

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 DECEMBER 6, 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 December 6, 2022, at 6:00 p.m.

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

Absent: Chief Padilla with permission.

Guests present: Roger Keith, Steve Clark, Pastor Dave Ginther and Brad Koon (City Engineer)

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 November 15, 2022, regular meeting, as presented.

Motion Carried Unanimously

Claims #26805 through #26854 (refer to the claims register) and October 2022 payroll.

Motion by Alderman Hunsucker and second by Alderman Schoenrock to approve claims and payroll as presented.

Motion Carried Unanimously

Water contracts: None

Correspondence:

An email was received from Kathy Woodford of Pondera Port Authority/Sweetgrass Development. Sweetgrass Development has completed the 2022-2027 Comprehensive Economic Development Strategy (CEDS) and is available on the website for public comment until December 30, 2022. The EPA Brownfields grant has been applied for again and will know if the grant is received in May 2023. The annual Christmas Open House will be December 21, 2022, from 2:00-5:00 p.m. in Great Falls. Refreshments will be available. The board meeting will be at 1:00 p.m. all are invited to attend.

Public Comment:

Steve Clark and Pastor Dave Ginther discussed with the City Council the process for adding an addition on the north side of the New Life Fellowship Church. The addition would extend 8' and into the City right-of-way. There are trees 12' from the exterior wall. They asked what the process is for moving forward on this project. They have spoken with Building Inspector, Kyle Harlan and he suggested to present to Council. Alderman Breeding suggested locating the plot pins to determine the property lines. Lots are 42' wide. Plats are retained at the Clerk and Recorder's office at courthouse and were recommended by Council as a starting point to help determine the proposed building boundaries in

relation to City ordinances. Alderman Hunsucker said a 3' side yard and will need a variance. Alderman Breeding said the City would potentially have to grant an easement. Another option mentioned in determining property lines would be to hire a surveyor.

Motion by Alderman Schoenrock, second by Alderman Hunsucker to amend the agenda to include a discussion/action on changing the next Council meeting to Monday, December 19, 2022, due to schedule conflicts for numerous Council members.

Motion Carried Unanimously

Motion by Alderman Hunsucker, second by Alderman Schoenrock to approve the change of the next Council meeting from December 20, 2022 to December 19, 2022.

Motion Carried Unanimously

Mayor Miller presented discussion on the County/City Growth Policy. The intent was to present an agreement to Council with the breakdown of each party's responsibilities and costs however an agreement has not yet been received from either the City Attorney or the County Attorney. Per email correspondence, the total cost of preparing the Growth Policy is estimated at \$45,000. The County has a \$30,000 grant for the project that requires a match of 4 to 1 and a \$10,000 SCARF grant to use for part of the match. This would have a shortfall of \$5,000 based on the estimated cost and the County proposed splitting this remaining balance 50/50 with the City. Stahly Engineering was hired by the County to perform the Growth Policy update. Mayor Miller met with the Commissioners to start discussing the process and participation plan and it was explained by the Commissioners that two people from the Planning Board would be assigned to the project.

Brad Koon presented proposed Stormwater and Lift Station Engineering Services Task Order. With reference to the 2022 Stormwater Preliminary Engineering Report (PER), removal of the industrial park lift station, and consideration for inflation, the total preliminary estimated project cost is \$4,620,870. Following is a summary of the funding strategy for the project that was reviewed during the meeting:

Conrad ARPA Minimum Allocation Grant (MAG)	\$502,084 (Secured)
Pondera County MAG Transfer	\$369,363 (Secured)
ARPA Competitive Grant	\$2,000,000 (Secured)
ARPA Local Fiscal Recovery	\$450,935 (Secured)
State Revolving Fund Loan	\$626,076 (Application ready to submit)
State Revolving Fund Estimated Forgiveness 25%	\$208,692 (Application ready to submit)
Local Contribution	\$463,720 (Secured)
TOTAL	\$4,620,870

The City has also applied for an RRGL infrastructure grant in the amount of \$125,000. The project ranked 45 out of 50 projects and funding will be decided in the 2023 legislature. Although the ranking is lower on the list, there is a good chance most of the projects will be funded. If the

City is awarded the RRGL grant, the SRF loan would decrease accordingly. The City also received \$630,935 in ARPA LFR funds and the amount planned for this project is \$450,935. It was mentioned the City could potentially use remaining LFR funds to help cover the splash park project. The request to Council was to approve a submission of the SRF loan application.

Motion by Alderman Hunsucker, second by Alderman Breeding to approve the submission of SRF applications for the estimated amounts.

Motion Carried Unanimously

Brad Koon presented with Task Order on the Splash Park. Aquatics has been selected as preferred supplier. Triple tree will work on determining ADA compliance requirements. Upon approval by the City and Department of Health, Triple Tree will administer the project bidding process and provide construction engineering services through project completion. It was discussed that a justification for grant that was received will need to be completed to change from the design from a recirculating to a pass-through system. According to PWD Zimbelman, the splash park will potentially use less water than the swimming pool. There will be a site survey in January. It was noted in the meeting that the proposed splash park is not related to any water and sewer rate increases that are under discussion by the City.

Motion by Alderman Breeding, second by Alderman Hunsucker to approve Triple Tree task order for Splash Park.

Motion Carried Unanimously

Stormwater/Lift Station will go out for bid in January. Brad Koon presented the Task Order for Stormwater/Lift Station project improvements on east and west side and Central Avenue lift station. \$4.6M budget includes the 2nd street lift station. The lift station projects will be bid separately as there is urgency to complete one as soon as possible Triple Tree plans for an engineer to be present full-time during the construction. The project is estimated to be a 6-month project. Finance Officer Ritter will observe the grant administration process with Triple Tree however Triple Tree will manage the process for now. Construction is planned to start in 2024.

Motion by Alderman Breeding, second by Alderman Schoenrock to approve the Stormwater & Lift Station Engineering Services Task Order.

Motion Carried Unanimously

Brad Koon presented a Task Order agreement revision to Exhibit I (Limitations of Liability) of the Term Task Order Agreement executed April 3, 2018. This revision will limit the engineer's liability from "the amount of the task order" to "the amount of the insurance proceeds." It is believed this provides better liability coverage to the City.

Motion by Alderman Hunsucker, second by Alderman Breeding to approve the standardized agreement language for liability insurance upon City Attorney Jones review and approval.

Motion Carried Unanimously

Finance Officer Ritter presented with the updated codification estimate from American Legal Publishing. This estimate changed from \$500-\$700+S/H to \$7,000-\$8,000+S/H due to the addition of Ordinances 411 and 412. Finance Officer Ritter will contact American Legal Publishing to get a cost breakdown and find out if there is any way to reduce the cost.

Motion by Alderman Breeding, second by Alderman Schoenrock to approve codification estimated cost with clarification of cost breakdown and possible reduction is cost.

Motion Carried Unanimously

The Notice of Non-renewal letter for Horizon Lodge Garden Apartments (i.e. Blue Sky Villa) lease was presented. This termination will allow the City and Horizon Lodge Garden Apartments, Inc. to continue discussions and negotiations on a new lease and prevent an automatic renewal of the current lease.

Motion by Alderman Hunsucker, second by Alderman Schoenrock to approve the Notice of Non-renewal letter to Horizon Lodge.

Motion Carried Unanimously

Tree City USA Arbor Day Proclamation. PWD Zimbelman is ok with moving forward and potentially planting the trees on the pathway was discussed. The Arbor Day Proclamation proclaims May 26, 2023, as Arbor Day.

Motion by Alderman Hunsucker, second by Alderman Breeding to approve the Tree City USA Arbor Day Proclamation, proclaiming May 26, 2023 as Arbor Day.

Motion Carried Unanimously

Finance Officer Ritter presented the DNRC Urban & Community Forestry (UCF) Arbor Day Grant Application Agreement. The grant is typically around \$350.00.

Motion by Alderman Hunsucker, second by Alderman Breeding to approve the DNRC Urban & Community Forestry (UCF) Arbor Day Grant Application Agreement.

Motion Carried Unanimously

The Blue Sky Villa Reserve Fund Surplus Letter was submitted to Council requesting to forgo any payment relating to surplus funds in order to continue capital improvements at Blue Sky Villa. Discussions were had in inquiry to the information on the letter. A question of why capital improvements are forecasted not actual numbers was discussed. Finance Officer Ritter was requested to further examine the financials submitted by Blue Sky Villa and to provide an update at a later meeting.

Motion by Alderman Breeding, second by Alderman Hunsucker to table the approval of the Blue Sky Villa Reserve Fund Surplus Letter discussion pending further information.

Motion Carried Unanimously

Executive Session, if necessary: NONE

Other Business:

Finance Officer Ritter and PWD Zimbelman are working on getting information to Roger Skogen of Montana Rural Water to perform the rate analysis for increase of rates. Alderman Breeding inquired about changing the "extra" irrigated months from May 21-October 20 to April 21-September 20 and how this would be affected by rate increases.

The Blue Sky Villa (BSV) Lease Agreement meeting on November 30th was discussed. The BSV Board discussed their ideas regarding the lease amount (i.e. no changes in the lease amount for the first 3 years with a 1% increase thereafter). The City proposed an updated increased amortization schedule that includes a proposed Capital Improvement Plan paid into by both BSV and the City for future property improvements and would absolve the need for reporting of surplus money on an annual basis. BSV reported they did not wish to increase the amount of Norley Hall annual city uses from the amount currently allotted.

Items to appear on next agenda: BSV Reserve Fund Surplus Letter, update on water/sewer rate increase, Department Head reports, 2 Officers pay increase.

There being no further business to come before the Council, motion by Alderman Schoenrock, second by Alderman Cates to adjourn the meeting at 7:47 p.m.



Motion Carried Unanimously

Mayor

A handwritten signature in blue ink, appearing to read "Jamie Miller", is written over a horizontal line.

Attest:

A handwritten signature in blue ink, appearing to read "Helen Ritter", is written over a horizontal line.

Finance Officer