



REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF CONRAD, COUNTY OF PONDERA, STATE OF MONTANA
HELD AT CONRAD CITY HALL ON MARCH 19, 2024

The City Council of the City of Conrad, County of Pondera, State of Montana, met in regular session at the Conrad City Hall on March 19, 2024, at 6:00 p.m.

Present: Mayor David Cates, Alderman Nathan Hunsucker, Alderman Amber Schoenrock, Public Works Director David Zimbelman, City Attorney Daniel Jones, Billing Clerk Kim Cooney

Absent: Interim Chief of Police Cory Smith, Library Director Tiffany Christensen

Guests: James Coombs, Danielle Coombs, Chris Zerbst, Debbie Kersten, Maria Cates, Don McClain, Karla Breding, Jack Hadcock, Darryl Burditt, Jerry Riewer, Jamie Hutton, Donna Beninger, Lauriena Yarger, Sharon Mellott, Jenny Rowen, Dan Severson, Robert Bender, Jean Egan

Teleconference Guests: Donna Beninger, Carolyn Donath, Wendy Judisch

The Meeting was called to order by Mayor Cates at 6:00 p.m.

Action: Read and Approve Minutes of the March 5, 2024 Regular Meeting

- Motion by Alderman Hunsucker, Second by Alderman Schoenrock to approve the Minutes of March 19, 2024 Regular Council Meeting, as presented with correction to p.3
 - Motion Carried Unanimously

Action on Claims:

Claims #s 27903, 27905-27911, 27913-27918, 27920, 27922-27924 (refer to the claims register/claims approval list):

- Motion by Alderman Schoenrock, Second by Alderman Hunsucker to approve the claims, as presented
 - Motion Carried Unanimously

Action on Water Contracts: None

Correspondence:

Mayor Cates read a notice to City customers regarding previously unbilled water overages and said that it would be followed-up by Resolution and posted. Penalties are waived through June 25, 2024. (Attached).

The City has received a \$40,000 CDBG grant from the Department of Commerce to pay off the planning portion of the Lift Station project.

There is a meeting on avoiding scams targeting adults tomorrow at 2pm at Norley Hall.

Department Reports: (Attached)



Police Department – No report available. Mayor Cates cited trouble with City Police accessing data from the Sheriff’s Department.

Public Works Department – Welcome banners on Main Street should be finished by the end of April.

Director Zimbelman said water quality is not affected as he awaits filter parts.

Mayor Cates commended the Public Works employees for their quick response and long hours spent on repairing the broken main on Sunday.

Alderman Schoenrock said gravel is needed in the alley between the Public Library and Arnot building. Director Zimbelman will take care of it.

Public Library – Mayor Cates said Library Director Christensen was presenting the *Trust Me* documentary screening at the High School about the media’s effect on kids. He read the February Library report and summarized the graphs. (Attached)

Public Comment (no action taken): Agenda Items and/or Not on Agenda Items

Mayor Cates addressed everyone and asked for proper decorum and cordiality in Council chambers. He read from MCA 45-8-101 and 45-7-102, noting that interrupting, quarreling, and using threatening, profane or abusive language is a misdemeanor. Threatening to harm a public servant or their family or property with the purpose of influencing their opinions or recommendations, or otherwise exercise discretion in an administrative proceeding, is a felony. Everyone has a right to speak without being interrupted.

Mr. Hadcock asked for an update on the current litigation and hiring of the sixth police officer. Mayor Cates said they have one officer application and that individual is working through the process. The City can’t move forward on hiring the Police Chief until the lawsuit is resolved.

Mrs. Kersten asked for an update on the recording of the January 16th meeting. Mayor Cates said the City is waiting on a response from DOJ. He asked about getting a snippet of Kirsten’s speech only and hasn’t heard back.

Discussion/Action: Appointment of Alderman in Ward 1

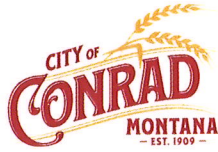
Mayor Cates received two Letters of Interest: Donna Beninger and Karla Breiding. He reviewed the letter submitted previously submitted by Mrs. Breiding, and read the letter from Mrs. Beninger. (Attached)

Alderman Hunsucker said based on constituent opinion he would nominate Karla because of her past experience.

- Motion by Alderman Hunsucker, Second by Alderman Schoenrock to appoint Karla Breiding to the position of Alderman in Ward 1
 - Motion Carried Unanimously

Karla Breiding was immediately sworn in by Mayor Cates and welcomed back to the Council.

Discussion/Action: President of Council stepping down



Mayor Cates read the letter from Alderman Hunsucker resigning from his position as Council President and thanked him for his service in that role.

- Motion by Alderman Schoenrock, Second by Alderman Breeding to accept the resignation of Nathan Hunsucker's as Council President, effective March 19, 2024
 - 1 abstained – Alderman Hunsucker
 - 2 in favor – Alderman Breeding, Alderman Schoenrock
 - Motion Carried

Discussion/Action: Appointment of Council President

- Motion by Alderman Breeding, Second by Alderman Hunsucker to appoint Alderman Schoenrock Council President, effective March 19, 2024
 - 1 abstained – Alderman Schoenrock
 - 2 in favor – Alderman Breeding, Alderman Hunsucker
 - Motion Carried

Discussion/Action: Fence Line Design proposal for new webpage
Mayor Cates said the City has been looking to update the website. Lacie Vermulum is local and has done several local websites. Lacie's proposal indicates 15-40 hours for a custom-built website at \$50/hr. The next step is a face-to-face meeting to discuss priorities and budget.

Discussion about potential cost. Attorney Jones clarified that the website qualifies as "professional services" which don't require an RFP.

- Motion by Alderman Schoenrock, Second by Alderman Hunsucker to proceed with discussions with Fence Line Design to establish a new website for the City of Conrad
 - Motion Carried Unanimously

Discussion/Action: Purchase of Adobe Acrobat Standard

Mayor Cates said the City is currently using the free version of Adobe Acrobat which doesn't save documents that need to be returned to or edited. The City would own the software after a one-time cost of \$670 for two computers, which includes automatic updates. This would greatly help office staff.

- Motion by Alderman Schoenrock, Second by Alderman Breeding, to approve the purchase of Adobe Acrobat Standard 2020 for \$335 x 3 to include the Finance Officer computer when needed
 - Motion Carried Unanimously

Discussion/Action: Montana State University Extension use of Legion Park for their Farmers Market
Mayor Cates introduced Dan Severson from MSU Extension. Mr. Severson provided a sample contract and provided an updated hardcopy version for Council. He said they averaged 14 vendors per week last year and would always encourage more foot traffic. He was pleased with how his first year went.

Mr. Severson clarified that the market runs every Tuesday from June 18th to Aug 20th for a total of eleven weeks. Mr. Severson said everyone seems to like the schedule.



- Motion by Alderman Schoenrock, Second by Alderman Breeding to go forward with the use agreement with Montana State University Extension for the use of Legion Park for their Farmers Market, pending necessary changes
 - Motion Carried Unanimously

Mr. Severson will email the contract to Mayor Cates.

Discussion/Action: Pondera Recreation Association agreement

Mr. Bender requested use of the Conrad Sports Complex from April 1 to November 1, 2024 for the annual use agreement between Pondera Rec Association and the City of Conrad for T-Ball, Pee Wee, Minors Fast Pitch, Little League, Majors Fast Pitch, American Legion Baseball, Adult Softball and Soccer.

Mayor Cates asked Attorney Jones if the contract had been received. Attorney Jones said there was a plan to merge the Soccer agreement, CHS agreement and the Parks & Rec agreement all in one. It's still a work in progress since the last discussion in September. Stakeholders were going to meet to go over details, but if no meeting occurs, they'll go with the revisions that came out of the September meeting. Attorney Jones added that each party will have to sign the agreement.

Alderman Schoenrock will attend if there is a meeting.

Mr. Bender confirmed that the first practice will be April 15th, with clean-up April 14th. Use the facility won't be until April 15th, but the contract date can remain April 1, 2024.

- Motion by Alderman Schoenrock, Second by Alderman Breeding to table item #12 Pondera Park & Rec Association agreement until the April 2nd meeting.
 - Motion Carried Unanimously

Discussion over whether or not CHS is aware of the potential meeting.

Discussion/Action: Close CD #31, First Liberty FCU will issue a check to be deposited in STIP CD #31 was originally \$100,000. As of February 24, 2024 it was at \$101,663.50, with interest, and would be closed without penalty.

- Motion by Alderman Schoenrock, Second by Alderman Breeding to approve closing CD #31 at First Liberty FCU with funds getting deposited into the City of Conrad STIP account
 - Motion Carried Unanimously

Alderman Hunsucker explained that STIP is currently offering 5% and is a good option for now, but needs to be monitored.

Discussion/Action: Move First Liberty FCU matured CD #32 from 1.46% to 19-month CD at 4.07% Alderman Hunsucker said he'd spoken with Agnes in depth about this. Her opinion was to leave it if it was close to 5%. The interest rate was less than 2%, so moving it to 4.07% is reasonable.



CD #32 was originally \$100,000. As of March 15, 2024, it was at \$105,349.32, with interest, and would be moved without penalty.

- Motion by Alderman Schoenrock, Second by Alderman Breeding to move First Liberty FCU matured CD #32 to a 19-month CD at 4.07%
 - Motion Carried Unanimously

Discussion/Action: Resolution #24-1296 for the removal of Jamie Miller from all bank accounts
Alderman Schoenrock read the Resolution.

- Motion by Alderman Breeding, Second by Alderman Hunsucker to approve Resolution #24-1296 for the removal of Jamie Miller from all bank accounts (see attached)
 - Motion Carried Unanimously

Mr. Hadcock asked if the Council is still alleging that the former Mayor stole hundreds of thousands of dollars from the City, as it appeared that that was the case from the article in the IO. Mayor Cates said that was never an allegation from anyone on the Council.

Mr. Coombs asked if the Council was adding Mayor Cates to the bank accounts since they had previously said that gave one person too much control. Mayor Cates explained that this would simply add him to the accounts with others already listed. He clarified that the former mayor was the only person on the Raymond James account. It is necessary to have at least two people on each account.

Mr. Coombs asked Mayor Cates if he was going to continue to push the agenda that was shared in the meeting about a month and a half ago.

Alderman Hunsucker clarified with Mr. Coombs that he was referring to former Mayor Miller's first Council meeting after being reinstated. He said he would look into it and get back to Mr. Coombs.

Mayor Cates said the City will accept Letters of Interest for Ward 2 until March 29th to be considered at the April 2nd meeting.

- Motion by Alderman Schoenrock, Second by Alderman Breeding to close the regular meeting. (7:01 p.m.)
 - Motion Carried Unanimously

Executive Session: Litigation Strategy

- Motion by Alderman Schoenrock, Second by Alderman Breeding to re-open the regular meeting. (7:14 p.m.)
 - Motion Carried Unanimously

Other Business: None

Items to Appear on Next/Future Agenda:

- a. Resolution on unbilled water usage



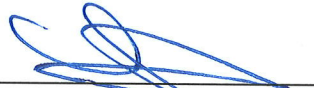
- b. Genevieve Rieken DA Davidson Funds – Letters of Interest due March 29th for consideration April 2nd
- c. Baseball complex contract
- d. Fence Line Design website contract
- e. Pool Manager and Lifeguards advertisements

Meeting Adjourned

There being no further business to come before the Council, Motion by Alderman Hunsucker, Second by Alderman Schoenrock, to adjourn the meeting at 7:19 p.m.

- o Motion Carried Unanimously





Mayor, David Cates

Attest: 

Council President, Amber Schoenrock

DEAR CUSTOMERS

Due to a clerical error, charges for gallons used above the seasonal threshold did not calculate during the November through February billing periods. The error was discovered and corrected, but as a result, your March bill may reflect higher current and past due amounts based on any previously unbilled overages during those 4 months. Customers using the City's Customer Portal may see additional charges in real-time.

The majority of customers had no overage charges and their bills were not affected. However, the City is suspending all late fees and water shut-offs for non-payment from March 26th through June 25th to allow our customers to pay-off past-due balances without penalty.

We sincerely apologize for the error and have taken steps to prevent such oversight from occurring in the future. Please contact the City office at (406) 271-3623 if you have questions about your water bill.

City Council Report 3/19/2024

1. We helped the state clear snow.
2. We have started sweeping up streets, hopeful we don't get too much more snow.
3. We received welcome to Conrad banners and have begun attaching them to light poles.
4. Reached out to Tim Salios about doing some concrete runners for the new bleachers at ballfields.
5. I worked with engineers on storm water project marking sights to do soil sampling.
6. We have received and installed a new turbidity reading controller at the water plant. We will have to look ahead to next fiscal year to upgrade the rest of the turbidity reading system.
7. We are waiting for a new valve and actuator that needs to be installed on a filter at the water plant.
8. We have been working with Triple Tree on getting information on the Wastewater plant to do the preliminary engineering report.
9. We have met with Lions Club members about the possibility of a pavilion project in the Legion Park.
10. We had a water main break this past Sunday, I wanted to thank the citizens that were out of water for their patience while we repaired the leak. The fire hydrant with need to be dug up and replaced before the street can be paved. We have temp filled the hole well enough to get us through this cold spell and replacement asphalt has been scheduled.

Library Director

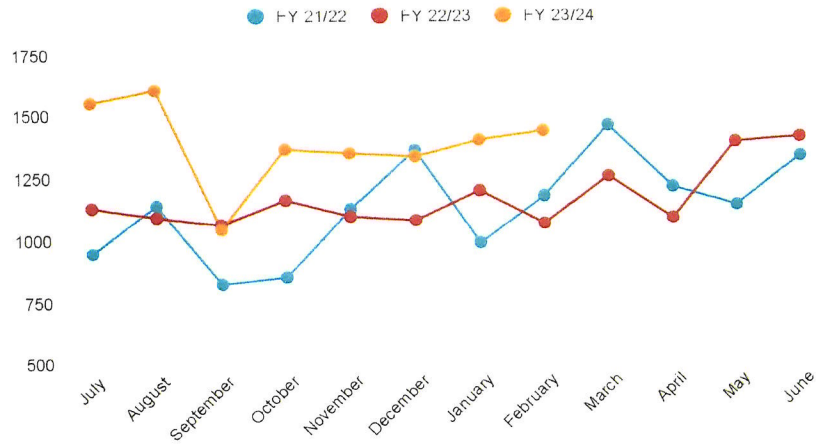
Conrad Public Library Report

Tuesday, 19, 2024 @ 6:00 PM

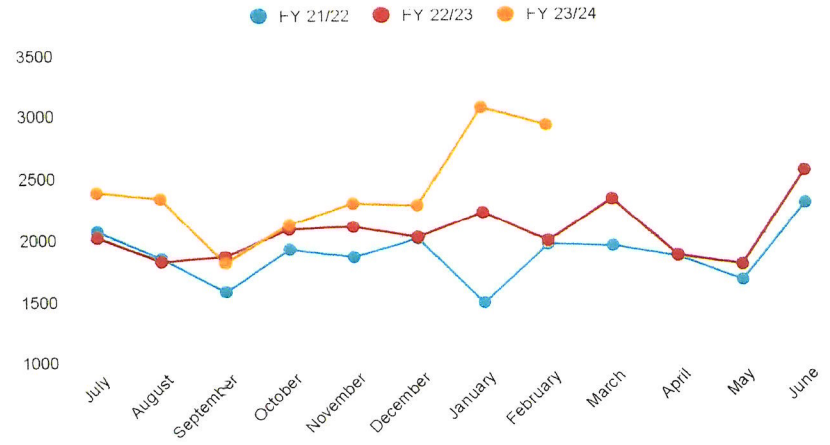
[presented by the Mayor to the Conrad City Council]

- February Statistics:
 - 1,431 library visits
 - 2,893 items circulated
 - 35 programs held
 - 483 program attendees
 - 141 computer users
 - 23,936 separate Wi-Fi sessions
- The Montana Shared Catalog app has been repaired. Library patrons may use this app to access their Conrad Public Library account, place holds on items in the library, request renewals, and view checkout history.
- Events:
 - **"TRUST ME" documentary screening** and expert Q&A session. Free program for the public is being held at the *Conrad High School auditorium* (now) Tuesday, March 19th at 6:00 pm.
 - **Watercolor Garden Plan Workshop** on Friday, March 22nd at 7:00 pm. A gardening expert from MSU Extension will assist with individual garden plans and a watercolor instructor will show some simple ways to make the plans into art.
Please RSVP to the Library to ensure adequate supplies.

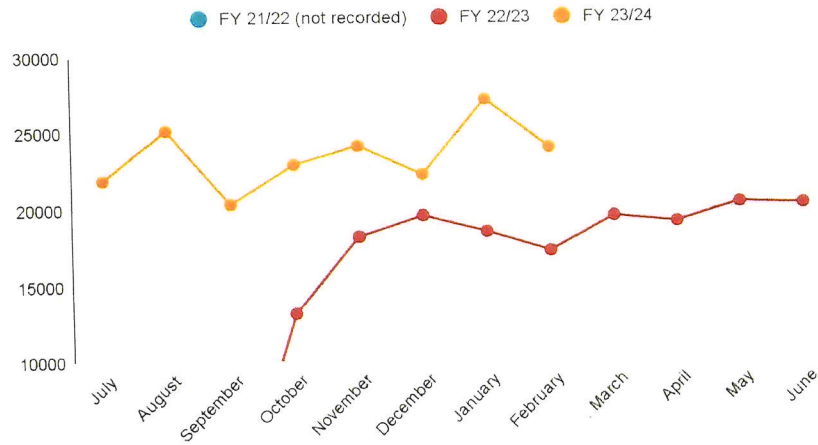
Total Library Visits



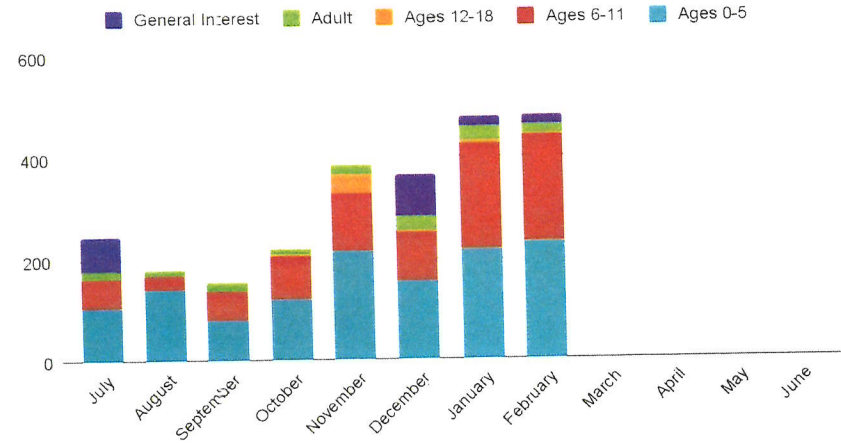
Total Circulation



FY 22/23 Wi-Fi Sessions



Library Program Attendance FY 23/24



Acting Mayor Hunsucker, Councilman Cates and Councilwoman Schoenrock,

As you know, last August I resigned from my council position in Ward 1, with the only reason being that I wanted to begin collecting retirement with Montana Public Employee Retirement System. PERS required that I resign from any eligible PERS employer – which the City of Conrad is. They require a 90 day lapse from retirement date to being employed by a PERS employer again.

I see that the Ward 1 position that I resigned from is now open again. Please consider this a request to submit my name to be considered as a candidate for that position.

I would bring to the council my 14 years of experience of having been on the council serving the citizens of the City of Conrad. I care deeply about my community and would like the chance to serve in this position again. As stated above I would not have resigned if the timing of my ability to collect retirement from my previous employments had not come up. I have regularly attended council meetings in person or by phone since I resigned in August. I would like to be able to step back into the position that I was originally elected for.

Thank you for considering me for this position.

Sincerely,



Karla Breeding

To whom it may concern,

The following is a letter of intent for the position of Alderman of Ward 1 for the City of Conrad.

217 S Iowa ST

My name is Donna Beninger and I live in Conrad, Montana.

I have been a member of this community for three years.

My background includes 40 years in retail sales as both sales associate and store manager with both Pfaff, Viking, and Singer sewing company (aka, SVP Worldwide). I was also an elite trainer responsible for making sure store employees were up to date on policy, equipment operations, and customer relations.

I also served in the military (US Navy) and received an honorable discharge.

The reason for my letter today, is my desire to be involved with the legislative process for the City of Conrad and to help promote growth for our community.

I would like to continue a dialogue I began with businesses on Main Street last summer (2023) regarding the promotion of the City of Conrad to the surrounding towns. I received plenty of positive input for bringing in more commerce and building a more robust economy.

I see so much potential in Conrad and I want to encourage community participation in implementing that potential.

I guess what I am trying to say, is that we may want to begin looking at Conrad with new eyes and new enthusiasm.

I can promise an open mind and a strong willingness to work towards improving our community through a collaborative participation of our City Council while working with our community towards a common goal.

Thank you,

Donna M. Beninger

(360)865-1421

*As a side note, I do have a prior obligation that brings me out of town from March 16th through April 17th. I am completely available after that.