



**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 August 15, 2023**

The City Council of the City of Conrad, County of Pondera, State of Montana, met in regular session at the Conrad City Hall on August 15, 2023 at 6:00 p.m.

Present: Mayor Jamie Miller; Aldermen: Nathan Hunsucker, Karla Breeding, David Cates and Amber Schoenrock; Public Works Director David Zimbelman; Billing Clerk Kim Cooney

Absent: Police Chief Padilla, City Attorney Jones

Guests present: 2 and Independent Observer, McKenzie Graye, present by phone

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

Read & Approve Minutes of August 1, 2023, Regular Meeting

- Motion by Alderman Breeding, second by Alderman Schoenrock, to Approve Minutes of the August 1, 2023 Regular Meeting.
 - Motion Carried Unanimously

Claims #27419 through #27453 (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

Water Contracts: None

Correspondence: A letter from Pool Manager provided a summer recap. Overall, the pool season went well. Holding a doggie day and outdoor movie night were suggested. Mayor Miller will discuss the suggestions with PWD Zimbelman.

Public Comment (no action taken): Support was given for outdoor movie night, and a suggestion was made to have kettle corn available for movie-goers. Mayor Miller is researching the options for the City to help host movie nights in public places, including conversations with the local theatre. There was a suggestion for weekly or monthly summer evening orchestras, as well.

City of Conrad Department Reports:

Public Works Department

Director Zimbelman reported that the City has ordered white-light LED bulbs to replace the sodium bulbs in the downtown lights, along with extra globes. Cost is around \$6289 for the bulbs, \$119 each for the top globes, and \$99 apiece for the lower globes. Numerous street signs have been ordered to replace old and fading ones, and to have some on hand. Chip sealing begins late this month or early next month. Oil and gravel are on order when Public Works is ready. The City will be chip sealing 5th Avenue, an area near Prairiewood, the road in front of the Independent Observer, 4th Avenue East side, and 7th Avenue. The street department has been prepping to paint crosswalks this week before school starts next week, and will also paint curbs yellow this year. Existing ballfield bleachers are being sanded and will be stained over the winter.

Last heard, Softball wants 10-high bleachers. A warranty won't cover the bleachers if there's no concrete base per the manufacturer's specifications. The City needs to know what's decided in terms of budget.

The current contract with the landfill was tabled at the NMJRDD meeting since the board wanted more members available to discuss the contract. In 2009 the Public Works Director and Mayor came to an agreement to have the City garbage truck drive to the landfill rather than fill the container at the roll-off site. There were problems with the garbage spilling over or missing the roll-off site container, which required a City loader to clean up after dumping. At that time, the contract was based on \$2/gal fuel to have the City truck drive to the landfill. It was not meant to cover O&M, but to help save NMJRDD the drive (fuel costs) to Valier. Director Zimbelman suggested increasing the cost per a gallon of fuel in a new contract, emphasizing the contract helps all involved. The City takes 22 loads (compacted) to the landfill each month. Director Zimbelman will be discussing the proposed increase at the next NMJRDD board meeting. NMJRDD's liability insurance has been renewed.

An ice machine has been ordered for the City Shop for \$300. It holds 35 lbs. and about 14 lbs. are needed per sample. The City spends between \$6-10 dollars per week on ice to send water and wastewater samples, which comes to roughly \$312 annually. Now, ice can be scooped directly from the ice machine into zip lock bags to put with the samples, saving time and money. The Mayor agreed this was worth a try.

The City's wastewater application was submitted to / received by DEQ and is being reviewed. This is the City's outfall permit submitted every 5 years and is due in November.

At a previous meeting it was explained that shipping City wastewater (E-coli especially) to labs in Helena was problematic due to time and temperature constraints which results in compliance issues if shipping is delayed for any reason. The City is now considering an in-house DEQ approved E-coli testing method from that is used by other area communities. Total start-up cost would be ~\$9,529.31. The quote is good until 9/30/23 for a 5-year term. In comparison, the total cost including shipping to Energy Labs in Helena is \$3,640 per year. Annual cost of the E-coli testing would be ~\$1,900, for a savings of ~\$1,740 and the added benefit of knowing that the City is in compliance. The City would have to buy trays and reagents. This could be a capital outlay expense since it's over \$5,000. Cutbank has used the method since before COVID, and Choteau has used it for at least 3 years. Alderman Schoenrock asked how long DEQ will accept this method before they update their standards. She wondered if it will remain "certified" for the length of the term however, this would be unknown and/or out of the City's control. Alderman Hunsucker asked if it's possible to drive the City's samples to Cutbank for testing, rather than to Helena.

6:30 OPEN PUBLIC HEARING

Public Hearing #1

- Motion by Alderman Breeding, second by Alderman Schoenrock to close the regular meeting and open the Public Hearing.
 - Motion Carried Unanimously

Board of Adjustment for New Life Fellowship

- Alderman Hunsucker reported on the Board of Adjustment meeting last week to consider a variance request by New Life Fellowship to build a 6' x 20' building at the north end of their existing building. The City easement is 20' from the curb. New Life Fellowship proposed an addition that would extend 2' north into that area. Several other buildings in Conrad are 18' or fewer from the curb. The building would not be any closer to the trees than 6' – 8', although some trees might need some trimming. No views would be blocked by the addition. Motion by Jody Kassner was made at that meeting to approve the variance for New Life Fellowship located at 120 N Virginia Street in Conrad to extend 2' of their building addition north into the City easement, and was seconded by Mary Klette. Motion carried 3-0.
- No comment was heard from the public on this matter.
- Motion by Alderman Hunsucker to close Public Hearing on variance request by New Life Fellowship, second by Alderman Breeding.
 - Motion Carried Unanimously
- Close Public Hearing (time: 6:33 p.m.)

OPEN PUBLIC HEARING

Public Hearing #2

- Motion by Alderman Breeding, second by Alderman Cates to open Public Hearing on the Preliminary Budget Fiscal Year 2023-2024.
 - Motion Carried Unanimously

Preliminary Budget Fiscal Year 2023-2024 (open time 6:34 p.m.)

- The preliminary budget was discussed. Mayor reported updates were made yesterday to the expenditure report. The Mayor explained the changes in the law enforcement budget, including to the personnel services. A question was asked as to why the Police Chief is allowed overtime when other department heads are not. It was explained the Montana Department of Labor FLSA (Fair Labor Standards Act) explains this for both police officers and firemen, along with the legal opinion helping define this for the Chief role, provided by the City Attorney on this matter. A police training budget line was added to Law Enforcement Services. Alderman Breeding asked if the budget is approved, would this imply the items planned for are also approved (e.g. moving to the MPORS retirement system, a 6th police officer, etc.), without a separate Council decision? The Mayor said she would inquire to verify this but these items would likely require Council approval later, after the budget approval, and would not be implied with just approval of the budget. It was discussed that the budget could be amended later to add these items but typically they are budgeted for up front, if planned. Other changes included a slight increase in the Mayor's travel budget. Other budget items under review include pool wages, splash park funding, and building inspector costs. The Port Authority payments were also discussed and need evaluated to ensure done correctly. Understanding although the Mills decreased in comparison to last year, they have increased in value. The IO reporter, McKenzie Graye, asked if additional budget meetings would be held; the Mayor responded that this is possible and, if so, they would be posted on bulletin boards (City Hall and Library) in addition to posting on the city website.

This Preliminary Budget Public Hearing Stays open until the Council Meeting on September 5, 2023

Reopen regular meeting resumed (time: 7:12 p.m.)

- Motion by Alderman Hunsucker, second by Alderman Schoenrock to reopen the regular meeting.
 - Motion Carried Unanimously.

Public Works Director's Report continued... Inspection for the Department of Labor and Industry has been officially closed with all findings corrected. They wanted a PSI rating on the air wands lower than 30 psi.

Director Zimbelman and the Mayor met with State officials (MDOT – Montana Department of Transportation) today on the proposed State project of resurfacing the highway southeast of town, and Main Street (I-15 Business Loop) heading north to the north exit overpass. The project would start in 2 years. There was discussion about the town's stop light. MDOT said the light is not justified or up to date; additionally, the light corners are not ADA compliant. Discussion ensued on history behind the light, arguments for keeping the light, etc. MDOT said they would likely do a traffic survey of this intersection to understand the traffic patterns, etc..

Public Library

The Conrad Public Library Report was submitted by Director Christensen. July statistics: 1,505 library visits; 2,377 items circulated; 15 programs held; 246 program attendees; 345 computer users; 21,890 separate Wi-Fi sessions. July was the busiest month since before the pandemic. Staffing and/or operating hours are being re-evaluated. The Library is wrapping-up summer programming and preparing to transition to fall youth programs, including: Story Hour, Toddler Time, Daycare/Preschool Outreach Totes, two After School Clubs (1st-3rd grade, 4th-6th grade); and the new grant funded teen-led Democracy Project. Summer Saturday hours will end after this week. Three craft Saturdays and three operating Saturdays were held this summer. The back door replacement project has been

completed with a new exit sign and exterior lighting. A concrete pad/ramp will be addressed in the future. The Library will have a table at National Night Out. There will be a program and service information, as well as face painting. The Library Board of Trustees still has a vacancy; 'Interest' forms are available at conradlibrary.com and may be handed in at the Library or to the Mayor at City Hall.

Discussion/Action: Resignation of Alderman Breeding (Council Vacancy)

- Motion by Alderman Schoenrock, second by Alderman Cates, to accept the Resignation of Alderman Breeding effective 8/31/23.
 - Motion Carried: 3 ayes, 0 nays (Alderman Breeding abstained)

Discussion/Action: Resolution #1282 MCEP Infrastructure Planning Grant Application Authorization

The application will be submitted by Triple Tree Engineering. The grant would cover the cost of the PERs for upgrades being evaluated for the wastewater treatment plant.

- Motion by Alderman Hunsucker, second by Alderman Cates, to approve authorization of Resolution #1282 MCEP Infrastructure Planning Grant Application Authorization
 - Motion Carried Unanimously

Discussion/Action: Turning Over Delinquent Water and Sewer Charges to County

- Motion by Alderman Schoenrock, second by Alderman Breeding, to approve the list of Delinquent Water and Sewer Charges to be turned over to County
 - Motion Carried Unanimously

Discussion/Action: New Life Fellowship Board of Adjustment Request

- Motion by Alderman Breeding, second by Alderman Hunsucker, to approve New Life Fellowship Board of Adjustment Request
 - Motion Carried Unanimously

Discussion/Action: Kersten-Miller, LLC (Mayor's company) Revised Agreement

The Mayor asked if she could rent her office on a month-by-month basis going forward, after August (she is currently paid through 8/31/23). If she anticipates using the office for any work outside the City, she will contact City Attorney Jones and the Council President to say she will be using the office for non-City work at \$100/month.

- Motion by Alderman Hunsucker, second by Alderman Schoenrock, to approve the First Amended Use Agreement between Kersten-Miller, LLC (Mayor's company) and the City
 - Motion Carried Unanimously

Executive Session: None

Other Business: An observation was made by a guest about the extremely poor condition of the railroad at Solid Road coming into town. She asked who is in charge of maintaining the crossing. New rails were put in, but they're about much higher than the asphalt, making it hazardous for vehicles to traverse. There was the question of where the crossing becomes a City road, etc.. There have been incidents of BNSF blocking exits and kids walking between train cars to get to school. The Mayor and Public Works Director are not sure if the asphalt is a City, State, County, etc.. The Mayor will work PWD Zimbelman and will follow-up with BNSF regarding this complaint; the Mayor also encouraged citizens to report concerns directly on BNSF's website; it was explained the crossing number is on the crossing sign and should be included in the report to BNSF.

Items to Appear on Next/Future Agenda: Blue Sky Villa/Horizon Lodge Garden Apartments, Inc. Surplus Funds Letter 2022-2023 – tabled on 8/1/2023. Mayor is working with City Attorney and have a committee meeting scheduled for 8/22/2023.

Meeting Adjourned:

There being no further business to come before the council, motion by Alderman Hunsucker, second by Alderman Cates, to adjourn the meeting at 7:42 p.m.

- Motion Carried Unanimously



Mayor Jamie Miller

Attest:

Nathan Hunsicker

*Finance Officer

*Council President to sign in lieu of Finance Officer at this time