

**MINUTES
COUNCIL WORKSHOP
DECEMBER 30, 2014 6:30 P.M.
COUNCIL CHAMBERS**

A Council Workshop was held in the Council Chambers and called to order by Mayor Mark Mace at 6:30 p.m. on December 30, 2014.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Doug Poehls
<input checked="" type="checkbox"/> Bruce McGee	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Chuck Dickerson	<input type="checkbox"/> Scot Stokes
<input checked="" type="checkbox"/> Tom Nelson	<input checked="" type="checkbox"/> Bill Mountsier

OTHERS PRESENT:

Heidi Jensen

Public Input (three-minute limit):

There was no public input.

General items

There were none.

Executive Review:

- Resolution – Intent to adopt a Schedule of Fees and Charges

Heidi explained that the Schedule of Fees and Charges is reviewed at the first of the year. Department heads were given a copy of the Schedule and asked to make any changes, and only the Ambulance Department needed to make changes this year. The changes streamline the fees and add charges for nebulizer, decontamination of ambulance, IV supplies, glucometer, morphine and Narcon.

Doug mentioned that the thought behind increasing fees is that Medicare periodically looks back three or four years to determine rates. If rates are not increased periodically, Medicare will pay a miniscule amount compared to the costs.

Bill questioned why the library charges \$.10 for a copy and the police department charges \$5.00.

Heidi explained that the copies are different as the library charges per page and the police department charges for a full case report.

- Council Issues:
 - Motion procedure (Emelie Eaton)

Emelie stated that the memo from legal counsel addressed the issue.

There was a brief discussion regarding making a motion and possible ex parte communication.

- Lease Agreements

Bruce asked if the council would receive regular reports at workshops, as the council wants to know how the leases are progressing. He recently suggested a June 30th timetable for resolving the leases. Bruce asked for an update on the lease agreements with the Laurel Dodgers and the Little League for the use of the ballpark.

Heidi explained that, since the council voted that resolution down, there is a waiting period before another resolution can be presented to the council. She is working with the legal staff on that. She has asked the Dodgers for the Little League's contact information and has received no response. Heidi had nothing new to report.

Bruce stated that, regardless of when the resolution can come before the council again, there is no problem with staff and the Dodgers getting together to discuss the lease agreements. He stated that there are a lot of leases that the council has not turned down that still need to be negotiated.

Heidi agreed and stated that those leases will be worked on as staff has time, as there are a lot of pressing issues and the leases are not necessarily as high on the priority list as some other things.

Bruce stated that things have to be prioritized, and it has been eighteen years since some leases were last binding leases. He stated that eighteen to twenty years is enough time to start getting something done.

Heidi stated that is understood.

Mayor Mace asked if the council wanted the lease agreements listed on every council workshop agenda. Bruce said that he would.

Bruce thinks that from now until the end of June is more than enough time for the council and staff to get the leases resolved.

Heidi questioned getting every single lease done in six months.

Bruce stated that six months is more than enough time to get it done. After twenty years of being able to work on it and not being able to get it done, he thinks a timeframe of six months is enough.

Heidi respectfully disagreed and stated that she takes her direction from the mayor and does not have the time to complete every lease of the city within six months. She will have to allocate some of these to staff because there are a lot of leases with the city.

Bruce referred to the memo from legal counsel that stated the procedure that will be used to complete the leases.

Heidi stated that she understood and will talk to the legal staff.

Bruce then asked how much time is needed, if it cannot be done in six months. Obviously, this is long overdue and needs to get done, and he thinks the only thing that is keeping it from being done is the lack of a timetable to be finished. If December 2015 is the time, that is fine, but he thinks a date needs to be established.

Heidi stated that she has never been able to find where the staff was allocated the ability to do the leases. It has been done by committees and boards or by someone that never got it done. The Mayor recently authorized the staff to work on the leases, which is the first time that the city has allowed that to be done. Staff is aware that it needs to get done and staff is working on it and will try to get them done in a timely manner.

Bruce spoke further regarding the need to determine a time element for completion of the leases, the suggestion that staff does not want to accomplish it and therefore is not going to put out the energy and necessary things in order to accomplish it, the need for staff to dedicate a definite amount of time per day or week to get it done, and the suggestion to find out why the past procedure for review of the leases did not work and could be fixed.

Mayor Mace stated that part of the problem is that representatives from the groups are not always available during the daytime hours when staff is available. It will take some give and take for the groups and staff to meet and work on the leases, but he does not know how to put a timetable on it because the leases have not been done this way before. He stated the need to keep at the task and get it done.

Bruce again spoke regarding the need for a timetable and questioned why one could not be established. He is growing a little weary of nearly 20 years with expired leases and the inability to write a letter to tell the representatives to show up at a certain time to negotiate the leases. He could make this happen pretty quick with one registered letter to each one of the individual groups that give them their date and time to show up with their representative or to make other arrangements. He thinks the city is going to have to get a little more serious about this. He stated that it seems to be the last thing to accomplish and it actually keeps the city from accomplishing other things because it never gets accomplished. Bruce stated that it is high time that the city takes on the responsibility of these properties and buildings and be landlords and owners, or just get rid of them so the city is not in that position.

Chuck agreed with Bruce. He stated that, with the publicity about the leases, some of the groups might not want to show up because they know it will cost them money.

Tom agreed with Bruce to some extent. Being on the Lease Task Force, he knows how long it takes to negotiate a lease and get people together for a meeting. He mentioned that Bruce was part of the Lease Task Force and spent time on the lease with the Rod and Gun Club. Tom asked if a list of the leases and a priority list to address the leases could be presented at the next council workshop.

Mayor Mace agreed to do so at the January 13th council workshop.

Rick stated his agreement with Bruce.

- Update on 2011 Yellowstone River flooding event

Heidi explained that the city has not received the final project worksheet from FEMA for the engineering services, but staff has been assured that it will be paid for and they are to proceed forward. Great West is still continuing to work on the engineering design for the intake three miles upstream.

Rick asked if the river is down again as he thought he saw the intake.

Heidi stated that the intake is exposed and there is a lot of slush ice being sucked in that needs to be kept off of the screens. A trench was dug last week in the weird shelf pattern that has developed on the edge of the river so that the pump purchased in last year's budget could be put into the river at any time as a backup plan to continue service to the residents and the refinery. The river is down and slush ice is a great concern, and everyone hopes for an ice jam at Duck Creek this week.

Other items

Chuck mentioned that the Pelican Truck Stop has been sold and the area out there, including Shotgun Willie's, will be redone. He heard that the owner of Shotgun Willie's is aggressively looking for property to bring the establishment into the city limits.

Heidi stated that the owner has met with the Planning Director numerous times. There are no properties within the city limits where that establishment could be placed. He has looked outside in the one-mile donut where it would be allowable, and staff has encouraged him to go further than one mile outside the city limits.

Rick spoke regarding a letter he received from a business place downtown and asked how to proceed.

Heidi explained that the Mayor's office also received the letter. It has been addressed many times by the Director of Public Works and he received a copy of the letter. The mayor will sign and return a rebuttal letter to the development property.

Review of draft council agenda for January 6, 2015

Tom mentioned that the Cemetery Commission will now meet on the second Tuesday of the month at 5:00 p.m., prior to the council workshop. The first meeting will be on Tuesday, January 13th, at 5:00 p.m.

Doug asked regarding some financial information he requested for the Emergency Services Committee.

Heidi stated that the finance director has been on vacation but will get the information to him.

Attendance at the January 6, 2015 council meeting

All council members present will attend.

Announcements

Bill asked if Montana Rail Link has ever been questioned about the railroad crossing that goes into Fox Lumber.

Heidi explained that, within the next month or so, MRL will dig it up and replace it within three days. MRL tried to get the city to pay for it, but the city is not involved in a private crossing. The only thing the city would consider providing would be barricades because the city is not responsible for the crossing. MRL is involved and plans to do some replacements in conjunction with Fox Lumber. The MRL representative that contacted Kurt recently wanted to use asphalt, but Kurt reminded him that asphalt is not used at this time of the year and that a concrete crossing would be the only thing permitted.

Chuck stated the Budget/Finance Committee recently approved a purchase requisition for a new roof on the Chamber of Commerce building and then the council approved the small service contract for the new roof. Since this was done without getting a lease from the Chamber, he suggested that any future requests for building repairs should not be done prior to the completion of the leases.

Bruce agreed with Chuck.

Emelie wished everyone to stay safe and warm for their New Year's celebrations.

The council workshop adjourned at 7:00 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cindy Allen".

Cindy Allen
Council Secretary

NOTE: This meeting is open to the public. This meeting is for information and discussion of the Council for the listed workshop agenda items.