

MINUTES OF A REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF
CONRAD, COUNTY OF PONDERA, STATE
OF MONTANA, HELD AT CONRAD CITY HALL
ON JULY 12, 2022

The City Council of the City of Conrad, County of Pondera, State of Montana, met in regular session at the Conrad City Hall on July 12, 2022 at 6:03 p.m.

Present: Mayor Miller; Aldermen Breeding, Cates, and Hunsucker; PWD Zimbelman, Finance Officer Ritter, Pool Manager Hueske

Absent: Absent with permission Chief Padilla

Guests present: Alex Linn, Keith Thaut, Amber Schoenrock, Ashley Johnson, Craig & Lacetta Isenberg, Michael & Emily Deakin (family), Pat Lee

The meeting was called to order by Mayor Miller at 6:00 p.m.

Motion by Alderman Breeding, second by Alderman Hunsucker to approve the minutes from the June 21, 2022 meeting.

Motion Carried Unanimously

Claims: Claims 26446-26490 presented to Council.

Motion by Alderman Hunsucker, second by Alderman Breeding to approve the claims as presented.

Motion Carried Unanimously

Water Contracts: None

Correspondence: None

Public Comment: Amber Schoenrock introduced herself as a candidate for Council in Ward 2.

Finance Officer Ritter presented Cash Report for June 2022. Budget meetings need to start taking place. The Mayor would like budget discussion for Library, Public Works Department and Fire Department at the next Council Meeting.

PWD Zimbelman report: PWD Zimbelman attended the North Central Regional Water meeting on June 28, 2022, where the annual budget was approved. Cole Peebles from the Canal Company introduced himself at this meeting. The repaving of the intersection at Iowa Street and 7th Avenue and 5th Avenue SW has been completed and will be chip sealed in August. The water plant is performing at an impressive level. It ran 57 hours less than last June and as a result the backwash percentage is down 2% from last June as well. PWD is preparing for the Conrad Swim Meet and Rock the Block this weekend. Dura patching the streets will be starting. Vegetation needs to be cleaned up at the wastewater plant. Working with the Canal Company to get outfall cleaned up for better flow to the Dry Fork. There are no permits needed by the DEQ, because maintenance is with what is in existence. There are three fire hydrants on tap to be replaced before winter. Toward the end of summer 100' of 6' and 100' of 4' chain link fence will be replaced at the ballfield. Trees will be removed and replaced at the ballfield, working with Finance Officer Ritter to ensure the Arbor Day Tree Grant. Most of the trees will be planted at the ballfields. Sewer jetting is scheduled this fall. A request

will be submitted for three employees who have gone above and beyond their duties this summer.

The Mayor requested an extended a thank you to the PWD on how great the parks look. A message complimenting the City on the parks was received via social media.

Agenda item: A request to operate a mobile food truck serving shaved ice, Corg-Cup Slushies. The Deakin family would like to operate and have a mobile food truck serving shaved ice, located in or near the parking lot of the swimming pool. They would like to use city electricity and have a portable meter to measure electricity usage. Electricity would be from the pool building. If council is considering there is a spot closer to the building where a tree was removed. The food truck will only have shaved ice at this time. Alderman Breeding expressed the business would need a City Business License and to charge a fee for electricity, since it is a for profit business. The Deakins confirmed they have a business license. The frequency of the food truck would be Monday, Wednesday, and Fridays from 12-5:30pm during the summer. The request is to leave the truck parked at the location during the week and remove during the weekend. They would eventually like to build up to Monday-Friday and remove for the weekends. The City needs to check with MMIA on what more is needed. The Deakin's need to research vendor liability insurance; an option of vendor insurance through Leavitt Insurance or other insurance companies was mentioned as a possibility. A determination of the type of Agreement between the City and the Deakins. This request will be tabled until insurance, electricity, MMIA and agreement have been discussed. Finance Officer Ritter will let them know amount of coverage needed. Use agreement to be furnished by City Attorney, need allowances, duration, and type of use. Can potentially make agreement annual renewal.

Motion by Alderman Breeding, second by Alderman Hunsucker to table discussion/action on mobile food truck for shaved ice.

Close the public meeting for 1st reading of Ordinances 424 AUTHORIZING THE PONDERA COUNTY JUSTICE OF THE PEACE TO BE DESIGNATED BY THE AGREEMENT AS THE CITY COURT JUDGE AND FIXING THE FUNDING FOR THE SAME and 425 AMEDNING TITLE 4, CHAPTER 1, SECTION 1, "ADOPTION OF CODES", AND PROVIDING FOR THE ADOPTION OF THE MOST RECENT STATE BUILDING CODE.

Motion by Alderman Breeding, second by Alderman Cates to close the public meeting and open a special meeting for the first reading of Ordinances 424 and 425.

Motion Carried Unanimously

Ordinance No. 424, Interlocal Judge Agreement, MCA §3-11-205. The Agreement requires an ordinance to be adopted due to fix the funding and enter into agreement with Pondera County for payment of salaries and training expenses. One exception from the previous agreement is billing of monthly expenses. A change to accommodate more convenient billing between the City and County relieves the County from generating an invoice and is paid monthly by the City. The agreement is for a 2-year term. No public comments or questions were received.

Ordinance No. 425, Adoption of State Building Codes, MCA §24-301-202(1) within 90 days of receipt of notice of code adoption to conform. This will be effective June 10, 2022. The City will adopt the State Building Codes

according to MCA §50-60-203 (2021). No public comments or questions were received.

Open Regular Meeting at 6:37pm.

Motion by Alderman Breeding, second by Alderman Cates to close the special meeting and open the regular meeting.

Motion Carried Unanimously

Discussion/Action on first reading of Ordinance No. 424 AUTHORIZING THE PONDERA COUNTY JUSTICE OF THE PEACE TO BE DESIGNATED BY THE AGREEMENT AS THE CITY COURT JUDGE AND FIXING THE FUNDING FOR THE SAME.

Motion by Alderman Breeding, second by Alderman Cates to approve the first reading of Ordinance No. 424 AUTHORIZING THE PONDERA COUNTY JUSTICE OF THE PEACE TO BE DESIGNATED BY THE AGREEMENT AS THE CITY COURT JUDGE AND FIXING THE FUNDING FOR THE SAME.

Motion Carried Unanimously

Discussion/Action on first reading of Ordinance No. 425 AMEDNING TITLE 4, CHAPTER 1, SECTION 1, "ADOPTION OF CODES", AND PROVIDING FOR THE ADOPTION OF THE MOST RECENT STATE BUILDING CODE.

Motion by Alderman Hunsucker, second by Alderman Breeding to approve the first reading of Ordinance No. 425 AMEDNING TITLE 4, CHAPTER 1, SECTION 1, "ADOPTION OF CODES", AND PROVIDING FOR THE ADOPTION OF THE MOST RECENT STATE BUILDING CODE.

Motion Carried Unanimously

There are three Alderman considerations: Ashley Johnson, Alex Linn and Amber Schoenrock. This is a council appointment. Council reported it had not seen this many applicants before and thanked the applicants for the interest. Alderman Breeding nominated Amber Schoenrock as new Councilperson.

Motion by Alderman Breeding, second by Alderman Cates to approve the appointment of Amber Schoenrock as new Councilperson.

Motion Carried Unanimously

Discussion on MT Ag Holding, LLC lease option to buy. Notification by MT Ag Holding, LLC, wanting to purchase, dated May 16, 2022. Requests a written reply and receipt of tenant's options. Check on letter of response. It is a matter of the Council to allow the purchase. Alderman Breeding asked if the City is financing the purchase with a contract for deed. As a contract for deed, ownership is not taken until contract is paid off. City Attorney Jones suggests a contract for deed, as it lowers any risk to the City. With a mortgage or trust indenture, property is deeded to them, and any potential default would be extensive. The City or City Attorney would retain the deed until payment in full. An August 12, 2022, closing date is requested unless Council wants it on the agenda for the next meeting. Options given are being exercised and does not need to be an agenda item.

Discussion/Action on Conrad Business Association's request of street closure for the 2nd annual Rock the Block on July 16, 2022, from 12:30-9:00pm. Permission has been granted by Montana Department of Transportation for approval to close 3rd Avenue SW to 4th Avenue SW. The request to the City is

to close 4th Avenue SW from Main St to alley in front of Olson's Drug from 12:00-9:00pm. Also, requesting assistance with detour signs/roadblocks and dumpsters around the event. Insurance and map are included in council packets. Some businesses will be open until 9:00pm. Traffic will be detoured from 3rd Avenue SE to Front Street, then back west on 5th Avenue SE back to Main Street.

Motion by Alderman Breeding, second by Alderman Hunsucker to approve Rock the Block street closure event on July 16, 2022 and requested assistance from the City.

Motion Carried Unanimously

Discussion/Action on Pondera County Insurance's request of the 5th Annual Hunger Games Triathlon on August 17, 2022, from 4:00-6:00pm. This event is to raise money and awareness for childhood hunger in Montana and around the US. Proceeds from the event will go to No Kid Hungry, which has a summer meal site at the Meadowlark School. Participants are ages 5-14. Hoping for community involvement. Request assistance of Public Works and Police Department for traffic control and safety barriers. Insurance will be provided for the event along with a map of the route for the event.

Motion by Alderman Breeding, second by Alderman Hunsucker to approve the Hunger Games Triathlon on August 17, 2022 and requested assistance from the City.

Motion Carried Unanimously

Discussion/Action on Resolution 22-1272 to reaffirm the swimming pool park name as Swimming Pool Park. For grant funding the name of the park needed to be confirmed.

Motion by Alderman Hunsucker, second by Alderman Cates to approve Resolution 22-1272 to reaffirm the name of the swimming pool park as "Swimming Pool Park"

Motion Carried Unanimously

Discussion/Action on Wages: It was proposed to give a 5% COLA raise for permanent City employees. This percentage could give an incentive to advance. This will be effective July 1, 2022.

Motion by Alderman Hunsucker, second by Alderman Cates to approve 5% COLA for permanent City employees, effective July 1, 2022.

Motion Carried Unanimously

The Mayor would like to advocate for PWD Zimbelman for his 5 plus years of service. Council discussed determined a \$2,000/yr increase was appropriate. This will be effective July 1, 2022. PWD Zimbelman expressed his gratitude.

Motion by Alderman Hunsucker, second by Alderman Cates to approve an additional \$2,000/yr for PWD Zimbelman, effective July 1, 2022.

Motion Carried Unanimously

It was proposed to give the Pool Manager, Lifeguards and Ballfield Temps a COLA raise of \$2/hr. This will be effective July 1, 2022.

Motion by Alderman Hunsucker, second by Alderman Cates to approve a \$2/hr COLA raise for the Pool Manager, Lifeguards and Ballfield Temp, effective July 1, 2022.

Motion Carried Unanimously

Union Steward Keith Thaut was present on behalf of the Union. Finance Office Ritter would like to change the date on the annual payout of the clothing allowance to July 30th if possible (from June 30th). Union Steward, proposed notification to City Attorney Jones to add the date as a proposed change to the agreement. In addition, Union Steward said the terms of the agreement with the date change of clothing allowance, clothing allowance to \$250 and \$1.60/hr on-call are acceptable. This is acceptable due to the generous COLA increase. Council will need to approve three changes to the agreement.

Motion by Alderman Breeding, second by Alderman Hunsucker to approve the proposed changes to the Union contract to change date for clothing allowance, increase in clothing allowance, on-call rate, and no additional increase in hourly wages.

Motion Carried Unanimously

Dispatch agreement: The City Attorney has not heard back from County Attorney regarding the agreed-on terms for the Dispatch service agreement. The City Attorney explained that the County Commissioners approved an understand that the most current agreement (agreement with expiration date of June 30, 2022) could be extended for an additional month during this period.

Motion by Alderman Breeding, second by Alderman Hunsucker to extend the Dispatch Agreement to the end of July 2022.

Motion Carried Unanimously

Board/Commissions has updates. April Zelenka is removed from appointments. Finance Officer Ritter will ask Kristin Ratzburg if she wants to continue on the Planning Board. Northern Transit Interlocal has a vacancy. Amber Schoenrock will fill the Tri-City Interlocal vacancy. There are still a vacancy on the Police Commission.

Executive Session: None

Other: There is a payroll candidate interview Monday, July 18, 2022. Carolyn Donath offered to fill in short-term to answer phones and help in the City Office; Council agreed. Council meeting scheduled for July 26, 2022 was agreed on by Council to move to July 19, 2022 as two Councilmen will be gone on the 26th.

Items to appear next: Budget for Library, PWD, & Fire Department; PWD merit wages, interim payroll/office relief, 2nd reading of Ordinances 424 and 425 move to August 9, 2022.

Motion by Alderman Hunsucker, second by Alderman Breeding to adjourn at 8:11p.m.

Motion Carried Unanimously



Mayor *Jamie Miller*

Attest:

Haley Potter

Finance Officer