August 27, 2024

Harlowton City Hall

A regular meeting of the Harlowton City Council was held on August 27, 2024 The meeting opened at 7:00pm with the Pledge of Allegiance.

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

**COMMITTEE REPORTS**

**Library:** Council member Johnny stated that they are on the agenda so nothing else to report.

**Ordinance:** Has not met.

**Pool:** Council member Charley Bennett stated that the pool is now open on weekends only now until they close. The schools are doing their gym classes there as well. Charley stated that Durrell Martin is trying to find the leak in the roof. He is hoping it’s a simple fix. He also stated that the cost of the pickle board court will be right around $50,000.

**Tree Board:** Will be meeting on September 12th at 4 pm.

**Wetlands Rail Trail:** Mayor Paul Otten asked Council member Roger Kitts if he would like to chair the committee. Roger agreed.

**Public Comment on committee reports:** none

**UPDATE ON PAST AGENDA TOPICS:**

**UPDATE ON DECAY ORDINANCE COMPLAINTS:**

1. Council member Charley Bennett stated that Robinson has been cleaning up his property and it looks nice. Joe Hagl helped him load things to recycle. Charley then stated that he believes the letters work. Mayor Otten asked if there was anything new on the Peck residence to which Council member Jack stated that it would be wise to visit with a lawyer.

**Public Comment:** Julie Berg stated that the door to the bowling alley is still open, and the state theatre door is still open, and windows are not boarded up, she then stated that Kathleen Schreiber’s vehicle still hasn’t been moved after it was said to get taken care of. Julie then stated that if the council doesn’t put some teeth to the ordinance, then nothing will ever get done. Susan Beley stated that city property was sitting In front of the bowling alley and she was told that it would be moved three months ago. It’s a flowerpot the belongs to the city. Public works director Bob stated he will go look. Brian Isom stated that he lives next door to Sarah Pecks place on D Ave, he stated that they are using the plumbing in their motor home and using 5-gallon buckets to transport, and it is smelling the whole street up, their yard is full of garbage, he is having problems with cockroaches because of it. Marilyn Fake stated that she is speaking with Brian. She stated she is fed up with it, she lived across the street from them to the back. She then showed a handout. She has complained many times to the police. She is smelling a horrible stench. They have no running water, and it’s absolutely filthy, it’s a health hazard, and an eyesore. Discussion ensued on what the city can do along with the police and health department.

**UPDATE ON PREVIOUSLY DISCUSSED ITEMS:**

**NEW BUSINESS:**

1. Street Closure for “Harlo for the Holidays.” On 30th of November. Council member Jack Runner made the motion, Council member Frank Brouilette seconded the motion. All in favor and it passed unanimously.

**Public Comment:**

1. Resolution to open a new bank account for the City Court. Council member Frank Brouilette made the motion to approve. Council member Roger Kitts seconded the motion. All was in favor, it passed unanimously.

**Public Comment:** Susan Beley gave a handout, she then stated that she asks that we seek out information from veterans in the community, people that have been here and that have recourses that could have answered questions and stopped what happened as well as other things on the agenda. She stated please to ask questions.

1. Resolution to appoint people for our Local Government Review. The council agreed that the wording was confusing. Clerk-treasurer Sarah explained, and Mayor Otten read a letter from the County Treasurer Megan. Council member Jack Runner made a motion to pass. Council member Johnny Cooney 2nd the motion. All was in favor, it passed unanimously.

**Public Comment:** Rob Elwood stated that he had no idea that he was supposed to sign up for it, and that it was not advertised bothers him. He stated there was people that he knows people who would like to sit on it. Rob asked if it was city or county, and asked if we could find out. Susan Beley stated that the counties failed, that the city of Judith gap and Harlowton’s passed. She did state that there was an ad on Facebook as well as in the paper, so therefore the city will appoint people. Susan asked for the resolution to be read out loud, to which Mayor Otten did.

1. Discussion on bulk water. Mayor Otten stated that it is currently .10 cents a gallon. Kevin Knudson asked to speak, the then gave a handout to the council members. He then stated that he hauls water to Red Ants Pants festival, he hauled from White Sulphur’s system, this year he hauled 14, 000 gallons and they charged $20 for a water permit then its 2 cents per gallon. His total price was $62 for 14,000 gallons of water. In Harlowton it would cost him $14000. Kevin then stated what it was in Big Timber and Lewistown. Kevin is recommending that we lower the price of bulk water. Public Works Director Bob Schuchard stated that he challenges Kevin to research those towns and their infrastructure and what they have done in the past. Bob stated that you can’t pull at 72 chevy pickup to a 2005 chevy pick up and then compare what you paid for each. Council member Frank was confused as to why we are discussing raising the price. Council member Johnny stated that it started when someone was just filling up with out paying. A discussion then ensued. The bulk water discussion will continue next meeting.

**Public Comment:**

1. Discussion on Livestock Pens at the rodeo grounds. Public works director Bob Schuchard was told the pens were put in when Ian was here, Bob was told that it was addressed thought the council and there should be minutes on it, then he was told there was no official minutes on it. We can’t find minutes on it. Council member Frank Brouilette asked what was the concern? Bob stated that the pay box is the rodeo committees. Anita Leach sated that the Rodeo Committee was under the impression that it was the cities. Bob then stated, he feels that we need to go over it again and most importantly who is insuring it. Its city property, but if you go to cadastral it says County. Anita stated that there is insurance when there is an event going on there. Mr. Schuchard stated that what about when there isn’t an event going on.

**Public Comment:** Cody Nelson then stated that he thought they were donated by a group of doners, that was overseen by the rodeo committee at the time. Cody then proposed to the council that he would do the leg work personally to get a meeting county, rodeo committee, mayor and other council members who wish to attend. He believes all these discussions should be taken with all parties present.

1. Discussion on having people sign photos they send in. Mayor Otten stated that we have been fighting over this from the moment we started this decay stuff. We are sill getting phots in. Council member Johnny stated that what if we just don’t entertain the photo unless the sign and date it. Public Works Director Bob stated that it should be cut and dry. Council member Johhny asked if it was a council member sending these photos? The public? Is it someone who has a personal vendetta? A discussion ensued about the council saying at one point letting people send in unanimously. Council member Johhny is worried that its turning neighbor against neighbor. Julie Berg stated that that isn’t his job, his job is to look and see if the said photo is in violation. Council member Roger stated that it’s a discussion on a base-by-base case. And that we are sending letters. Roger stated that we are moving slowly but we are moving.

**Public Comment:** Julie Berg stated that she will sign any photo she sends in, but its about the violation not who is sending it in. Marilyn stated that she has no issues signing photos, she says its going to take us all to get things rolling. TJ Tukper stated that the pictures should at lease be time stamped.

1. Resolution to get library funds switched over. Resolution 2024-20. Councilmember Charley Bennett made a motion to accept the resolution. Council member Roger 2nd the motion. Motion passed unanimously.

**Public Comment:** Marilyn Fake said she feels it should be moved, that the library will use it.

1. Discussion on industrial lease. Council member Johnny Cooney asked how the industrial part come about? And when he went to the courthouse, he was able to find he original buy sell agreement between LB Foster and the City of Harlowton, it was when the Milwaukee was going bankrupt so they sold it for $1.00. Right now, there is two different leased down there, now four leases there and everyone is paying a different amount. Then Cooney stated that he found out at the last meeting that it was annexed into the city in 2019 and the intent to do that was to sell it, its in the minutes of January 8th of 2020. Then covid happed so the discussion just went away. Council member Frank Brouilette stated that if he remembers right the cities intent was to get out of the leasing business. What sidetracked us was the flood plain. Now that it is all settled, we should try to unload that property. Council member Johnny stated we should sell the property. They have titles to the structures, but not the land. A discussion then ensued about selling the lands to the leases and what the city wants to do. There will be more discussion at the next council meeting.

**Public Comment:** Rob Elwood stated that we would like to sit with everyone and discuss the lease of Cream of the West and why it was agreed upon like that. He stated there is a lot of grey area that needs to be nailed down.

1. Discussion of 805 SE Logan Street building lease. Dan Dempster passed out a handout from Jimbo Fisk, as well as some banking information. Dan Dempster stated that he has information on checks he cashed in the handout and if that’s who is doing the cities books then that’s where most of the city’s troubles are coming from. Clerk-Treasurer Sarah stated that she was asked to not cash a check until Dan came to the city office and visited about it, she also stated that one of the checks was no signed. She also stated that had contacted Mr. Dempster to see if he would want to meet multiple times. Dan Dempster stated that the statement Sarah sent him was way out of whack. Sarah then stated she would make copies for Dan to see the paperwork on her end and he stated that he would. She then stated that the lease is not signed. Dan then stated that he does want to get things cleaned up down there, he asked people to not bring vehicles down there and they keep dropping them off. Councilmember Kitts stated that when a complaint came in on the property Dan owns, it has only been about the business, not the vehicles. Julie Berg stated that the original complaint was from her, she wanted to know from the Council members if it was an operating business since there were other people in town looking for a place to do just what his business is. Dan agreed to come in and get things lined out with the payments then we will get the lease signed.

**Public Comment:**

**PUBLIC WORKS DIRECTOR REPORT:** Public Works Director Bob stated the water line Is complete going into the new hospital. They are now starting on the sewer. Bob stated that there is a lead issue we are having in town, we have until October 2026 to report to DEQ inventory. Bob stated he has all the information from a few years ago and is transferring it into a spread sheet. Great West Engineering has agreed to help with this process. Then the next step will be to open it o bid, which Bob stated he applied for a grant for. The homeowner may have to pay, hopefully not, bob stated he doesn’t know those details yet. He stated that all the lead must come out by 2028. Bob stated that Sarah is sending a survey to each water account. Bob stated that they had a fire hydrant get run over, over the weekend, thank you to Kevin Knudson for helping solve the case! Mayor Otten asked how many hydrants in town don’t work? Bob stated that it is 2. Dan Dempster stated that the fire crew should fill from the artesian well instead of using the new good water. Mayor Otten stated that was a good idea.

**REPORT OF THE CLERK-TREASURER:** Sarah stated that she is working with Jodie from Montana League of Cities and Towns. She stated that Jodie is helping fix a lot of things and finishing up budgets. Mayor Otten stated that there has been mistakes in our accounting for years and Jodie is catching a lot of them and straightening them out, it will cost the city a little bit of money but in the long run it will be better. She is doing a fantastic job. Council member Charley Bennett stated that she has been finding us money and Mayor Otten agreed.

**MAYORS REPORT:** Mayor Otten stated that he did accept Tori Welshire resignation letter. And that we have hired Anita Leach to come to be our new Treasurer. Mayor Otten stated that we haven’t finalized the ins and outs of switching Sarah to deputy yet but that’s what we are wanting to do. Gary Olsen asked if he could continue doing the Ag stuff through the school, but he would need to talk to Kayle Allen who has the current lease, and the school would need insurance on the kids. Mayor Otten stated that the insurance is the big thing but as far as the city goes, he doesn’t see anything wrong with it. Mayor Otten stated that Mike Deborde approached him again on purchasing the property by his house off Gordon Street. That will be discussed next meeting. Mayor Otten stated the city will not pay for the survey, Mayor Otten stated he will talk to Lexi and see what we can get for fair market value.

**ATTORNEY REPORT:** Brent Brooks stated he has a lot of criminal cases, and they seem to be increasing. Brent stated that we do have ordinances on leases, Brent urges the council to look at it and review it all together and amend it.

**WCSO REPORT:** absent

**PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** Donna Hagberg stated that she has a spreadsheet on how our water bills are calculated and it makes no sense. So, if anyone wants more information on what she has come up with she is available. Council member Johnny stated that he received a call from a man that wants a board put on the bridge that was built on boomer trail, his dogs feet get caught. Public Works Director Bob stated we agreed to do something we just didn’t come up with anything yet, or committed on anything yet.

**ITEMS FOR NEXT MEETING:**

**CLAIMS:**

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

The meeting was adjourned at 9:30pm

Council Members Present: Jack Runner, Charley Bennett, Roger Kitts Frank Brouillette, Johnny Cooney

Council Members Absent: Kathleen Schreiber

City Office: Mayor Paul Otten, City Clerk-Treasurer Sarah Williams, Public Works Director Bob Schuchard, City Attorney Brent Brooks via Zoom City Judge Sheila Crow

Public Present: Anita Leach, Susan Beley, Marilyn Fake, Joe Hagl, Cody Nelson-WC Emergency MGMT, Dan Dempster, Julie Berg, Lindsay Sramek, Kevin Knudson, Rob Elwood, TJ Tupker, Amy Tupker, Donna Hagberg, Brian Isom

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Paul Otten, Mayor Sarah Williams, Clerk-Treasurer