

February 14, 2023
Harlowton City Hall

A regular meeting of the Harlowton City Council was held on February 14, 2023. The meeting opened at 7:00pm with the Pledge of Allegiance.

Council reviewed minutes.

The minutes of the January 24, 2023 Council meeting were approved as written.

Minutes from the 01/24/2023 closed session were approved as written.

The Council reviewed and approved minutes from the closed session meeting on 2/6/23.

PUBLIC COMMENT: Community member Tyrel Briscoe was present to discuss his concerns with the aftermath of the Graves Hotel fire. Mr. Briscoe read his letter to the Council. His biggest concerns were with asbestos contamination and fire debris posing serious health risks to his family, animals and the community. Mr. Briscoe felt that the City leaders needed to be proactive about fire prevention, safety and emergency response. He was concerned with the lack of plan in the event of an emergency as well as there being no real point of contact for how to handle these situations. He had reached out the Cathy Barta at Snowy Mountain Development Corporation (SMDC) to discuss the protocol for handling such events as fire and contamination of hazardous materials. Cathy was waiting for a response from the DEQ (Department of Environmental Quality) Environmental Specialist coordinator. Mr. Briscoe also mentioned that the soil should be tested for contamination. He was concerned with contamination being moved around the City on people's shoes, which would eventually reach the schools and market. He was especially concerned with the long-term effects of the contamination on the community's health. He did not believe that the public was aware of how to handle protecting themselves from contamination. He had seen his neighbors picking up the debris off their lawns without following the proper procedures of wetting down the material first, using gloves, wearing a mask (N95) and double bagging the material. Mr. Briscoe mentioned that the wind was blowing the material through the flats area. Mr. Briscoe stated that with the help of Cathy Barta and the DEQ/DES coordinator, he would like an informational pamphlet to be disbursed around town to educate people on hazardous material safety. Cathy had also told Mr. Briscoe that asbestos testing would have to take place to locate contaminated areas.

City Public Works Director Bob Schuchard stated that the DEQ/DES coordinator and the State Fire Marshals had told him that it was the individual homeowner's responsibility to take care of the debris on their properties. Mr. Briscoe stated that his homeowner's insurance would take care of handling everything but that he would need the Graves owner's insurance to continue the process. He mentioned that the City had already spent time and money on clean up around the area and asked how they plan on recouping their losses. He also mentioned that long term health effects 10-20 years down the line would need to be prepared for.

Mr. Briscoe mentioned that in the past, other buildings on Main Street had burned down and he was concerned about the catastrophic events if this fire had spread to the flats.

Community member and local Realtor Julie Woodard was present at the meeting. She stated that there should be an ownership "chain" to follow for cleaning up the individual properties. She stated that it would be wise to encourage the Council to be proactive and set up a public meeting to hear concerns before anything gets out of control.

Discussion took place regarding how to dispose of the debris. Republic Services probably wouldn't take the debris, even if it were double bagged (as DEQ had advised). Mr. Briscoe mentioned that maybe the City could provide a special bin (used specifically for hazardous materials) for those needing to dispose of the hazardous waste. He also mentioned that the City could coordinate with SMDC.

Council member Frank Brouillette mentioned that the County Commissioners should get involved. Mayor Paul Otten mentioned that Undersheriff Randy Cameron was the disaster mitigation plan coordinator.

Discussion took place regarding contamination testing companies. Discussion took place regarding how the wind would carry debris and the path of contamination in the flats. There was discussion regarding whether the City needed to push the issue to the State and Federal level. Discussion took place regarding the possibility of Musselshell River contamination. Paul stated that he would reach out to Cathy at SMDC the following day regarding the course of action.

Discussion took place regarding the insurance information for the Graves Hotel.

Paul stated that he would reach out to Adam Jones (County Commissioner) the following day. Paul stated that Senator Tester's office had reached out to the City and stated that they would be willing to help. Discussion took place regarding how to get a hold of the Graves owners. Mr. Briscoe asked what the time line would be for getting a hold of the necessary people. Paul stated that it would all be done the following day (2/15/2023). Mr. Briscoe stated that he would follow up.

COMMITTEE REPORTS

Council member Jack Runner stated that there was nothing new to report on the library. Paul stated that he had looked at the Library basement to see why it was leaking. He didn't believe the marks on the wall were mold. He also looked at the back of the building and thought that the best course of action would be to do what the Triangle Communication building had done—apron it and create a cement block. He will look into finding a contractor that's available to do the work.

The Ordinance committee did not meet.

Charley gave a report on the pool. Mike Stensaas would be pouring concrete on Thursday.

Public Works Director Bob Schuchard stated that there was nothing new to report regarding the tree board.

Council member Ron Teig was not present to report on the Wetland Rail Trail project.

UPDATE ON PAST AGENDA TOPICS

Council members were asked to give updates on Decay Ordinance-related complaints from the community. Council member Frank Brouillette stated that he had nothing new to report. City Clerk-Treasurer Lara Brisco stated that there had been a second complaint regarding the same property. She had told the neighbor that it was already being looked into. Bob asked what the timeline was for getting this taken care of. Frank stated that he was working on a letter.

NEW BUSINESS

- 1) Brian Tomlinson was not present to discuss the land swap he was proposing. He send a

letter with Frank with accompanying documents for the Council to review. The City land between two of Tomlinson's own properties was the area in question. It was the same piece that he had wanted to purchase years ago. The letter stated that he would want to de-annex the property from the City as well. Discussion took place regarding the land and surrounding areas as well as connections to the City water/sewer lines. The Council passed around the letter and maps to review.

Discussion took place regarding if de-annexing the City's land would set it up for issues in the future. Lara emailed the documents to City Attorney Brent Brooks to review. He stated that he would look at the items and get back to the City Council later with his thoughts.

- 2) Discussion took place for Resolution 2023-01. The Resolution would be the first step in the City's intent to adopt water rate increases related to Phase 5 of the water line upgrade project as well as the new water source coming in during Summer 2023. Jack asked if this included sewer or not. Lara stated that sewer would be an additional \$36.41 per month. The base rate would be a combination of these rates and the current sewer rate. The approval of the Resolution would be the first step. Lara stated that mailers would go out the following week to all water users and notices would also be posted in the newspaper for 3 weeks. Discussion took place regarding the off-set costs still being unknown. Jack asked if there would be a public hearing. Lara stated that 3/14/23 at 6pm there would be a public hearing for the proposed rate increase. Council member Allison Jones made a motion to pass Resolution 2023-01. Jack seconded the motion. The motion passed unanimously.
- 3) Bob presented a contract agreement with TWEnterprises for managing the lift station. Bob stated that he thought 6 months ago the contract was signed. The contract would include yearly maintenance of the lift station, which would be \$736.23/year. Bob stated that this was a better deal than waiting until the lift station broke—which would cost much more.
Bob also mentioned that there would be a \$7000 charge for fixing the water tank crack. He was told to wait until the new water source came in so that the tank could also be cleaned. He was told that there could be ice in there now and that would be dangerous to the divers. Discussion took place regarding whether ARPA (American Rescue Plan Act) funds could be used for either projects. Lara stated that because the lift station was maintenance related, it would not be eligible for ARPA fund use. She stated that the tank repair could use ARPA funds. Frank made a motion to accept the TWEnterprises lift station maintenance contract. Council member Kathleen Schreiber seconded the motion. The motion passed unanimously.
- 4) Lara stated that the pool manager position had been advertised in the newspaper for two weeks. The City lifeguard interested in the position had submitted a letter asking to be considered for the position. There had not been any other applicants. Letters had also been sent out to last year's lifeguards to see if they would be returning. The letter asked for a response by March 1st. As of yet, there had been no response from any of the lifeguards. Discussion took place regarding how to break the manager position into a few jobs so that the pool manager would not be "set up for failure" or overwhelmed by the

level of responsibility. A few different people were mentioned as possibly being interested in helping part time with duties such as cleaning, scheduling, and testing. The biggest concern was to find someone not only reliable and responsible but also able to handle difficult patrons. Teachers would be ideal candidates since they knew all the kids but it was also mentioned that teachers need their summers for recharging. Allison stated that it was important to help support and guide a pool manager so that they didn't quit from burnout. It was also stated that the pool manager would need to be okay with the involvement of the Council member responsible for helping with pool-related issues. Lara stated that the best course of action was to keep following up about getting these positions filled and properly supported. She asked what would happen in the case no one wanted to work at the pool this summer. This was a huge concern that the Council would possibly need to face.

PUBLIC WORKS DIRECTOR REPORT

Bob gave his report. The Grave fire had used 92,000 gallons of water. He was told that this was equal to \$161. There were still issues with people illegally dumping in the dumpsters at the park after hours. Also there had been graffiti at the pavilion and bridge. Someone drove into the pay station stand and damaged it as well.

City employee Chip would be taking his first water certification exam on 2/21.

REPORT OF THE CLERK-TREASURER

Lara stated that the City had received an invoice from Mountain Valley Vet by way of the Sheriff's department. It was for boarding a stray but it was unknown as to whether the owner was found and not charged. Lara stated that in the past when Katherine Parks owned the vet there had been issues with the City receiving bills for dogs being boarded. She had sent over the City's ordinance to show that the City did not cover the cost of boarding. It was a source of confusion and frustration that the City was receiving these random bills and it was not understood why the dog owners were not being charged before the animal's release. Jack stated that he would go talk to the Vet and Sheriff's office to find out what was going on.

MAYORS REPORT

Mayor Paul Otten gave a report. There had been interviews for the Deputy Clerk and Clerk-Treasurer positions earlier that day. The interviews went well and he had a recommendation for the Clerk-Treasurer position. Jack recommended that the Council approve the recommendation at the agreed upon wages discussed at the 1/24/23 meeting. Frank seconded the motion. The motion passed unanimously. Paul stated that he would reach out to the chosen applicants the following day (2/15/23).

Kelly Evans from the hospital had reached out to invite the Mayor and Council to a press event on February 22nd at 12:15pm.

ITEMS FOR NEXT MEETING

Kathleen stated that she would need a letter from the Council approving the set up of her RV park. A state official had reached out stating that in order to have RVs and mobile homes on the property at the same time, she needed the City's approval. She would be on the 2/28/23 agenda.

The next council meeting will be Tuesday February 28, 2023 at 7:00pm.

CLAIMS

Frank asked what the MMIA payment was for. Lara stated that it was the liability insurance deductible for when the City was represented a few months prior. Frank then asked what the Montana Rugged Wear bill was for. Lara stated that the Fire Department had purchased \$50 gift cards for the firefighters attending the Christmas party. Their own bank account funds had been transferred to cover the charges. Frank then asked what a WEX bill was. Lara stated that it was for the Public Works Department fuel credit card.

Frank made a motion to pass the claims 19909 through 19940. Kathleen seconded the motion. The motion passed unanimously.

The meeting was adjourned at 9:05pm

Council Members Present: Kathleen Schreiber, Charley Bennett (via phone), Frank Brouillette, Allison Jones, Jack Runner

Council Members Absent: Ron Teig

City Office: Mayor Paul Otten, City Clerk-Treasurer Lara Brisco, Public Works Director Bob Schuchard, City Attorney Brent Brooks, Deputy Clerk Alanna Berg

Public Present: Tyrel Briscoe, Julie Woodard

Paul Otten, Mayor

Lara Brisco, Clerk-Treasurer