

March 26, 2024
Harlowton City Hall

A regular meeting of the Harlowton City Council was held on March 26, 2024. The meeting opened at 7:00pm with the Pledge of Allegiance.

The minutes of the March 12, 2024, Council meeting was approved as written.

PUBLIC COMMENT: Tim Cavanaugh reported that his water was still black and stinky. He stated that Public Director Bob Schuchard has been very helpful but that it is still an issue. It has been bad since the new water was implemented. He also stated he is speaking on behalf of Kayle & Debbie Allen, whose water is also bad. Mayor Otten stated we will get Tim Cavanaugh on the agenda for next meeting.

COMMITTEE REPORTS

Library: Council member Johnny Cooney stated that there are still issues with the sewer. Head Librarian Tina Peterson is going to talk to Jimbo Fisk about a bid to do the sewer work. Head Librarian Tina Peterson also stated to Council member Cooney that she would like a panic button. Clerk- Treasurer Lexi Petersen stated that the City Hall will get her situated with more cameras as well as a panic button.

Ordinance: Council member Frank Brouillette stated that they will be meeting soon.

Pool: Council member Charley Bennett stated that the handrails are now installed. That he is getting things ordered for this summer. He stated he hopes we get some interest in lifeguards soon. He was thinking the managers can recruit some high school students as well. If we don't get any interest in lifeguards, then we will manage with what we have. We might have to cut hours, etc.

Tree Board: Council member Ron Teig stated there is nothing new to report. They will be meeting soon. Clerk-Treasurer Lexi Petersen let everyone know that she did receive a grant for \$850.00 for Arbor Day. This will buy new trees to plant.

Wetlands Rail Trail: There is nothing new to report.

UPDATE ON PREVIOUSLY DISCUSSED ITEMS:

- 1.) Clerk Treasurer Lexi Petersen stated that Mayor Paul Otten spoke with Sheriff Everett Misner, and he stated that his office would be happy to take on the role of code enforcer. He stated that moving forward, anything that comes up in terms of violations, we are to contact WCSO, and they will take care of it. They will keep track and follow up as well. Mayor Paul Otten stated that Sheriff Misner came and talked with Clerk-Treasurer Lexi and Deputy-Clerk Sarah about ordinance violations, and that Misner stated he wants them to call in a complaint so that there is a call log, and a Deputy gets assigned to the complaint. Mayor Otten also stated that he gave Sheriff Misner Tina Hoegars contact information if any of the Deputies are wanting to get some training from her. Council member Frank Brouillette stated that if a conversation with his constitutes fix the problem, then why get the police involved? If they don't fix the problem after 30 days, then they can let the Sheriff's office know of the issue. Council member Charley Bennet

said we need to keep our noses out of it because it's a liability. Council member Roger Kitts stated that there is a way to talk to a community member without enforcement. City Attorney Brent Brooks then states that talking to community members you run the risk of being an enforcer, Brooks stated that Frank is right, but that he is trying to make sure that your actions are protected against. There are no laws against talking to people in the community, however its in the best interest to have the Sheriffs office take care of it. Attorney Brent stated that when you have conversations with constituents, they can be misconstrued. Mr. Brooks highly suggests that we always advise with the sheriff's office. He stated that we have something in Montana Code annotated about talking to people and it is crossing over into enforcements, and we could be told by MMIA that its not in their scope and not cover us as a City. Mayor Otten then stated, that's why we need to back off and get ahold of WCSO if we have any questions. Council member Charley Bennett stated that if someone gets a violation, they probably will talk to a ward member anyways. Council person Frank stated that he feels that the conversations he has had are not enforcing, that it's been more of asking the person in violation what their plans are to get out of said violation. Council member Roger Kitts stated that if police showed up at someone's house that is viewed as enforcement. Council member Frank stated yes, they have 30 days before they should get enforcement. Both Council members Frank and Roger feel that they talk to people who need help and that its more effective than sending the police to their homes. A discussion then ensued about getting people help if they need it, who can help and when.

- 2.) Council member Frank Brouillette stated he got the quote from the insurance office; it was quoted at 26,958.48 for both lots that the City is interested in selling. He stated that that in previous meetings he was told that the water was bad, and that he had called DEQ, and they informed him that they didn't test bad for taste, etc. Public works director Bob Schuchard stated that we do test every month and that the tests are hung in the office every time we test. He asked Frank to talk to George Williams who represents Harlowton. Tim Cavanaugh stated that he also gets black particles in his water as well. Public Director Schuchard stated that Kayle Allen is at the end of the line, and that his water has not failed any tests. He also stated that phase 7 of the water project would not begin until 2028-2029. He also stated that Mr. Cavanaugh's problem is the internal plumbing. Council member Frank stated that we will get to that at the next meeting as its on the agenda.
- 3.) Clerk-treasurer Lexi Petersen stated that she was not clear on who we decided to contract with the rebuild of the Boomer Trail Bridge. That she has only received a bid from Kevin Knudson. Council member Charley Bennett stated that he was told we didn't want the other bid from the Hutterites. To which Lexi replied it wasn't her that stated we didn't want the Hutterite bid. Council Member Brouillette stated that we discussed that we liked Kevin Knudson doing the work because we liked using metal. Mayor Paul Otten then asked Attorney Brent Brooks to write up the paperwork for the bid to be received.
- 4.) Attorney Brent Brooks was then asked to update us on civic plus who would be rewriting our ordinances. He then stated that we would pay the first of four installments on or before July 1st. Its an 18-month process to which we will be billed four times. The fist time

cost will be around \$10,000 then the other costs are for annual maintenance on the ordinances which would be between \$200-300.00. Civic plus will revise or ordinances, organize them, fix them, and improve them. He said it is intense and tedious work for Civic Plus, this is why it costs so much. Mayor Otten asked if anyone would like to make a motion to pass on this to which Council Member Frank made the motion and Council member Kathleen Schrieber seconded the motion. It was passed unanimously.

NEW BUSINESS:

Shauna Eagleton then asked about a long-term lease on two city lots on Wheatland Ave. She, along with Jeff Eagleton and Dean Thompson, would like to use it for a Central Montana food hub. Central Montana does not currently have one. It would connect producers with a sales market, consumers, and wholesale. Shauna stated that she has been working with Snowy Mountain Development this last year to help make this happen. She stated that there is a need, and there are dozens of producers that are on a small scale, and this would be a great place to get their product distributed. There would be a commercial kitchen, a large walk-in cooler, and a large walk-in freezer. Also, that the commercial kitchen would be available to the public. She stated that it would be the home to Harlo Honey to be expanded on, stored, and sold from there. This food hub will act as another connection to other food hubs in the state, a place where they can all work together. Eagleton's and Thompson have looked around they feel that the city property by the Cream of the West would be best. They feel that its in a perfect spot, being slightly out of town for large trucks to come through but also still close enough to town to boost the economy of the City. They also stated that this will also create jobs for Harlowton. Shauna asked that we lease the property longer than 10 years. Council member Frank Brouillette stated that for businesses we usually do 25-year leases, and that we might need a bid. He also stated that they were on the flood plain. A discussion then ensued about the property being on a flood plain and what they can do to fix it, and who they can get ahold of. Attorney Brent Brooks said the bid is the Council members discretion, and that he would write a draft. He stated that the Eagleton's and Dean would need to write a summary on what they plan to do with the property, and he would draft a lease.

PUBLIC WORKS DIRECTOR REPORT:

Public works director Bob Schuchard stated that the City is having their city-wide yard sale in May, so he would like to set up a city wide clean up day shortly after. Mr. Schuchard and his assistant Jeff Perry were awarded a plaque for water systems of the year. They were given this at their annual summit in Great Falls. He stated that the city has purchased another vehicle, it will come in handy for the city crew. Bob also stated that while he was in Great Falls he spoke with another vendor on light bulbs which would be less costs to the city. He then stated the sewer project is now on Pritchard Street. Council person Frank Brouillette stated that he has a constitute ask why the sewer project wasn't announced? They had torn up this resident's sidewalk, all the way up to her fence, and she is concerned her dogs will get loose. Public Works director Bob Schuchard stated that when its streets we do not have to give a notice, but when its sidewalks we do. He was unaware of this as he is on medical leave, but Assistant Public Works Director Jeff Perry might have more information on this. Council Frank Brouillette stated he will follow up with Mr. Perry.

REPORT OF THE CLERK-TREASURER:

Clerk-treasurer Lexi Petersen stated that she put in for the Callant Grant, 70,000. That she is asking for 54,000 for the pool. 10,000 for the transfer station and 3,000 for the spay and neuter program. Treasurer Petersen then spoke about having a program called Text my Gov, which means that the residents of Harlo would get their notifications on their cell phones instead of having to rely on Facebook notifications. Wheatland County LEPC director Cody Nelson also stated that they are using a form of this, and they would be happy to include the City of Harlowton. Council Frank Brouillette stated he is interested in having more information on Text my Gov. Treasurer Lexi said she will get more information out to the Council members. She also stated that she spoke with Dave from Four Corners Recycling, and he will be put on the agenda to speak at the next meeting.

MAYORS REPORT:

Mayor Otten didn't have anything to report.

ATTORNEY REPORT: Attorney Brent Brooks stated he has spoke with Burroughs attorney and they are thinking about separating the lots now and might do sperate surveys. Mr. Brooks stated that he is currently working on quite a few misdemeanor city cases. Mr. Brooks also stated that our City Judge Sheila Crow stated that judges across Montana are wanting to implement interpreters for the jail. If someone comes in and doesn't speak English, we will have someone we can call to interpret for us. This will cost a bit, and we could budget for it. Judge Crow will have more information on this later. Mayor Otten stated that he wanted to be clear on one thing, the City of Harlowton is done paying for any additional changes within the Burroughs property deal. Attorney Brent then stated that he did let them know that he can help them but that they are financially responsible.

WCSO REPORT:

Deputy Froeses stated that if there is a complaint regarding decay/junk, to please come file a report with the Sheriffs office so that they can follow up on it.

LEPC REPORT:

LEPC Director Cody Nelson stated that he will be attending more meetings, if it something that pertains to him and what his department does, please give him a heads up so he can make sure he is here.

ITEMS FOR NEXT MEETING:

Dave from four corners speaking about recycle bins. Tim Cavanaugh will be speaking about his water situation. Shauna Eagleton will speak more at length about the food hub and Attorney Brooks will have a draft of a lease. Justine Breeding will be here to talk about building addition.

CLAIMS:

Council member Frank Brouillette made a motion to pass the claims. Council member Ron Teig seconded the motion. The motion passed unanimously.

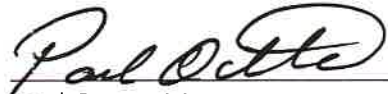
The meeting was adjourned at: 8:13 p.m.

Council Members Present: Ron Teig, Charley Bennett, Roger Kitts, Frank Brouillette, Kathleen Schreiber, Johnny Cooney

Council Members Absent: none.

City Office: Mayor Paul Otten, City Clerk-Treasurer Lexi Petersen, City Deputy-Clerk Sarah Williams, Public Works Director Bob Schuchard, City Attorney Brent Brooks by Owl, LEPC Director Cody Nelson, WCSO Deputy Kevin Froeses

Public Present: Dane Elwood, Russell Barnes, Tim Cavanaugh, Dean Thompson, Julie Berg, Jeff Eagleton, Shauna Eagleton



Paul Otten, Mayor



Lexi Petersen, Clerk-Treasurer

