Harlowton City Ordinance Committee Minutes

March 8, 2022

Harlowton City Hall

6:00PM

**Minutes:** Minutes from the February 22, 2022 Ordinance Committee meeting were approved as written.

**Public Comment:** Sheriff Everett Misner was present at the meeting. He said that he would be running again for Sheriff and would like the City's support. Misner stated that if anyone had any issues or questions to please come to him directly.

Mayor Paul Otten stated that there were some concerns with the dog bites posted in the newspaper law log. He asked Sheriff Misner if the person who owned the dog had been cited. Sheriff Misner stated that one had had a citation but the other one had not. Sheriff Misner asked Paul what he would like to see more of. Paul stated that he wants more citations for dogs running at large.

A discussion took place regarding different scenarios. Paul stated that he would like to show the people of the City that dog issues were being taken seriously. City Attorney Karen Hammel stated that sometimes the dogs were just destroyed and no citation was given. Sheriff Misner stated that he would like Karen to come talk to him regarding these issues.

Paul stated that a bill had been given to the City from the Sheriff's Office regarding the boarding of a quarantine dog that had bit someone. Sheriff Misner stated that that was something that would need to be discussed with the City Judge and said that the fines should definitely include any bills. Paul stated that he would bring the bill to the Sheriff's Office tomorrow. Discussion took place regarding the Judge being aware of these bills and if that particular bill’s case had gone to court yet. Karen stated that she was only aware of these situations if the plaintiff pleaded not guilty. If the person pleaded guilty, they would pay their fine and go.

Public works director Bob Schuchard stated that he was concerned with dogs not being licensed and how aggressive dogs were being handled. Sheriff Misner stated that he would discuss the issue with Karen and put out a public statement letting people know what would be different. Discussion took place regarded “repeated offenders” of dogs running at large and the inconsistency in owners not being held accountable. Discussion took place regarding accidental release of dogs versus people being irresponsible with their dog owner as a dog owner.

**Updates on Previous Meeting Agenda Points:** City Clerk-Treasurer Lara Brisco presented an email response from Big Timber regarding their rules and regulations book. Committee chair Frank Brouillette read the email out loud. The email stated that *“all matters relating to sewage and sewage disposal shall be governed by the rules and regulations governing utility services and streets for the City of Big Timber, Montana and standards for public works improvements from the City of Big Timber Montana adopted by reference herein and as modified from time to time by the City Council.” The* response also stated that the rules and regulations handbook are supplementary to the ordinances

Discussion took place regarding how this would or would not apply to the City of Harlowton. Discussion took place regarding where the committee had left off with reviewing and approving the rules and regulations handbook. Karen stated that she still needed to look over the book but she had been very busy lately.

**New Business:** The committee had opened the meeting to public comment regarding the revised version of the decay ordinance. Lara stated that two community members had come in to City Hall and asked for copies of the ordinance but only one person had delivered a response.

Earlier in the week community member, Dane Elwood, had delivered a letter to City Hall for the Ordinance Committee to reviewed. The letter was passed around to be read. Dane's letter was met with much approval. The Committee and Karen felt that the letter had a lot of good points. These points included:

- The option for non-Harlowton residents who owned property in Harlowton to file complaints

- A process for how the letter is signed, whether to make these complaints public.

- Removing city employees directly from handling the issues due to their heavy workload and having any services contracted out and billed to the offender.

- Putting the phrase “responsible party” instead of “owner”, “tenant”, “occupant”.

- Keeping good logs of the complaints.

- Taking into consideration who is in violation and not assuming it's the tenant or the owner.

Overall, Dane was pleased that the Committee had taken much time to consider the perspective of Harlowton residents. Karen stated that she would take a copy Dane’s letter home to make any necessary changes to the revision of the decay ordinance. She would present the new document to the committee at the next meeting, March 22nd 2022.

Frank asked if the next version of the revised decay ordinance should also have a public comment meeting. It was agreed that they should. Paul asked Sheriff Misner what he thought of the document. Sheriff Misner stated that whatever process is written would be agreed with by the Sheriff's Department. Frank stated that the process of complaints would involve the Council but any non- compliance with the complaint would have to be referred to the Sheriff's Office to be handled. Karen stated that having the Council more involved would be better for Bob. Discussion took place regarding Dane’s suggestion of holding a log for complaints. Karen stated that that could be a provision of the ordinance. Sheriff Misner asked what the threshold of concern was. Frank stated that it would primarily be focusing on safety.

Discussion took place regarding the question of properties at the base of the hill on South Central Ave and whether or not they were City, County or both. Bob presented the Committee with documents from the County regarding property taxes paid on these properties. The document showed that all properties in question were City properties. The one property in question the most would be the house that is “roughly built” on partial City and County lines. It was discussed regarding who the owner was, if he lived there all year, and whether or not he had access to water and sewer. Bob stated that he did not have water or sewer and it was questioned if the man was using an outhouse, which is illegal in Harlowton. Committee member Jack Runner stated that these houses were not currently following City ordinances for the fire pits.

Jack asked if the new revised decay ordinance would include issues with stockpiling trash. Frank stated that yes this would be a violation of safety. Karen stated that these people could take it to the dump. Frank stated yes it would have to be paid for though. Karen stated that if it was screened from public view, it would not be in violation. Sheriff Misner stated that if the renter damages property by negligence, they would be cited. Discussion took place regarding the renter versus owner and ownership of the violation. It was discussed that if a bad smell from the collected trash was the complaint that it would be in violation of harboring trash.

**Items on the next Meeting’s agenda:** The next meeting's agenda would include review of the revised decay ordinance with changes as discussed regarding Dane Elwood’s letter.

Jack asked if anyone had had a chance to look at the digital copies of the ordinance book that Lara had emailed everyone. Frank stated that they should just go through the whole thing and see what needs to “go”. Karen stated that that had been done a few years ago and had stopped when the Committee started working on the Big Timber rules and regulations book. Discussion took place regarding the Big Timber rules and regulations book.

Meeting adjourned at 6:50.

Committee Members present: Frank Brouillette, Jack Runner, Allison Jones

Committee Members absent: none

City: Paul Otten, Lara Brisco, Karen Hammel, Bob Schuchard

Sheriff’s Office: Sheriff Everett Misner

Public Present: none

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Frank Brouillette, Ordinance Chairman Lara Brisco, City Clerk-Treasurer