

A regular meeting of the Harlowton City Council, held October 8, 2019 opened at 7:00 pm with the Pledge of Allegiance. Minutes of the September 24, 2019 council meeting were approved as written.

Bryan Tomlinson asked for clarification on where snow from Central Avenue sidewalks was to be shoveled. He was informed as long as the city crew had not plowed Central Avenue yet, snow can be pushed to the street. If the crew had already plowed Central Avenue then snow cannot be pushed into the street. Ron Swickard asked about the state crew plowing snow onto the sidewalks along the highway. Paul informed him that the city is in contact with the state road crew about this but it continues to be an issue. Ian indicated that he had spoken with the state crew about this and was told that if the sidewalks were cleared already the state crew would be as careful as they could to not plow the snow back up on the sidewalks; however, when the snow is deep it isn't always possible for the state crew to not push snow onto the sidewalks. There was no further public comment or questions.

Mayor Otten updated the council on Biegel's Bar ownership transfer. Steve Olson had provided the legal description for the Biegals Bar property so Attorney Karen Hammel could prepare the quit claim deed to transfer ownership to the city. Steve Olson still has not provided a timeline for when he will remove personal effects from the building. This must be done before the city takes ownership of the property.

Paul informed the council that an engineering contract had been received for extending city utility services toward Bryan Tomlinson's property (Van Cleve Addition Block 12 Lots 1-9 and 16-24) and A Place/A Avenue SE. The contract amendment with Great West was for \$9,300. No cost per foot for construction estimates had been received. John Anderson asked Ian Reed about a 5th wheel trailer (believed to be owned by Jeff Scalzi) that is parked at 309 D Ave NE owned by Todd Schock. It appears to have a sewer line attached to it and John was wondering if that property had city sewer and if so wasn't that close enough to Bryan Tomlinson's property to make the cost less. Ian explained that that property is one of the ones within city limits that has a private septic.

Karen Hammel informed the council that an exchange of the alley closure on Bryan Tomlinson's property for street easement is possible. She advised that all property owners affected-which would only be Bryan Tomlinson-have to be in agreement with the suggested exchange, a legal property description of both properties needs to be developed-usually via a certified survey, a public hearing must be held and then a resolution for exchange could happen. Ian informed the council that survey costs for just this property were estimated to be \$10,700. Bryan told the council that he has a certified survey from approximately 1978. It is unknown if a certified survey is already available for the street portion of the description. Bryan Tomlinson indicated he didn't feel it would be in the city's best interested to continue for either of the projects that involve him due to the cost.

Ian informed the council that he had received the recommendation from a surveyor that it would be better to place a permanent easement on the industrial lots for city access rather than to resurvey the lots to shorten them. An estimate of \$27,000 was received to re-survey that area as each piece of property that the resurveyed

area touches has to be done. That would involve most of the land from East Logan Street north, almost to the highway. Ian will try to contact more surveyors for additional quotes.

No response from Ron and Esther Fischer had been received in regard to new sign designs for Fischer Park.

Rob Elwood reported that in additional research he had discovered that the Lutheran Church buildings are both located on one platted piece of property and as such didn't feel that the church needed to have two separate meters. Council consensus was that the Lutheran Church is not in violation of the current water ordinance (1-2103) by having only one meter and therefore one bill for utility services is appropriate.

Discussion on selling the 5 by approximately 110 foot piece of land that is between 9 A Ave SW and 10 A Ave NW to Ron Swickard was held. Karen Hammel indicated an exact land description would be needed in order to draw up the documents. Ron Swickard indicated that they will have the necessary surveys done in order to get the description. Discussion on if the city would need to retain any utility easements was held. It is believed that all utility services come from the street and do not run through said property. A fair market value for said property would need to be determined. Realtor, Julie Woodard, who was in attendance at the meeting, commented that current residential property values are approximately \$1.25 per square foot. Ron Swickard offered to exchange a street sweeper attachment for a bobcat for the piece of property. Additional discussion was held. Frank Brouillette made the motion to accept Ron Swickard's offer of exchanging a street sweeper attachment for a bobcat for this piece of property. John Anderson seconded the motion. Motion passed with the following votes. Ayes-John Anderson, Frank Brouillette, Charley Bennett, Jim Kalitowski. Abstain-Rob Elwood.

John Anderson reported that three representatives from the library attended the South Central Library Federation meeting. John also wanted to publicly thank Charley Bennett and Rob Elwood for their generous donations for the after school snack program at the library.

Rob Elwood reported that the ordinance committee continued to discuss the decay ordinance and they hope to have a rough draft to Paul Otten for review.

Ian reported that the tree board has been awarded a \$500 grant from the MT Urban Forestry for tree planting.

Another grant has been awarded to the city for the Wetlands / Railroad area clean up project.

Charley Bennett reported that the skimmer fixes have been put on hold until more funds can be obtained. The \$9,000 quote to fix what has been discovered so far would drain the pools savings and if additional issues were found there would be no money to continue with the repairs. The pool has been winterized. The Kiwanis Club will be hosting a meeting on October 14, 2019 at 7:00pm to gather community input on the status of the pool. Rob Elwood asked about the format of the meeting. Charley commented it was going to be open discussion. Tina Peterson commented that the Kiwanis would take notes on all of the community input. Ian informed Tina Peterson that Snowy Mountain Development Corporation may be willing to offer meeting facilitation. Ian informed Charley that the special order for the boiler parts had been cancelled (to be paid from 2019 Wind Impact Grant Funds) and was wondering if the Wind Impact Grant committee had formally approved reallocation of those funds. Charley said he had discussed it with a member of the committee. Charley indicated that the Callant Family Foundation will contribute toward the pool again next year.

The phase 4 water project construction bid award recommendation letter from Great West Engineering (Joel Pilcher) was reviewed. Paul informed the council that 6 bids had been received with Do-All Construction being the low bidder. Rob Elwood made the motion to award Do-All Construction with the Phase 4 Water System Improvements Project pending funding agency concurrence. Charley Bennett seconded the motion. No further discussion was had. Motion passed unanimously.

Mayor Paul Otten proclaimed April 24, 2020 as the City of Harlowton's annual Arbor Day.

Ian asked Tina Peterson to report on the street Christmas ornament replacement project. Tina said 16 banners with a winter theme have been ordered. Using a winter theme allows the banners to be used for a longer period of time rather than just Christmas season. The Federated Church has paid for the main "Merry Christmas" swag and a couple of other Christmas ornaments. These are expected to be delivered in time for this season. Tina will continue to collect funds for additional ornaments that can be purchased either before or after this season.

Ian reported that A Ave SW was paved this past Saturday.

A concrete pad for the remaining playground equipment at Chief Joseph Park has been poured. The rest of the playground equipment is hoped to be installed before winter.

The crew has been preparing equipment for the winter season.

Ian reported that the road grader is in getting drive chains replaced right now.

Jim Kalitowski asked that someone check by Helen Clements home (204 C Ave SE) as she indicated there was a mess in the street that she thought was due to a water line being fixed. Charley Bennett indicated he would check on it.

Bryan Tomlinson asked to return to his items on the agenda. He asked if the city would give him a time line for when they would decide about utility services extending to his property. Ian will try to get the construction quote information by the next meeting if possible so the council can make a more informed decision.

Paul thanked the city crew for helping get the pool winterized and getting the winter cover on.

Paul felt that Wharton Asphalt had done a nice job on the paving on A Avenue.

At this time (7:55pm) Mayor Paul Otten closed the regular council meeting to discuss litigation strategy regarding the potential breach of contract with Peters Inc.

The regular council meeting was re-opened at 8:25pm.

John Anderson asked about the other Milwaukee Railroad buildings that were deemed to be contaminated. Ian indicated that now that those building have been assessed they will be dealt with through the Brownfields clean-up process. The actual roundhouse asbestos mitigation abatement will be a very large project and a lengthy process. Ian thought that the city would likely have to testify at legislative sessions in order to attempt to secure additional funding for this clean-up project. Ian reported that the sand house building has been released for use as the asbestos is not friable in there. The brick house however has friable asbestos and cannot be used until asbestos abatement is done.

Next council meeting will be October 22, 2019 at 7:00pm at the Harlowton City Hall.

Frank Brouillette made a motion to pay the claims, checks #22149-22168, from September 21, 2019 through October 4, 2019. John Anderson seconded the motion. No further discussion was had. Motion passed unanimously.

Meeting adjourned at 8:31 pm.

Council Members Present: John Anderson, Charley Bennett, Frank Brouillette, Rob Elwood, Jim Kalitowski

Council Members Absent: Ron Teig

Employees Present: Ian Reed

Paul Otten, Mayor

Kathie Newland, Clerk

DRAFT