

2023-07-25  
Harlowton City Hall

A regular meeting of the Harlowton City Council was held July 25, 2023. The meeting opened at 7:00pm with the Pledge of Allegiance.

The minutes of the July 11, 2023, Council meeting stand approved as written.

#### **COMMITTEE REPORTS:**

**Library:** Councilmember Johnny Cooney III reported the Library qualified for ARPA funding of \$3,000 allowing new, upgraded internet cabling throughout the library. This project should be completed by next week.

**Ordinance Committee:** City Attorney Brent Brooks has been in touch with Municode which was purchased by CivicPlus and is waiting for an estimate from one of their staff.

**Pool:** Per Councilmember Charley Bennett, the new steps are completed and waiting for the handrails. Bennett is still working with Thompson Pool, via phone, to fix the skimmer and the chemical machine until they can get to Harlo. He stated the number of daily swimmers has ranged from 103 to 44.

**Tree Board:** The Public Works Director Bob Schuchard stated the new trees were planted on Friday, July 14, 2023 at Deer Park with the help of a crew from Invenergy in Judith Gap.

**Wetlands Rail Trail:** Councilmember Ron Teig had no update.

#### **UPDATES ON DECAY ORDINANCE COMPLAINTS:**

Councilmember Charley Bennett stated that some properties are being cleaned up while others have had no improvement.

#### **UPDATE ON PREVIOUSLY DISCUSSED ITEMS:**

1. Discuss Courtesy Notices - fine amounts and time frames.
  - a. Weeds/Overgrown Vegetation
    - i. The sheriff's office will issue a citation between \$100-\$500 after the thirty (30) day Courtesy Notice. This is considered a misdemeanor and will warrant an appearance in front of the City Judge. Under abatement by the city, a restitution amount would be added to the fine to cover the cost of mowing and weeding the property together with an administration cost equal to 25% of the actual cost. If not paid within sixty (60) days, a lien will be placed on the property to be placed on the property taxes as a special assessment. The City will advertise for someone to contract with the city to mow, weed, and possible clean-up of property.

- b. Junk Vehicles
  - i. Courtesy Notice will be posted in Times Clarion, on Facebook and in several locations around the city. The notice will state that after the sheriff's office puts a sticker on a reported vehicle, the property owner will have thirty (30) days to submit a plan or remove junk vehicle. Violation of this ordinance is a misdemeanor criminal offense with a fine from \$100 to \$500. Failure or refusal to remove the junk vehicle may result in the City pursuing abatement of this condition through a City Court order. There will be an additional charge for the cost in addition to an administrative cost equal to 25% of the actual cost. If not paid within sixty (60) days, a lien will be placed on the property to be placed on the property taxes as a special assessment. The city is looking to contract with a company for removal of vehicles not attended to.
2. Grave Hotel insurance and possible lien on property guaranteeing clean up and repairs needed (ex: sidewalks and streetlights).
  - a. Attorney Brooks has contacted Letter Creek, LLC and their attorney, Brad Condra, regarding cleaning up the Graves Hotel site and repairs to light poles and sidewalks. Condra stated they did not get a clear and unequivocal answer from the county about entering the scene to start cleanup. There is a company that is ready to start cleaning up as soon as they are cleared to do so. It has been mentioned the owners of the Grave's Hotel will return and do something with the property. The Mayor, Paul Otten, and Attorney Brooks think the county should have received word back from the EPA or DNRC regarding any contaminants. Brooks stated Condra had submitted a revised spoliation form regarding artifacts and historical items to the county but has yet to hear back from them. Attorney Brooks thinks the best suggestion is to schedule a meeting with the county, sheriff's office, city, and any others needed to help answer or get answers to any questions.
3. Formal letter to Sheriff's office for enforcement of unlicensed /inoperable vehicles and draft courtesy notices for weeds and junk vehicles.
  - a. Mayor Otten will deliver the signed letter to Sheriff Misner. A signed copy of the letter will be included with the minutes.
4. Vote on Resolution 2023-05 for mail ballots.
  - a. Per Attorney Brooks this is moved to the Aug 8, 2023 council meeting at the request of County Clerk and Recorder, Megan Cameron.

**CITY ATTORNEY REPORT:** City Attorney Brent Brooks

1. Burroughs revised survey and land sale.
  - a. Attorney Brooks has a draft resolution ready to go once he hears back from Mr. Burrough's attorney. Brooks has sent a revised certificate of survey by Andy Stensrud to Logan Nutzman on July 6, 2023. Two other necessary documents needed will be a buy and sell agreement and a title commitment.

## **NEW BUSINESS:**

**PUBLIC WORKS DIRECTOR REPORT:** Bob Schuchard reported there has been no word back from Eastman Sign, in Lewistown, on the E57B sign. The Rail Trail has been fixed as requested by Beth Keating. Bob also reported that 3 minors smeared poop on the mirrors in the bathrooms in the park. They were identified, via video, and Sheriff Misner will deal with them. Misner is looking for funding to install cameras in more locations in the park. Schuchard also stated that Central Montana Water project found at least 15 leaks which could delay the water to Harlo. Water line replacement by the Post Office is going well. While Bob was working with the construction company, they discovered a 4" water main line to the basement of the Museum that was not capped. This has been remedied to prevent possible flooding.

Bob Schuchard, mentioned an alley where the resident had removed a clothesline, including the poles with cement still attached, and threw them, along with some additional cement, into the alley. This poses a hazard during snow removal.

**REPORT OF THE CLERK-TREASURER:** City Clerk-Treasurer Debbie Johnson reported the city has purchased Zoom for meetings.

**REPORT OF THE MAYOR:** City Mayor, Paul Otten, discussed water requirements for the New Hospital. Great West Engineering, Mayor Otten and Public Works Director Bob Schuchard are suggesting an 8" water main to the new hospital that will split into one or two 2" pipes that feed into the hospital for metering. If needed for fire suppression, the 8" main would be used. RPA (wastewater) and Great West (water) are working on the project. They are waiting for annexation into the city to begin building. Per Attorney Brooks and Mayor Otten, we would need a property description. The petition may require a map drawn to a size adequate and legible to show surrounding properties. The water and sewer lines will be property of the city once the hospital is annexed into the city. Also, Brooks sent the interlocal agreement to Nathan Bilyeu with one minor change and will forward to Kelly Evans. The mayor mentioned a meeting at the Property Assessment Townhall at the Library 7-26-23 at noon. He also spoke of a WWII American Heritage City event in Lewistown Montana on Saturday Aug 19, 2023 at 2:00pm to include \*B17 Fortress Crew Training Facility Walking Tours\*Guest Speakers\*Ice Cream\*Music\*Dancing. The flier will be posted in several locations around the city.

**REPORT OF THE SHERIFF:** No Representation

**ITEMS FOR NEXT MEETING:** Motion to move the voting on Resolution 2023-05 for mail ballot from 7-25-23 to 8-8-23. Ron Teig made a motion and Councilmember Kathleen Schreiber 2<sup>nd</sup> the motion. Motion passed unanimously.

## **CLAIMS:**

Charley Bennett questioned the phone and internet bill at the pool. City Deputy Clerk Deshawnda Carver confirmed it is correct as it includes the 911 phone installation. Charley Bennett made a motion to approve the claims and Kathleen Schreiber seconded the motion. The motion passed unanimously.

The meeting was adjourned at 8:12 pm.

Council Members Present: Charley Bennett, Ron Teig, Johnny Cooney III, Kathleen Schreiber, Allison Jones

Council Members Absent: Frank Brouillette

City Office: Mayor Paul Otten, City Clerk-Treasurer Debbie Johnson, City Deputy Clerk Deshawnda Carver, City Attorney Brent Brooks, Public Works Director Bob Schuchard

Sheriff's Department: No Representation

Public Present: None

  
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Paul Otten, Mayor

  
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Debbie Johnson, City Clerk-Treasurer