



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 JUNE 6, 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 June 6, 2023 at 6:00 p.m.

Present: Mayor Jamie Miller; Aldermen: Nathan Hunsucker, Karla Breeding and Amber Schoenrock; Billing Clerk Kim Cooney; Public Works Director David Zimbelman; Chief of Police Ernest Padilla; Library Director Tiffany Christensen; City Attorney Daniel Jones.

Absent: Alderman David Cates was absent with permission

Guests present: 1

The meeting was called to order by Alderman Hunsucker at 6:00 p.m.

- Motion by Mayor Miller, second by Alderman Hunsucker to amend the agenda to read "Read and Approve Minutes of the **May 16, 2023, Regular Meeting**" (in place of June 6, 2023).
 - Motion Carried Unanimously

Read and Approve Minutes of the May 16, 2023 Regular Meeting

- Motion by Alderman Breeding, second by Alderman Hunsucker, to approve the minutes of the May 16, 2023 regular meeting.
 - Motion Carried Unanimously

Claims #27216 through #27295 (refer to the claims register)

- Motion by Alderman Hunsucker, second by Alderman Shoenrock to approve the claims, as presented.
 - Motion Carried Unanimously

Water Contract: None

Correspondence: Update on Community Garden from Pete McKeone. Mayor Miller read the letter and appreciated the update and work being done.

Public Comment: (no action taken): None

City of Conrad Department Reports:

Police Department: Chief Padilla introduced the City's newest police officer, Daniel Karlik, who is currently training with Sergeant Smith. The Chief reported on the month of May. There were approximately 240 calls for service reported to PCSO Dispatch and/or Conrad Police Department. Routine security checks were made for local businesses and residences by request. There were 6 arrests; 12 alarms; 8 assaults/harassments; 3 burglary/thefts/shoplifting reports; 3 child abuse/endangerment reports; 1 court order/civil papers; 6 criminal mischief/trespass/vandalism; 5 domestic incidents; 2 lost/found property; 15 medical emergencies; 5 noise/nuisance complaints (mostly animal calls); 7 suicide/mental health calls; 18 suspicious activity/vehicles; 6 wanted/missing persons; public assists: 21 citizen assists; 6 civil standbys; 15 information only calls; 4 vehicle lock-outs; 0 VIN inspections; 16 welfare checks; other: 6 SRO public events (helping the school with send-offs); 1 utility complaint; 0 illegal burn; 6 juvenile complaints; 0 privacy & communications; traffic: 4 accidents investigated; 12

traffic complaints; 0 DUI; 1 hit & run; 27 traffic initiated; assisting other agencies: 9 sheriff's office; 5 Montana Hwy Patrol; 10 ambulance; 0 Fire Department; other agency assists: 0 Adult Protective Services; 0 Child Protective Services; 0 Fish & Wildlife; 2 Great Falls PD; Animal Control calls: 17 dogs; 2 cats; 0 other; Situational Report: Officer Daniel Karlik started on May 17, 2023. CPD purchased a 2019 Ford Explorer Administration Vehicle. Chief Padilla said he previously estimated \$4,000.00 to equip the new vehicle last month however he has only spent about \$490.00. He has everything except a siren.

Public Works: Public Works Director (PWD) Zimbelman reported for the month of May. Replacement curbing has been installed at winter water leak areas. Prepping holes for asphalt being replaced starting next Monday. The pool boiler pump went out and the last two rebuild kits in the country arrived today. The pump is obsolete, so the Director will look at corrosion resistant pumps for future use. Most of the Ballfield bleachers are now four high instead of five. There are a few left on the East side that will be cut down as time allows. Park & Rec would like the City to purchase a set of ten high bleachers which Director Zimbelman will do this week. City Public Works assisted with Whoop Up prep and noted that more road cones are needed to accommodate these events on top of regular road work thus more will be purchased. Splash Park final rendering will be submitted to DEQ soon and then the work can get bid-out. Director Zimbelman acknowledged that the committee wanted to get the project going this year, but contractors are busy now for this season. It should only take a month to finish, once work begins. Piping for the lift station should be here mid-summer. PWD reported the City hauled a lot of trash for Alley Clean Up this year: 19.75 tons in one week (10 truckloads of garbage, 1 truckload of appliances, 5 truckloads of brush chipping), or about 1/3 of what the City dumps each month. Approximately around 10 tons is normal for Alley Clean Up in a year. This year was high. Director Zimbelman was told that the service provided by Alley Clean Up originated to help elderly residents, and those with no means to haul larger garbage loads, and of course to keep Conrad clean. He's seen increasing misuse of this free biannual service offered by the City. Director Zimbelman has worked Alley Clean Up on both garbage and chipper crews, and has also seen the Joint Refuse District point of view. He sits on the District's board to help ensure they're not being taken advantage of. The Joint Refuse District is looking to secure a different contract with the City or to potentially do something different altogether. There's no expiration date as far as Director Zimbelman knows. NMJRDD currently reimburses the City \$2,000 biannually (\$4,000 per year) for hauling City trash to Valier. The City would otherwise quickly fill the roll-out site leaving no room for residents. Public Works takes 5-6 trips to Valier each month. The County has been questioning the revenue loss from residents not hauling their own refuse to the dump. Mayor Miller asked if Alley Clean Up could be done earlier so it doesn't coincide with the ballfield start-up. Director Zimbelman said it's always been the same week in May. It's a long process and takes a lot of man hours. The City has had trouble getting diesel mechanics to work on the larger, more important equipment, and has been running the back-up garbage truck for two weeks waiting on leaf springs for the current truck. Public Works is currently behind in grading alleys, crack routing, and dura patching streets. Director Zimbelman asked for the public's patience during this busy time of year. He said we need to look at raising our garbage rates to cover out-of-town maintenance of equipment. Alderman Schoenrock asked the Director how he felt about the Mayor's letter to Park & Rec. He felt that it was fair and he appreciated the Mayor's response. Director Zimbelman said we've got the best facility around, the nicest complex. He just wishes Park & Rec would encourage their patrons to respect the ballfields and facilities. Director Zimbelman emphasized that he's working to keep the ballfields safe. He's hired a seasonal maintenance worker to help out this year, and he's preparing to order 10-high bleachers for \$16,000. He will do his best to keep things safe and looking good. Alderman Breding asked about the ballfield lights. Director Zimbelman said the poles are going in this Thursday. They moved due to frost and this is being resolved. Park & Rec asked for gravel to put in the holes, which Public Works is providing. A discussion ensued about whether a structural engineer report is still needed or not and PWD will look into if anything more is needed in this regards.

Library: Library Director Christensen reported on statistics for May and distributed the Strategic Plan 2023-2025. There were 1,383 library visits, 1,751 items circulated, 17 programs held, 523 program attendees, 206 computer users, and 20,307 separate WiFi sessions. The big thing in May was the Foundation-sponsored author visit at the Conrad High School auditorium which drew 250 people. Director Christensen hopes to secure more author visits in the future. She noted that the library recently added a vision statement. The 3-year Strategic Plan, along with the

vision and mission statements and core values, shows goals for the library to relate to the community. Director Christensen emphasized that libraries have become important physical places, especially since COVID, where people can gather safely. Director Christensen announced the hiring of two part-time library assistants; they are being trained this month. The library hopes to open up some Saturday hours soon. The Board of Trustees are officially under Workers Comp, so they can be trained as volunteers to work Saturdays. There's a new book drop at the back of the building, but the back door is kept locked for security reasons. People can still return books at the front desk during business hours. Siding and new exterior lights should be finished next week. Director Christensen noted that summer reading has begun. The library summer theme this year is "Altogether Now: Celebrating Friendship, Kindness, and Community." The library has different programs and crafts that families can do together. There is no safe place to park bicycles at the library. There's room behind the library, but the back door is kept locked for safety reasons. The front door must be ADA accessible, so there's not enough room for bikes in the front. Discussion ensued on possible bicycle parking places. Mayor Miller said the library looks fantastic. Director Christensen also reported a lot of people are using the space for meetings. Carol Gunderson does piano lessons at the library. She purchased an electronic piano with headphones that allows people to play without making a sound. She is a member of the Foundation as well.

City Attorney: City Attorney Jones reported that the City attorney contract expires at the end of this fiscal year. He initially declined to offer a renewal to his contract, but thanked the Council and Mayor for urging him to do so. Attorney Jones presented a breakdown of a potential contract pricing; a rationale for the increased rates was explained, including an almost 40% increase in criminal cases in the last year. The City Attorney's office has worked well with law enforcement. He said since Chief Padilla has become Chief, the City and Attorney have done a lot to remove criminals from the community. The quality of criminal evidence has gone up, and with the outlook of fewer trials, he foresees having more time for City work. Attorney Jones said the contract terms would remain the same except that everything will be within scope and there will be no out-of-scope services. He has plenty of work around town, but he appreciates working with the City and is interested in continuing the relationship if the City is. There is a good flow of communication from all perspectives, both law and non-law enforcement. Mayor Miller mentioned that she also works well with the City Attorney. Attorney Jones said that the civil side has not increased, as anticipated. If the City chooses to, or not to, renew his contract, Attorney Jones will emphasize getting City of Conrad Resolutions and Ordinances digitized so they are searchable and can be stored for future reference. There is continuity back to 2019, but digitizing internally will make information easier to access. Alderman Breeding asked if other cities use contracts for attorneys, citing that the proposed contract is nearly triple what the City has been paying. Attorney Jones said Conrad is a third-class City and there are still contracts for cities this size. For example, his contract with Sunburst is not capped; it's just hourly. Sunburst has a sheriff's office but no city court, and the contract is for both civil and criminal. Shelby, which has a city court, accepted a contract for civil with no cap. They have a quarterly contract with another individual for criminal cases. Municipalities across Montana have gotten legal services for a rather steep discount for a number of years. Attorney Jones believes \$200/hr is a fair rate. Alderman Breeding asked if the increased rate is because the criminal side is unrecoverable through fines. Chief Padilla said the City doesn't have those stats because they're logged at City Court. Each fine goes to City Court, but Chief Padilla never sees the finance side. This is something the City need to know when we win cases. There's always a record of each fine imposed, but the City doesn't see those numbers. Mayor Miller said we could request those reports from the court clerk. Alderman Hunsucker asked if there were changes the City could make that would reduce his time on City work. Attorney Jones said there are things that can be done in terms of reducing inefficiencies through technology, such as digitizing City code. He added that this year his office is constantly trying to be more efficient, and there is potential for reduced hours based on reductions in criminal cases. Alderman Breeding asked if there are things that should go to Chief Padilla before the Attorney's Office, and he said "No." Most of his communications with the Chief or Mayor already. Chief Padilla added that his officers understand his position on use of the City Attorney's time. The Chief is notified whenever they go to the Attorney's Office, and no correspondence goes out without the Chief's knowledge.

Discussion/Action: City Attorney Contract Renewal

Mayor Miller suggested renewing for one year based on lack of a financial clerk to help determine where city finances are currently at. Alderman Hunsucker said Chief Padilla showed \$25,000 in the Police budget two years ago for “out of scope” expenditures, which each department was given. Based on that, he believes it’s “really close” to what’s been budgeted in the past, maybe a little more. He said it would probably be about \$13,000 more total. Alderman Breeding stated that the standard renewal would still increase, and Alderman Hunsucker replied that we don’t have another option, in his opinion. Further discussion on the contract renewal ensued. Attorney Jones said that at the current contract he wrote-off about \$50,000 worth of work each year. If the City agrees to the contract, he will need to terminate some existing private civil litigation, and he’s not sure how long that will take. He is disappointed that he hasn’t been as responsive or available to the City in the past, and added that if he gets the contract, he will be more responsive.

- Motion by Alderman Hunsucker to renew the City Attorney Contract for \$200/hr for the attorney and \$70/hr for the paralegal for the next 2 years, second by Amber Schoenrock.
 - Motion Carried Unanimously

Discussion/Action: Pondera 4H Shooters Request to Sell Fireworks

- Motion by Alderman Breeding, second by Alderman Schoenrock to approve the Pondera 4H Shooters request to sell fireworks beginning June 27th, subject to Fire Chief Inspection.
 - Motion Carried Unanimously

Discussion/Action: Finance Officer Position Update

Mayor Miller received an update today from the consultant who is helping the City under a contract for financial assistance. Ms. Mahulm hopes to have the AFR submitted this week. She has compiled the City’s financial statements through October 2022, but can’t balance until she completes the tax distribution. She hopes to start that next week. She noted that she has other clients and was contracted by the City to work only part-time. She will be on vacation in July. A potential Finance Officer candidate is in the process of having a background check although the process is a couple of weeks out.

Discussion/Action: Request for Pay Increase – Billing Clerk

Mayor Miller proposed an hourly increase of \$1.00/hr for Kim Cooney and \$2.00/hr for Patti Hutton, as both have helped the City stay afloat during this time and it’s appropriate to show them that they’re work is appreciated.

- Motion by Alderman Schoenrock to increase Kimberly Cooney’s hourly wage from \$17.59 to \$18.59 effective June 1, 2023, second by Alderman Breeding
 - Motion Carried Unanimously

Discussion/Action: Request for Pay Increase – Payroll Clerk

- Motion by Alderman Schoenrock to increase Patti Hutton’s hourly wage from \$16.50 to \$18.50 effective June 1, 2023, second by Alderman Hunsucker
 - Motion Carried Unanimously

Discussion: Street Light Assessment Update

Mayor Miller said we are still trying to get the information to form our 2023-24 Resolution on Street Light Assessments. Black Mountain Software support provided some information to Billing Clerk Cooney, but we are missing some details. We need to know the City’s total number of square feet that plugs in to the total target

amount of the assessment. Payroll Clerk Hutton obtained a copy of the Choteau Resolution which includes more detail. More research is needed at this time to determine these assessments.

Executive Session: None

Other Business:

There was discussion on the COLA increase for City employees for FY 23-24. Mayor Miller referred to the percentage increases of nearby like-sized towns who responded to the question on the Clerk's list serve. Increases ranged from 3% to 8.7%. Discussion ensued with council on potential options for the time with this is brought before council for a decision.

Mayor Miller said the City Saturday Farmer's Market float won 6th place in the Whoop Up parade.

Potential Items to appear on next agenda: COLA & Wage Increase for City Employees, Finance Officer Update, Request to hold Youth Kickball at the Ballfields

Meeting Adjourned:

There being no further business to come before the council, motion by Alderman Schoenrock, second by Alderman Hunsucker, to adjourn the meeting at 8:23 p.m.

- o Motion Carried Unanimously



Mayor

Jonnie Miller

Attest:

Nathan Hunsucker

*Finance Officer

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