October 8th, 2023

Harlowton City Hall

A regular meeting of the Harlowton City Council was held on October 8th, 2024. The meeting opened at 7:00pm with the Pledge of Allegiance.

The minutes of the September 24th, 2024, Council minutes were approved as written.

**PUBLIC COMMENT:** none.

**COMMITTEE REPORTS**

**Library:** Council member Johnny Cooney stated that Jimbo and his guys were in the alley fixing the sewer line.

**Ordinance**: has not met yet.

**Pool:** Councilmember Charley Bennett stated that the Kiwana’s got the new sidewalk put in. He stated that he was just cleaning up the place and winterizing it.

**Tree Board:** Public works Director Bob Schuchard stated that he planted 4 trees in the park from Blake Nursery. Bob and Jeff went around and took inventory on available spots they can plant on the boulevard for the next meeting.

**Wetlands Rail Trail:** Roger absent.

**Public Comment on Committee Reports:** none.

**UPDATE ON PAST AGENDA TOPICS:**

1. **Discussion on decay ordinance and updates.** Clerk- treasurer Anita Leach stated that she had went through and got address on the pictures and took out old ones. She stated that Kelsey Hoge did call to check on the dump and Kelsey stated she would call back to get her mess cleaned up. Council member Charley stated that he helped Roy Hargrove who has previously been talked to about clean up. He lent them his truck and trailer to haul lots of garbage and straw, he stated that the clean up will be ongoing. He also stated he is helping clean up Dick Stoltz property.

**Public Comment:** Julie Berg asked if letters had gone out to others that need to clean up their properties? Clerk-treasurer Anita stated that she had been waiting on the city attorney Brent to get the letters finalized and run through the council. Julie Berg stated that the house by Wrzesinski, blue house owned by Joe Brouillette still has not cleaned up the property, weeds were still high, junk still around it. Why does it take so long? Attorney Brent Brooks stated that at the last meeting he presented the letters and was waiting feed back from the council members. He stated that is no one has any comments he can finalize the word document and send it to Anita. Cody Nelson with Emergency Management asked if there was any update to the D address? Anita stated that they had paid their water, including the past due. They have bought things to fix their pipes. They are working on it. Cody stated that as far as the correspondence between the sanitarian and council, was there any follow up on that? Mayor Paul Otten stated that there had no been any contact.

**UPDATE ON PREVIOUSLY DISCUSSED ITEMS:**

1. **HB 355 Resolution.** Maor Otten asked if everyone got a chance to read it.Councilmember Charley Bennett made a motion to pass the resolution. Councilmember Katheleen 2nd the motion. All voted yes, resolution passed unanimously.

**NEW BUSINESS:**

1. **Discussion with Lynn Grant and Aubrey Miller on sewer line damage.** Lynn Grant stated that there was an incident involving sewer backup into their homes, he stated that he made a claim with the city and with PEC regarding that because it corresponded with the work that was done around our houses. He stated there was several homes that suffered backups because of the work of PEC, and he wanted to bring it to the city’s attention and to make the claim to both the city and PEC. MMIA did investigate on behalf of the city and PEC has not responded to any letters he has sent. The day that they hung the tag on the door that said watch out for water coming up because we are going to be working in front of your house, two days later there was water in our house. As it turns out Lynn’s sewer line went south towards that street, 300-foot snake was put in by Stan Wilting, and he was never able to get to the end of it. He stated that they discovered that there is a septic system in the backyard and going in failed. But what happed after that it sat for about three weeks until Fisk could get in and fix it, in the meantime he had raw sewage backed up into the basement into Lynns home and Aubrey’s home. It sat for three weeks and hardened in there. When the time came to figure out what to do with this, we were talked into hooking up the sewer in front of the house, they couldn’t just turn on the water and flush the lines, it had to be augured out, Mike Stensaas did that work. It is flowing now. We are all set, we paid the bill, we made a proposal to the city and to PEC that if they pay for the repair, we will take care of the landscaping. MMIA needs to do their job, they turned us down based on the city ordinance that it is the homeowner’s job to maintain the lines, and that’s not what this claim is about. This claim is about something PEC did that day when they flushed the line below us, they backed up the pressure in the system and it caused the back up in our basement. Lynn stated that he responded to the letter MMIA sent stating exactly that. The guys that prepared this system can tell you exactly what happened, but they can’t tell you why it happened. And we believe its something PEC did while they were doing their work. What Lynn would like to do, with Aubrey Millers blessing, is he would like PEC to respond, and do their own investigation. Lynn stated he wasn’t here to get into the contract with the city and PEC, but he wants them to look at it. And an appropriate resolution here would be for us to take a third, the city to take a third and PEC to take a third. Lynn stated that he spoke with Jeff Sell and he stated that previous years when MMIA has turned down claims that the Council went and helped them anyways. That’s what Lynn would like to see done here. Lynn stated that if anyone has any questions, he would be glad to answer any. Mayor Otten thanked him for his time and stated he would reach out to PEC to see if he can get them to answer.

**Public Comment:** none.

1. **Alli Jones to change the date of the annual train lighting.** Alli Jones stated that last week and she spoke with Bob and Jeff, and she was hoping to light the train on November 30th. It’s only been moved up by three days. She wanted to get the councils blessing for that. Mayor Otten asked Public Works Director Bob if he had any problems with that to which Bob stated he did not.

Councilmember Kathleen made a motion to move the lighting of the train to November 30. Councilmember Charley Bennett 2nd the motion. All were in favor, motion passed unanimously.

**Public Comment**: none.

1. **Resolution for Mills/Government review.** Mayor Otten stated that he missed the boat on this one, it was supposed to be in last month, and he needed to get it up to the Treasurer’s office and that’s why it wasn’t on the agenda for last month. He stated its already signed and at the treasurer’s office he stated he just needs a motion and a second to adopt it to make it legal and binding. Councilmember Frank Brouillette made a motion to accept the resolution. Councilmember Jack Runner 2nd the motion. All in favor, motion passed unanimously.

**Public Comment**: none.

1. **Councilmember Charley Bennett to talk about cameras at the City Office.** Charley Bennett stated that we bought the cameras for the girls to have protection in the city office and now they are taken down. Mayor Otten stated that the girls don’t want any protection. That they are big girls, and they can take care of themselves. They don’t want any cameras. Councilmember Charley asked who doesn’t want the cameras? Mayor Otten stated that Sarah and Anita. Clerk-treasurer Anita stated that we didn’t need them. She stated that we were going to give them to the public works for the bulk water plant. Councilmember Kathleen Schreiber made a motion to give the old City Hall cameras to the Public Works department. Councilmembers Johnny Cooney second the motion. All in favor, it passed unanimously.

**Public Comment**: none.

1. **Discussion on per diem while at conferences.** Mayor Otten stated he didn’t remember doing per diem before, he remembers just getting receipts and giving them to the treasurer. Council member Kathleen stated that there was a per diem in place, there was a per diem for breakfast, lunch and dinner and gas. Public works director Bob stated that when Kathy Newland was here, they did it the way Kathleen is saying. Then it evolved into just giving receipts. Unless you drove your personal car then you get a mileage. Mayor Otten asked the council if they feel like they need a per diem rate. Councilmember Charley Bennett stated if they bring their receipts to get paid for anything they spend.

Public Comment: Susan Beley stated that if you do not set your per diem rate, you can have that seriously abused if you’re paying with a receipt. The motel rate is at the state rate, but per diem needs to be capped by the council. Judge Sheila Crow stated that she wasn’t aware of needing to bring receipt’s, the county did pay for half of her conference she went too. She would like to know for in the future what the per diem will be. She has no issues paying for her lunch, but she would still like to know. Discussion then ensued on rates. Mayor Otten made a motion to table this until next council meeting. Jack Runner 1st, Johnny Cooney 2nd, all in favor.

1. **Discussion and resolution 457 B program.** Judge Sheila stated that it’s a 401-program offered through PERS. Its not in lieu of, but it’s an addition. It is good for our young people such as Sarah who could put $100 away and in 25 years it could be a huge amount. It is offered through PERS, and they manage it through Empower, there is a minimum contribution $20 per member. There is no cost to the city, minimal cost to employer for them to manage your account if you choose. Has excellent user reviews. The cons are it has 100,000 minimum, for you to have a computer advisor, also she heard the process to set up can be a little frustrating. Sheila asked the county to do this, and they are thinking on it. She asked Anita and Anita stated that it would be simple for her to do. Once she gets it set up Netchex will do most of the work. Judge Crow provided a resolution to add this 457 B program. Council member Charley Bennett made a motion to pass the 457 B program. Council member Frank Brouillette 2nd the motion. All in favor, motion passed unanimously.

**Public Comment**: none.

**PUBLIC WORKS DIRECTOR REPORT:** Bob Schuchard stated that there was a call from BF pizza and there was a plug. They ran their snake down there and unplugged it but the next morning it was plugged again, bad enough that public works was not able to fix it, so they got a crew from Billings who went into a manhole on the highway and tried to clean it, and the pipe is at some places, 50% of gravel and other places 75% full of gravel. So, they jetted it 3 or 4 times, they moved the gravel but were not able to go father then 50 feet. The video they took showed that the city line got bored at one time, they were too nervous to investigate since the pipe is clay. They think it’s when the RV dump was put in at the Exxon they bored through instead of above. Bob stated that he spoke to John Crowley, and he knew about it, so at the end of the day Bob stated that we need to drop a manhole, DOT permitting, flagging crew, then go back in and clean it out and make any necessary repairs. Askin construction is already here doing the hospital project, and they agreed to meet with Bob and give a price. He needs to survey and get a price. Bob also stated that they got the fire hydrant replaced at the bee company, waiting for a bill to turn into insurance. He then stated he didn’t know if anyone noticed that there was a foul smell at the sewer lagoon, it’s because of the sewer project, they were pumping 11,000 gallons of sewage in there per day during the project. Bob stated they are treating it, but it will take about 90 days to get rid of that smell. And $800.00 for the chemical. He then stated he has two things he will need to put on the agenda for next meeting. Bob stated that he has a few complaints over the years that you can’t BBQ at the park because of the wind, he stated in the future he would like to entertain putting a wall so it will make it easier. The other item he has is that since the city has the new roller, he thinks we need to make a decision if we want to sell the other one. Mayor Otten stated why don’t we give it to the school? Bob stated that we were going to discuss it, but we never did. Attorney Brent stated that we would need to transfer ownership. And put it on agenda for future comment.

**REPORT OF THE CLERK-TREASURER:** Anita stated that she received a letter the other day there was a complain about goats being on the West End. Sarah spoke with Bailey Snelling, and they were moved. Anita then stated that we checked with Wheatland County Foundation on utility share, and we also spoke with Alli Jones about the Chamber getting involved with some fundraisers. Sarah made a flyer to hang around town to encourage donations. We posted the camper ordinance on our Facebook page as well as to the newspaper. We made no camping signs for Deer Park. We did not get information for urban camping before the meeting so we will have that on the agenda for next meeting. The audit was submitted, Anita stated she wrote up findings and submitted it. Mayor Otten read the letter that was sent in. He stated that he would like these letters thrown away, they don’t sign them, they won’t come into the meetings. Judge Sheila Crow stated that she read the animal ordinance recently and she suggest we fix it especially camels/ alpacas. Someone recently asked if they could have one in the city limits. Julie Berg stated that she wanted to go back to the campers on city streets, she asked if it was councilmembers going around talking to people or the police? Mayor Otten stated that it’s the sheriff’s office that takes care of it. Its only for snow removal and safety of the city crew.

**MAYORS REPORT:** Paul started out his report by statingthat he did get the value assessments from Lexi on the property down at the industrial park, but that he hasn’t heard back from Paige, on restrictions as far a subdivision and flood plain. He stated that we will have an agenda item for recycling next meeting. Mayor Otten also stated that they will be having a deal at the Federal Credit Union for Janet Hill, she served on their board for over 30 years. On the 16th of October they will have light refreshments, and give condolences to the family.

**REPORT OF ATTORNEY:** Brent Brooks stated that the camping ordinance, he sent something to Paul and Anita. He stated that he did a survey on other camping ordinances, and he put that in the sample. He stated its all over the board. And that it was up to the council to decide. He stated that if anyone has any feedback on the draft letters he sent, to please let him know.

**REPORT OF WCSO:** Deputy Kevin stated that he has nothing to report.

**REPORT OF CODY NELSON:** He stated that a code red message was sent out over the weekend about a power outage on the corner of the city.He stated that he has just over 400 contacts for the code red text messages. He stated that Anita and Sarah were able to get signed up to be able to send messages through the city.

**Public Comment on above reports:** Julie Berg stated that she went to visit Irene and there was a camper in the alleyway. She stated that if there was a fire there would be no way a firetruck could make it down the alley. She wanted to know about that issue.Deputy Kevin Froese stated that while it is a hazard they are not breaking any laws. If the council wants to reach out to whomever is parked there. He stated unless they have an ordinance they have no authority. Joe Hagl mentioned there was a vehicle that he can tow from one of the places that’s being discussed. Discussion ensued on fire lanes, etc.

**PUBLICE COMMENT ON ITEMS NOT ON AGENDA:** Aubree Miller stated thank you for the new stop sings up at the Hillcrest, he stated that hopefully it will alleviate any future damage. He appreciates the help. Public Works Director Bob stated that they want a cross walk there too and does he have a preference to where it is? Both decided to meet to talk about it. Susan Beley stated she was at a council meeting about a month ago and asked for a letter from Mayor, or Brent about the closing of the accounts, she needs it. She also stated that someone posted a Tim Sheehey poster on our park entrance and its inappropriate. Public works director Bob stated that it is on state property. She then said that it ‘appears’ to look like the city put it there. Bob stated he will investigate it. She stated that she doesn’t like it, it looks like a political stance and its inappropriate.

**ITEMS FOR NEXT MEETING:** Per Diem discussion, BBQ wall at the park, Roller to high school. Utility share, urban camping, far market value discussion, recycling, cardboard compactor.

**CLAIMS:**

Councilmember Frank Brouillette made a motion to pass the claims. Councilmember Johnny Cooney seconded the motion. The motion passed unanimously.

The meeting was adjourned at 9:00 p.m.

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

Council Members Absent: Roger Kitts

City Office: Mayor Paul Otten, City Clerk-Treasurer Anita Leach, Public Works Director Bob Schuchard, City Attorney Brent Brooks, WC Emergence MGMT Cody Nelson, Deputy Kevin Froese

Public Present: Joe Hagl, Susan Beley, Sheila Crow, Julie Berg, Claire Miller, Aubrey Miller, Lynn Grant, Alli Jones, Lindsey Sramek

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Paul Otten, Mayor Anita Leach, Clerk-Treasurer