

January 09, 2024  
Harlowton City Hall

A regular meeting of the Harlowton City Council was held on January 9, 2023. The meeting opened at 7:00pm with the Pledge of Allegiance.

The minutes of the December 12, 2023 Council meeting were approved as written.

Public Hearing minutes from the November 14, 2023 meeting were approved.

**PUBLIC COMMENT:** Rob Elwood started by saying he appreciated the public works department for cutting down the trees on A Avenue. They did a wonderful job. Mr. Elwood spoke about the crosswalks by Midtown Market 2. As he approached the crosswalk multiple times in bad weather, he came near a pedestrian he could not see. He gave a suggestion on where the crosswalk could be placed and suggested the implementation of flashing lights. Rob also brought forward the rewiring of the power poles, he suggested we add a 22VOLT receptacle, and he would like to see an Electric vehicle charger placed there as well. He also offered to help install. Council person Charley Bennett asked if they were going to be putting one out at Rays Oasis. Rob Elwood let him know that the style of electric vehicle charger is compatible with all electric vehicles. Elwood also informed the public that Tesla has come out and informed Rays that the charging ports that will be put in are not going to be compatible with all electric vehicles. Elwood also believes that it would be good for the city and will put many businesses downtown on the map for people traveling. Bob Schuchard, our Public Works director then stated, any additions or lighted crosswalk signs would have to be approved by the Department of Transportation.

Susan Beley brought up a Facebook post made by a Council member that described Harlowton as one of the most dangerous cities in Montana. Susan stated this was false information by a fake news account. She believes it shed a negative light on our city, our police, and our Judges. She believes the post should be shut down, and this is not appropriate for our council members to be posted.

#### **COMMITTEE REPORTS**

**Library:** Council member Johnny Cooney said they have an additional member, Lara Brisco, that they would like to have join their board. Asked for Council approval - council approved.

**Ordinance:** Have not met yet, per Council member Frank Brouillette

**Pool:** Charley Bennett informed that they have ordered a pump for the pool and is speaking with someone to have the pump installed and he is still waiting for a bid for the cost of the upgrades. He also passed a photo as an example for the installation of a seal for the bottom of the pool. He stated that they would guarantee this sealant for 15 years.

**Tree Board:** Nothing to report, per Public Works director Bob Schuchard.

**Wetlands Rail Trail:** Nothing to report, per Council member Ron Tieg.

#### UPDATE ON PAST AGENDA TOPICS:

**UPDATE ON DECAY ORDINANCE COMPLAINTS:** Discussion ensued about whether any vehicles have been stickered. Charley Bennett stated he believes only one vehicle has had a sticker placed, and that they would like to get the vehicle towed to the dump. A discussion ensued about having vehicles being brought to the dump and where they would be placed. Public Works Director Bob Schuchard stated that we would need to speak with the fire department, because it could be a liability if too many vehicles were placed within the dump site. Schuchard agreed that we need to have a form or documentation to ensure that the city will not be held liable for any of the vehicles. Julie Berg informed the council that the vehicles would need a title for the vehicles to be towed away or discarded. City Hall will be verifying the need for titles, as well as verifying with MMIA regarding insurance liability coverage. A discussion between multiple people then ensued about the need of a title for a vehicle being removed. Mayor Paul Otten stated to put information on Facebook and in the newspaper letting the public know that there would be a drop off day for junk vehicles that will require an appointment, once there are three vehicles brought to the dump, we will contact Jay Dempster out of Laurel and have him tow them away.

#### UPDATE ON PREVIOUSLY DISCUSSED ITEMS:

1. Approval of second reading on Floodplain ordinance 02-2023. Motion passed. Council Member Johnny Cooney motioned to pass, Council member Frank Brouillette second that motion. Five in favor, one opposed. Council member Charley Bennett opposed.
2. Approve resolution 2023 budget amendments for FY 2023. Council member Ron Tieg motioned to approve the 2023 budget amendment, Council member Kathleen Schrieber second the motion. Budget passed unanimously.
3. Council member Charley Bennett presented a recycling compactor to the Council, he has a meeting set up to speak about grants for the purchase of the compactor. Bennett and Schuchard discussed placement of the compactor, which they believe the best location is the Harlo skate park. Bennett let the council know that the company will come to retrieve our smaller recycling bins (for paper, plastic & cans) and replace them with larger ones. Discussion then ensued about the compactor and how it works, and if there was any liability associated. Council member Frank Brouillette was concerned on who was going to maintain the compactor to which Charley stated that whomever we purchase the compactor from is who will be maintaining it.
4. Merrilee Swickard started off with a written statement about cutting trees down. (Swickard's statement included with the minutes) as well as a handout (also included). She stated this is not the first time she has addressed the City Council regarding the care and maintenance of our trees. She stated she has seen what appear to be perfectly healthy trees being cut to the ground. She says she is not a tree expert, but she has done

some gardening and has been around over 80 years and has common sense. Josh Stoychoff, from the Department of Natural Resources and Conservation was present. He mentioned he was in attendance to answer any questions anyone might have regarding the trees. Stoychoff mentioned that he has worked with Harlowton's Public Works Director Bob Schuchard in previous years regarding the trees. Stoychoff also mentioned that in 2014 there was an inventory done on critical and concerned trees. Public Works Director Bob Schuchard stated that in the summer they are very busy so the only time they can get to the priority trees in the winter. The trees in question were on the list made back in 2014. Stoychoff then stated that that this report is available in a more detailed format, and he would be happy to provide the information to Schuchard. A discussion then ensued over the age of the trees and whether the trees were dead, decaying, or healthy. Schuchard stated he has been in the Public Work position, as well as trimming and removing trees for 18 years. Schuchard stated he has also attended three training courses regarding tree trimming and maintenance, one of those classes being taught by the DNRC. Bob has lost sleep over these dead trees wondering if they will fall and hurt someone and has had homeowners argue with him about the trees' condition. The Public Works team has had to call the Sheriff's department to come and remove Ron Swickard from entering a coned off worksite, where tree limbs were being fallen from a rotting tree. This was done to ensure his safety as well as that of the Public Works team. Schuchard then showed some examples of trees that were structurally unsound, with the centers rotting out. Stoychoff stated that he agreed with Bob but that he felt there needed to be a plan in place. Councilmember Frank asked about the tree board committee. Discussion ensued from the public about the interest in being on the tree board. Mayor Otten stated that we will be taking applications for a new tree board committee and present that at the next council meeting.

5. Council member Frank Brouillette and City Attorney Brent Brooks discussed the mock RV ordinance: Brent opened the table for conversation on the RV ordinance draft; Brouillette stated that the ordinance was vague, but that might be a benefit. Brooks concern was if there are designated snow routes that would need to be stated in the ordinance. The council suggested that we put notifications out to inform the public of the ordinances so that everyone is aware and complying. TJ Tupker and our Public Works Director Bob Schuchard mentioned the fact that someone was living in a camper on the street. DISCUSSION ENSUED. The Mayor stated that there should be a time limit for the ordinance. Brooks was open to suggestions and requested that any be emailed to him. Council member Roger Kitts brought up that he has a box trailer, and this ordinance would be difficult because he must have his work trailer. He stated that he will move the trailer, but the ordinance will be difficult to uphold. The Council will send suggestions to Brent, and we will get a revised version for the next council meeting.

**NEW BUSINESS:** Council member Frank Brouillette went over the options of the CDBG (community development block grant), Mayor Otten presented a website link for additional Harlowton City Council Meeting January 9, 2024

information. They suggested that the Musselshell Valley Development Co-Op reach out to the CDBG, for funding information and to work with the County.

**PUBLIC WORKS DIRECTOR REPORT:** Public works director Bob Schuchard stated that he has been trapping beavers, eleven so far with the help of Nathan Meek. The beavers have gotten so out of control Bob was not able to do it alone. Bob also stated that the Dodge trucks transmission, and front end went out. He got a quote of \$8,000 for the transmission and \$1,000 for the front end to fix. The Council members were all in agreement to get the truck fixed. Schuchard also informed the Council that he was called out on Sunday for a plugged sewer. After speaking with the homeowners, the pipe was clogged with tree trimmings. The homeowner states they would remove them. Bob finished by stating that there has been no word about the grater repair yet.

**REPORT OF THE CLERK-TREASURER:** Clerk-Treasurer, Lexi Petersen, informed the council that she had ordered security cameras, and the Public Works team installed them. We need two more installed and are waiting on the panic buttons to be set up with the Sheriff's department. Ms. Petersen also shared the RAIL again and let everyone know that they will be able to update and add changes to the live version of the document. She also wanted to let everyone know she found a new company to work with us on payroll since it take two days currently to process and submit payroll, this new company will minimize the time spent on payroll. She will bring forth more information at the next meeting. Clerk-Treasurer Petersen also signed up for Sourcewell which is a government discount program, this will help us purchase lighted speed signs and a vehicle.

**MAYORS REPORT:** Mayor Otten stated he received a phone call from the Owner of the Graves, Jeff Samuelson. Jeff stated they had no plans to rebuild the Graves. Jeff stated he has three potential buyers for the property, but wanted to know if the City was interested in purchasing the property. Mayor Otten stated that the property is not as big as one might think, and contains no area for parking, so it would not be a benefit for the City. Public works director Bob Schuchard asked who was going to fix the sidewalk that was destroyed during the fire? Everette Misner stated that the County will pay if damage was done. Mayor Otten then said if the county said they will fix it then they will. Mayor Otten then stated the wastewater project will be starting the 26<sup>th</sup>. And phase 6 of the water project is on the 16<sup>th</sup>.

**ITEMS FOR NEXT MEETING:** Payroll information from Clerk-Treasurer Lexi Petersen. Presentation on the compactor, from Charley Bennett. Council member Frank Brouillette will have more information on trailers, and potential property sold by the city. Deputy Clerk Sarah Williams will have applications for the Tree Board Committee.

**CLAIMS:**

Frank Brouillette made a motion to pass the claims. Kathleen Schriber second. The motion passed unanimously.

The meeting was adjourned at 9:15

Council Members Present: Ron Teig, Charley Bennett, Johnny Cooney, Frank Brouillette, Kathleen Schreiber, Rodger K tts



Council Members Absent: none.

City Office: Mayor Paul Otten, City Clerk-Treasurer Lexi Petersen, Debbie Johnson, Public Works Director Bob Schuchard, City Attorney Brent Brooks via Zoom, City Deputy-Clerk Sarah Williams  
Public Present: TJ Tupker, Rob Elwood, Dane Elwood, Josh Stoychoff, Susan Beley, Marylee Swickard, Arlene Tandberg, Julie Berg, John Elwood, Margie Elwood



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Paul Otten, Mayor



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Lexi Petersen, Clerk-Treasurer