

Whether our public servants are paid enough is not something I would have an opinion on. I do however have an opinion on blatantly ignoring laws. If you do not agree with a law there are avenues to try changing it. Breaking the law should not be an option just because others do.

This city has suffered shortfalls in its revenue to keep up with the aging infrastructure, because of the actions of this very body. Until our infrastructure is repaired and updated, that is where revenue should go.

The current compensation already exceeds the law for a city of this population. It is not only wrong, given the city's needs; it is dishonest to skirt the law. Hopefully we have enough honest men in this body to vote against a raise that breaks current law.

Regards, Linda Wilsman

A handwritten signature in cursive script, appearing to read "Linda Wilsman".

Jeff Sell, Mayor

Jayme Colby, Clerk