

July 26, 2022
Harlowton City Hall

A regular meeting of the Harlowton City Council was held on July 26, 2022. The meeting opened at 7:00pm with the Pledge of Allegiance.

The minutes of the July 12, 2022 Council meeting were approved as written.

PUBLIC COMMENT: None

COMMITTEE REPORTS

Council member Jack Runner stated that the library would be joining the Montana shared catalog soon. The summer reading program would be wrapping up tomorrow with a pizza party. The library received \$1500 from the wind impact grant. Dean Sorenson would be fixing the library front door soon. Bear grant funds would be used for the project.

The Ordinance committee did not meet this week.

Council member Charley Bennett gave a report on the pool. The parts had been ordered for the safety wheel for the pool cover. It would be \$1064, delivered. The pool is averaging 40 to 45 kids per day. With adults it's approximately 60 to 70 people per day. Swim lessons session one had 36 children and session two has 30. The chemical machine is requiring much less chemicals than last year. About two barrels have been used and last year it was eight to 10 barrels.

Public Works Director Bob Schuchard stated that there was nothing new to report on the Tree Board.

Council member Ron Teig gave a report on the Wetland Rail Trail. Leafy spurge was growing in the area.

NEW BUSINESS

- 1) Wendy Elwood, representing CommUNITY builders, was present to share ideas for a 5k on 9/10/22. The event would be for suicide prevention awareness. It would start and end at Chief Joseph Park and would include the Boomer Trail. The participants would sign non-disclosures for liability/injury. The event would not be going through more populated areas of the City and would not include the highway or any main streets. Council member Allison Jones asked about traffic control. Wendy stated that it would avoid busy areas. Ron made a motion to allow the event to use the park. Frank seconded the motion. The motion passed unanimously.
- 2) Paul stated that the Council would need to officially accept Do All Construction's bid for the Phase 5 water project. Frank made a motion to accept the bid. Ron seconded the motion. The motion passed unanimously.
- 3) Discussion took place regarding the City-owned land Boyd Burroughs had been interested in either buying or leasing. Local Real Estate agent Julie Woodard was present to give her

fair market value assessment as well as the information she had gathered regarding it being in the floodplains. Mayor Paul Otten stated that it could be sold even though it was in a floodplain but that the new owner must abide by the FEMA regulations for building. Frank asked if an easement would be worked into the sale. Bob stated that this would be necessary. Julie presented her findings. She had found a legal description of the property from the County Clerk and Recorder but that it only included the southern half of the property. The legal description included 9 acres but only 1 acre is being looked at because that it is the section Boyd wants to purchase. Julie presented a map of the area and explained that the "point of origin" is at the Misner's property and measured up to the Keating property's fence line. Julie strongly encouraged the City to create an agreement with whoever purchases the land stating that the City would not be liable for any damages and that the new owner is aware that it is in the floodplain.

Julie's findings were comparable to a recently sold piece of land that went for \$13,000.00 in 2014. Because that property was buildable, she took approximately 25% off the value of the City's property being discussed. It would come to \$10,121.00 per acre.

Discussion took place regarding the County property lines. The property being discussed is City-owned but not in City limits. Discussion took place regarding whether or not animals could graze on the land because of its vicinity to the waterline. Julie suggested that the City include in the sale that the buyer is responsible for the cost of surveying the land. Paul stated that \$10,000.00 was a lot for a small strip of land. Discussion took place regarding similar pieces of land in town. Fence lines were also discussed as well as neighboring properties. Land use was discussed.

Julie stated that it must be openly advertised for bidding. Paul stated that it would also be advertised in the Times-Clarion newspaper with a minimum bid. Paul would talk to Boyd.

- 4) The Council discussed wages and the budget. Charley reminded the Council that two employees whose livelihoods are being discussed are in the room and to mind what is said. Jack presented the Council with a document he had created based on wages of similarly sized cities/towns in Montana. The document included starting and max wage scales for various positions.

Paul explained that last October James had been let go because he had not passed any operating license exams in a timely manner, as per his employment contract. When James left, Paul took the wages (\$15.91) and split them between the other Public Works employees. This was done without Council approval. The budget was not affected by this because an employee's wages were just dissolved into other employees. Paul stated that there were two options for handling this. The Council could do a Resolution to approve the wage increase that already happened, or they could rescind the raises. City Attorney Karen Hammel stated that the second option could get complicated. It was agreed that Karen would draft a resolution to be reviewed at the 8/9/22 meeting.

Allison voiced her frustration with the lack of communication with the Council during the events in October. She stated that if things were brought to the Council's attention immediately, perhaps a solution could have been found.

Bob stated that he did not have a problem with his wages at the time but that another employee had been offered a job and the mine making more money. He stated that if he

wasn't paid more, he would leave for the other job. When this happened, Bob was offered 3 different positions with other places. When they approached Paul to ask for more money for the employee, Bob's wages had to be raised to compensated for the Director's position.

Discussion took place regarding hiring another employee at the Public Works department. Expectations and wages were discussed. The issue of the position needing to be first priority was discussed. Currently another employee has multiple jobs and it is affecting his performance. Frank stated that the supervisor should be handling that and that Bob should do it. The new employee needing a CDL was discussed. Currently Bob is the only one with a CDL for trucks. The ad would included "CDL preferred".

Discussion took place regarding some employees getting raises and others not. Karen stated that it could create a problem. Lara would post an ad in the Times-Clarion for a fourth Public Works employee.

- 5) The progress with Decay Ordinance complaints around town was discussed. Frank stated that the property by Norman Schuchard's was being cleaned up some. The person who moved in was weed-wacking. Bob found the shut off at the property but the water was still on. The new tenant wants to take over the bill but currently it is over \$300 overdue. Charley stated that a citizen had approached him regarding someone in an apartment next to their business throwing trash onto the business's roof. Karen stated that it was in violation of the nuisance ordinance. She stated that a letter should be drafted and the process of a formal complaint should get started. Discussion took place regarding garnishing wages to pay unpaid utility bills. Karen stated that it was a process through small claims court. She was currently filing two cases through the circuit court on behalf of the City against properties. One property was in foreclosure.

PUBLIC WORKS DIRECTOR REPORT

Bob gave his report. The battery in the electrical box at the Thompson Well was not working. The HVAC was acting up and they recently fixed it.

Many trees throughout town had been blowing over with the recent bad weather.

He had turned the land farm 2 times so far and the weather had been good for it—heat and moisture.

There was issues with Todd Schock not regularly spraying the noxious weeds. The weather had not been good for it. Bob would like Todd and Kelsey Miller to attend a Council meeting to discuss the process.

Recently someone had dumped a BBQ and other personal items in the dumpsters at the park. Discussion took place regarding setting up game cameras or fences to prevent this.

Bob expressed his concern with Daphne Young's property having one water meter for two properties. She had complained about the radiation off them as well as mosquitos being sprayed by her house. Discussion took place regarding the "special treatment" she was receiving. Bob stated that she had also started parking over the shut off valve so that they could not turn her water off. Karen stated that the Sheriff's department should get involved.

REPORT OF THE CLERK-TREASURER

City Clerk-Treasurer Lara Brisco gave her report. She met over the phone with local artist Joni Freeser to discuss a map being drawn for the enclosed bulletin board going up at Chief Joseph Park. Her rates were high, at around \$500 to complete the project. Lara thought of maybe reaching out to the high school art teacher to see if a project with the students could be coordinated. The council agreed that would be a good idea.

Larry Callant had responded to Lara's request to directly distribute funds to the two vets in town using the pet program Callant grant. Larry gave the green light for her to give them the funds to manage. Council agreed that this would be ok to do. Lara will send a letter and the checks out this week.

MAYORS REPORT

Mayor Paul Otten Gave a report. The City had recently sent Sabrina McCraw a certified letter stating that she had two weeks (expiration August 4th, 2022) to show a current handicap placard or the sign in front of her house would be taken down. The City had not heard back from her so far. The Sheriff's office would pull the sign next week if there was no response.

August 16th Dan Clark from the MSU Extension services Local Government Services would be in Round Up giving a presentation. The Mayor of Round Up had invited the Mayor and Council to attend. The City is seeking a request for qualifications from City attorneys. Edward Guza in Bozeman presented information via email. \$225/hr for him, \$185/hr for a Deputy Attorney and \$175/hr for a paralegal. This would not include travel costs or office expenses. Paul would be meeting with Round Up's attorney, Brent Brooks, this week and would hopefully get his qualifications.

ITEMS FOR NEXT MEETING

The next council meeting will be August 9, 2022 at 7:00pm. Charley suggested discussing the military base work that would be happening soon and the need for housing. He stated that he would get in touch with Senator Tester's office.

Charley stated that Judith Gap got speed reader signs. Lara stated that she would inquire about the cost and look into any available grants through the department of transportation.

CLAIMS

Frank made a motion to pass the claims from July 11 through July 22, 2022. Ron seconded the motion. The motion passed unanimously

The meeting was adjourned at 9:05pm.

Council Members Present: Allison Jones, Charley Bennett, Jack Runner, Frank Brouillette, Ron Teig

Council Members Absent: Kathleen Schreiber

City Office: Mayor Paul Otten, City Clerk-Treasurer Lara Brisco, Public Works Director Bob Schuchard

Public Present: City Attorney Karen Hammel, Julie and Cass Woodard, Wendy Elwood, Chad Roelfs

Paul Otten, Mayor

Lara Brisco, Clerk-Treasurer