

A regular meeting of the Harlowton City Council, held March 26, 2019 opened at 7:00 pm with the Pledge of Allegiance. Minutes of the March 12, 2019 council meeting were approved as written.

Jim Clements addressed the council regarding the partial washed out area in the railroad grade that happened in 2018 west of Harlowton. He is concerned that if it fully breaches in any potential flooding event in 2019, the park and part of town will flood. Mayor Paul Otten explained that the city does not have any funds to fix the railroad grade at this time. Paul had talked with the Wheatland County commissioners and obtained the use of the county's heavy dump trucks to move rip rap; however, it would take a large excavator to move rip rap large enough to hold up to the river's force. Jim added that he had done some research on the cost of renting an excavator and would be willing to volunteer his time to operate the excavator. Jim also added that he believes there is FEMA funding for non-mitigation activities. Ian Reed commented that representatives from DNRC had come to tour the area of damage and given guidance on what they thought should be done. Ian also informed the public that a channel had been cut near Highway 191 S by the "over-pass" to re-divert the water back to the river in 2011 that was still in place. Shawn Peters asked why the city hadn't done something about the railroad grade last year when it happened. Again Paul Otten explained the city doesn't have funding for the project at this time.

John Anderson reported that the library had three representatives attend the recent Federation meeting in Billings. They reported that it was good education and well worth the trip.

Rob Elwood reported for the ordinance committee. The committee is discussing further changes to the snow removal ordinance and resolution, and needs to discuss some questions with the Sheriff's Office before proceeding. They hope to proceed on to livestock ordinances after snow removal ordinance is resolved.

The first reading of ordinance 2-2019 was postponed.

Resolution 2019-03 regarding guidelines for snow removal and sanding was postponed as well.

Karen Hammel and Bryan Tomlinson discussed details regarding his request to de-annex from the city. Karen requested Bryan provide the legal description and any deed information he had pertaining to the property. Discussion between Karen and Bryan regarding closing of the alley between Bryan's lots ensued.

Paul Otten would like to go to the county commissioners to request additional county funding for the transfer station. Ian estimates that 35% of the transfer station use is by non-city residents. Currently the county contributes \$2,800.00 per year toward the transfer station. City residents who receive a monthly utility bill are currently assessed \$2.23 per month for the transfer station, which is approximately \$14,900 per year. Expenses for the solid waste fund for fiscal year 2018 were approximately \$13,000 and fiscal year 2017 were approximately \$24,000. Rob Elwood suggested asking the commissioners to contribute at least 35% of the yearly transfer station expenses to cover the costs of the transfer station or

non-city residents will need to pay a higher rate if they use the transfer station. Paul commented he didn't want rates to go so high that people just start dumping their garbage in random locations like the river, the park, the ditches etc. Paul is on the county commissioners agenda for April 2, 2019.

Discussion regarding terminating Peters Inc. lease to store fertilizer in the roundhouse were held. If the river were to flood to the point where it enters the roundhouse, there is potential for the city to be liable for environmental damages. Resident Jim Clements asked if the lessee would be held responsible for any environmental damages. Insurance does not typically cover for negligence and the city could be found negligent for allowing potentially harmful amounts of fertilizer enter the river and contaminate the wetlands area. Shawn Peters, who currently is the lessee, commented that a berm could be built quickly to mitigate any potential flooding hazards. Paul asked if Shawn would build the berm now. Shawn replied why should he berm the area when the city isn't doing anything about the railroad grade west of town. Shawn commented that it would take a large amount of water and time to actually cause the fertilizer to release and cause issues. Rob Elwood asked about the types and amounts of fertilizer being stored. John Anderson made the motion to not cancel Peters Inc. lease for the roundhouse at this time. Frank Brouillette seconded the motion. Motion passed unanimously.

Ian reported that the crew has been dealing with frozen city water lines still. A temporary service line will be in place tomorrow for the most recent one that froze effecting two residences. There are still temporary service lines in place for a few other services throughout town.

John Anderson asked about the tree trimming taking place on A Ave. Ian explained that is a private property that is doing the trimming.

Further discussions regarding potential flooding caused by the railroad grade damage ensued.

Further discussions regarding environmental issues with the roundhouse ensued. Ian explained that there is asbestos in the roundhouse and the first phase of assessments will be done this year to determine if Brownfields funds could be used to clean up that property.

Rob Elwood commented that service line poles are being removed by NWEnergy and Triangle throughout the area. He was wondering if the city could obtain some of these to use in the park to replace deteriorated poles that are currently being used to keep traffic off of the grass. Ian said yes the city could use those.

Paul presented a summary of the current properties the city leases out. The Jawbone Creek Golf Course currently leases the golf course property for \$1.00 per year; however the city is responsible for insuring the buildings. This costs the city approximately \$1,900 per year. Paul proposed to the council that he would discuss this with the golf course board to see if there is something that can be changed about the lease agreement pertaining to the city keeping insurance on the buildings.

Paul informed the council that three letters have been received from resident Wayne Gentry. Karen Hammel has copies of the correspondence and is checking into the situation.

Paul informed the council that Jesica McKeever has been hired as the pool manager. An ad will be placed in the Times Clarion stating his relationship to Jesica and any comments needs to be directed to city hall. If there is a complaint the council will discuss what further action needs to happen.

The Auditors (Strom & Associates) will be doing an exit interview around 3:30 March 27, 2019. Paul asked that if any council members would be available to please attend the meeting.

Paul informed the council that the National Guard Armory building had sold to Tom Hayden. The howitzer in front is the property of the city's and representatives from the American Legion are making plans to move it to a suitable location.

Paul reminded the council of the upcoming municipal elections for 2019. Rob Elwood from ward 1, John Anderson from ward 2 and Ron Teig from ward 3 are all up for election. Paul reminded them of the due dates for filing for election and if they were not intending to re-run for office to please be recruiting potential council members.

John Anderson commented that he had been contacted by Travis Schuchard who was upset by the letter that was sent regarding subletting the old lagoon lease. Travis didn't feel enough time had been allowed for him to comply with the city's requests. Travis also commented that other lessees also subletted. John reported that the horses had been removed from the property. Travis had asked John if the cattle guard needed to be raised so that winter conditions didn't cause trouble with the function of the cattle guard. Ian commented he would check into it. Paul emphasized that a letter needed to be received by the city from Travis acknowledging Travis' compliance with the city's requests.

Paul reported that Lance Schuchard had asked to have one year of the fencing repayment removed from his lease terms. Paul told him no.

Paul reported that the new city pickup had arrived in Bozeman. He and Ian will go to pick it up next week.

Next council meeting will be April 9, 2019 at 7:00pm at the Harlowton City Hall. Ranking of the requests for proposal for fiscal year 2019 audit services will be done.

John Anderson made a motion to pay the claims, checks #21875- 21889, from March 9, 2019 through March 22, 2019. Rob Elwood seconded the motion. No further discussion was had. Motion passed unanimously.

Meeting adjourned at 8:40 pm.

Council Members Present: John Anderson, Charley Bennett (via phone), Frank Brouillette, Rob Elwood, Jim Kalitowski

Council Member Absent: Ron Teig

Employees Present: Ian Reed

Paul Otten, Mayor

Kathie Newland, Clerk