September 10, 2024

Harlowton City Hall

A regular meeting of the Harlowton City Council was held on September 10, 2024. The meeting opened at 7:00pm with the Pledge of Allegiance.

The minutes of the August 13th, 2024, Council meeting was approved as written.

**COMMITTEE REPORTS:**

Library: No report.

Ordinance: No report.

Pool: Council person Charley Bennett stated that the pool is shut down, he is waiting on cameras, and he hired the Hutterites to do the pickleball court.

Tree Board: Meeting is on Thursday at 4 pm. Josh from DNRC would like to attend. Josh wants to put in for a grant for new trees, and another grant to have a different crew trim the trees.

Wetlands Rail Trail: No report.

Public Comment: Julie Berg asked for a clarification on what and where the Rail Trail was at.

**UPDATE ON PAST AGENDA TOPICS:**

**UPDATE ON DECAY ORDINANCE COMPLAINTS:**

Council person Charley Bennett stated that Robinson bust be done cleaning for this year. Charley mentioned he would stop over and see what he has done so far. Marilyn Fake asked if there was an update on the Sarah Peck property. She also stated that she wanted to share that there had been a few vehicle changes as of last meeting. She handed out a picture. Council member Frank Brouillette asked what the concern with the vehicle was? And Marilyn stated that it had just showed up, and she was asked to keep track of activity. Council person Jack Runner stated that we now have the city attorney involved, and the county sanitarian involved. He stated that things will be coming together shortly. Mayor Otten stated that Cody Nelson briefed us in an earlier meeting on what is going on and what will happen. Council person Charley Bennett asked if the neighbors were in fact getting bed bugs and cockroaches? He asked if there was some kind of law. Cody Nelson from Emergency Management stated that cockroaches are annoying, they are not an animal that can transmit disease. So, there isn’t anything that can be done for them or bed bugs. For something to be considered a pest, and the for the Sanitarian to step in it would have to be a feral cat, rats, raccoons, etc. The council and others went over the report by the county sanitarian. Public works director Bob Schuchard stated that they are currently not paying for water or sewer so that is theft of services. Mayor Otten asked Coy Nelson how we were going to know that they stopped the sewage problem? Cody stated that it will be hard to tell, but they received the notice that they must change things. They now have a grace period to fix these things. Then when we follow up, we will determine if there is a usable toilet there, and we will probably follow up with theft of services as well.

Julie Berg asked if the lawyer and the city came up with a formal letter to send to the people who still have decay? Councilmember Jack Runner stated that they discussed it at the last meeting and Brent was going to send over some formal letters that we could possibly use. Mayor Otten asked who are the people who have messes that are out of town? Jule Berg stated she can get some of those addresses. She stated off the top of her head, the building between the old times building and the new times building, property that is on the hill up toward the golf course. She asked where we are moving on anything that we all discussed last spring. She stated that there is a property that Councilmember Kathleen owns and as a council member it would be nice for them to set an example. Mayor Otten stated its true.

Cody Nelson then wanted to address the council regarding abandoned buildings and or burnt-out buildings. He stated that number one it is trespassing, not a health risk. If it is a private building owned by a private person and someone goes into that said building and gets hurt, they will be liable since it is trespassing. It is not the City or Governments responsibility.

**UPDATE ON PREVIOUSLY DISCUSSED ITEMS:**

**NEW BUSINESS:**

1. Selling property to Mike Deborde. Mayor Otten stated that there is a building on city property that no seems to know the details about. Charley Bennett stated that it used to be Jerry Mager’s place. Mayor Otten stated it looks like a building they brought in and put on a slab. Lexii at the insurance office is looking at it for us. It would be a small piece, kind of like what Greg Berg bought. Mayor Otten stated that he would have to survey it himself. Councilmember Frank stated that he will need easements as well. Discussion then ensued and more discussion will be held at the next meeting pending a fair market value report.

Public Comment: none.

1. Getting Anita Leach as a signer at the bank. Charley Bennett made a motion. Kathleen 2nd the motion. All in favor, passed unanimously.

Public Comment: none

1. Discussion on Bulk water rate. Councilmember Frank stated that we have the bill to look at, from Central Montana Regional Water, but I don’t understand how to read it. Susan Beley stated that she is so happy we bought the magic water. Deputy-Clerk Sarah asked if they want someone from Central Montana Authority to come and explain it? Council member Frank stated he wants to just find out what we are paying for a gallon of water, then we can know what to charge for bulk water. A discussion then ensued. The council decided that they would table this topic and discuss it at the next meeting. Mayor Otten stated he will ask someone to come explain it.

Public Comment: Susan Beley then stated that she lives by the tank and she doesn’t think people are being honest. She stated that she thinks they need to address that issue as well. People are filling at all hours of the day and night. Julie Berg asked why this is an issue? Why can’t we lock it up and only have it available during business hours? Public Works Director Bob stated that they do have a sign up, where to pay and the rate. He stated that in hid opinion that if you lock it, they will just go and use the spigot in town.

1. Discussion on Industrial lease. Mayor Otten asked if anyone had come up with any ideas for that? Councilmember Frank stated that thought we were going to get out of leasing that property and selling it? Mayor Otten stated that he would like to get out of the leasing business. He stated that he will try to get a fair market value on the properties. Council member Charley stated that when we sold some property for $6,000, we got screwed in that. Mayor Otten stated we aren’t in the real estate business. Council member Kathleen asked if then for instance, Cream of the West would buy the property? Mayor Otten stated that yes, and if someone else bought it then they would lease from that owner. Councilmember Kathleen asked what was going with Dans property? Attorney Bent Brooks stated that we have a couple of options as far as that property goes. The property is to not be used at storage. The other thing is that the lease requires Mr. Dempster to have a million-dollar insurance on the property with the City of Harlowton on that and furnish the City with the updated policy. The city could give him 30 days to comply. Or renegotiate the lease with Mr. Dempster. Councilmember Frank asked if this is something we need to be concerned about since we are selling the property? He stated that seems like a lot to go through if we are just going to sell. Council decided to discuss at the next meeting.

Public Comment: none.

1. Contract with Montana League of Cities and Towns. Mayor Otten stated that this is for Jody Rodgers to do our AFR this year. Susan Beley stated that she will need for her audit some sort of note from League of Cities and Towns that Jodie was authorized to take that money. Susan stated that she went three weeks without money. So, for the city court audit she needs something saying that the city authorized the league of cities sand towns to take the money or some kind of formal letter to go into the books. Susan then stated she is almost back up and running two months later.

Charley Bennet made a motion. Jack Runner 2nd the motion. All in favor, motion passed unanimously.

Public Comment: Susan Beley asked how much the contract was for. Mayor Otten stated that it is $65.00 an hour and costs for travel and lodging. Susan asked if we are even a part of League anymore? She stated that she feels like some pieces of the mentorship should have been free. Deputy-Clerk Sarah stated that we are members, we get all the member perks. But for training we must pay for their wages. Susan then stated that she thinks some of it should have been for free. Sarah replied that Jodie did do a lot of free hours and did a lot of things for the city.

1. Steps to take on how to get people to pay their past bills. Council member Charley asked if we are charging interest on the bills that aren’t getting paid? Mayor Otten stated he didn’t believe we were. Marilyn Fake asked if these old bills are people that currently have water services? Mayor Otten stated that no it was people who were severed that have left a past due balance. He stated that he thinks all we can do it go to small claims court. Susan Beley stated that we can go to small claims court for free as a municipality with the city court. Council member Frank asked how delinquent are they? Deputy-Clerk Sarah stated that some are years old. A discussion them ensued about the delinquent bills and decided that a formal letter would be appropriate. And if they want to make payments then we let them.

Public Comment:

**PUBLIC WORKS DIRECTOR REPORT:** Bob Schuchardstated they have been trimming trees and fixing pothole. He met with the hospital and the utilities are in as far as the cities side. A pre walk around inspection next week then a final inspection in a couple weeks. Bob then presented a letter written to the city about dogs running around the park, defecting and the owners not picking it up. Bob sated that he could tell you that there is five to ten people in town that do that every day. We have doggie bags, but people don’t use them. Councilmember Charlie stated that it has been brought up before. He said if you know who it is then scoop it up and throw it into their yard. Julie Berg stated that in the City of Sioux Falls, her stepson had to give DNA sample of their dog. And if its your dog then you get a fine. Council member Frank stated that it would be hard to prove who did it. Bob Schuchard said you could with a picture. And we have a leash law as well. Mayor Otten stated that if you get pictures then we will report it. And maybe we can catch whoever is dumping their garbage in our garbage too. A discussion ensued about cameras, and how to take care of this problem.

Public Comment: Mairlyn Fake suggested on a possible Callant grant to get cameras? There was then discussion about people trashing the park facility. Julie Berg said that most of the town doesn’t know about the damage at the park. Maybe a Facebook post on what is being done and if someone sees someone damaging the property to turn it into the police, since it is our taxpaying dollars. Susan Beley stated that when she was a kid the cops patrolled the streets, we have been sitting here for two hours and not one has driven by. She stated that it seems like we could use a little more patrolling around. Marilyn Fake stated she has no problem jumping in her car and taking pictures. Julie Berg stated that its not just police, its people in this community that needs to say something as well. Council member Frank stated that there is no expectation of privacy in a public place.

**REPORT OF THE CLERK-TREASURER:** Anita Leachstated that she has been working with Jodie on the programs to learn those. She did find out that the stalls were put in after the new area was built so she has more of a timeline of when they were put in. She also asked the council if she could take a continuing education class for $50, she would like to take. Councilmember Frank stated that yes, she should take the class. He then stated that he thinks its great she is the Treasurer, but council is supposed to vote and approve on department heads. Its been overlooked a few times, we need to do it properly. Can we get it on the agenda for next meeting? Mayor Otten stated that it was his mistake. And he apologized. Council member Jack stated that even wages need to be approved through council.

**MAYORS REPORT:** Paul stated that he kind of ran into a bind with the water bill with Central Montana, they emailed it to us, and we overlooked it. Deputy-clerk Sarah stated that we didn’t have a meeting. Mayor Ottenstated that sometimes the bill comes after the council meeting and sometimes its late, with council permission he would like to have the girls pay it as soon as it comes, and it will be on the claims for the next council meeting. Council member Frank asked if it was just for the water bill? Mayor Otten stated yes. Councilmember Frank said that sounds good.

**REPORT OF ATTORNEY:** Brent Brooks stated that he received updated email from Civic Plus on a list of ordinances of things they want to confirm. Brent stated that he Is happy to come down and help. He asked that Sarah respond back as the ball is in our court.

**REPOSRT OF WCSO:** no report.

**REPORT OF EMERGENCY MGMT, CODY NELSON:** Cody will update us at next meeting.

**PUBLIC COMMENT ON ABOVE REPORTS**: none.

**PUBLIC COMMENT OF ITEMS NOT ON AGENDA:** none.

**ITEMS FOR NEXT MEETING:** Council to decide on letters to be sent to people with decay issues as well as people who owe the city money.

**CLAIMS:**

Council person Frank Brouillette made a motion to pass the claims. Council person Jack Runner seconded the motion. The motion passed unanimously.

The meeting was adjourned at 8:35 p.m.

Council Members Present: Jack Runner, Charley Bennett, Frank Brouillette, Kathleen Schreiber

Council Members Absent: Johnny Cooney, Roger Kitts

City Office: Mayor Paul Otten, City Clerk-Treasurer Anita Leach, Deputy-Clerk Sarah Williams, Public Works Director Bob Schuchard, City Attorney Brent Brooks via Zoom, Emergency MGMT Cody Nelson

Public Present: Marilyn Fake, Susan Beley, Julie Berg, Lindsay Sramek

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Paul Otten, Mayor Anita Leach, Clerk-Treasurer